STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

PETE WILSON, *Governor*
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COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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SACRAMENTO, CALIFORNIA 95816-7083

COMMISSION MEETING
April 20, 1995 - 10:00 A.M.
Porthole Room
Holiday Inn By the Bay
1355 North Harbor Drive
San Diego, CA 92101
(619) 232-3861

AGENDA

CALL TO ORDER

FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

APPROVAL OF MINUTES

A. Approval of minutes of the January 12, 1995 regular Commission meeting at the Holiday Inn Capitol Plaza Hotel in Sacramento.

CONSENT CALENDAR

B.1 Receiving Course Certification Report

Since the January meeting, there have been 44 new course certifications, no decertifications, and 57 modifications. In addition, a number of agencies have been certified to present telecourse and IVD training. In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Financial Report - Third Quarter FY 1995/96

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

Humboldt County Marshal's Office - North Division
Humboldt County Marshal's Office - Eel River Division
Fontana Unified School District Police Department

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

B.4 Receiving Information on New Entry Into the POST Specialized (Non-Reimbursement) Program

The Los Angeles County Safety Police - Health Services Division, has met the Commission's requirements and has been accepted into the POST Specialized (non-Reimbursement) Program. In approving the Consent Calendar, your Honorable Commission receives the report.

B.5 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 January meeting, the six agencies listed on the report under this tab have met the requirements and have been accepted into the POST Reimbursable Public Safety Dispatcher Program. These new entrants brings to 330 the number of agencies joining the program since it began July 1, 1989.

INFORMAL HEARING

C. Receiving Comment Relative to the Proposed Guidelines for High Speed Vehicle Pursuits

Penal Code Section 13519.8 requires the Commission to develop guidelines for voluntary use by California law enforcement agencies in reviewing or developing individual departmental policies regarding high-speed vehicles pursuits.

The Commission and its Long Range Planning Committee have considered the process to develop the guidelines, and drafts of the proposed guidelines, on several occasions. At the January meeting, the Commission approved sending the proposed guidelines and commentary to affected agencies for review and scheduled a period for public comment on the guidelines at the April 20 meeting.

The enclosed report, with attachments, summarizes the background of the proposed guidelines and the context for this public comment session. The report identifies several alternative actions that are available to the Commission, following the public comment. These include:

- Adoption of the proposed guidelines and commentary, as written;
- Adoption of the proposed guidelines only, omitting the commentary;
- Adoption of the proposed guidelines and direct the commentary to be redesigned and incorporated into related training curricula; or
- Deferral of any action until POST can confer with law enforcement executives, legal advisors, and other interested parties, and revise the guidelines and commentary in response to the concerns expressed. The revised proposed guidelines could be considered for adoption at the July 20 meeting.

The Commission specifically scheduled this public comment session to allow airing and clarification of the facts, suppositions, and feelings regarding this matter. After considering the information, the Commission would be in the position to choose a course of action that is deemed appropriate in light of the proceedings.

PUBLIC HEARINGS

D. Receiving Testimony on the Proposal to Adopt the Training Requirements Related to Vehicle Pursuits

Penal Code Section 13519.8 (SB 601, Marks), effective January 1, 1994, requires the Commission to prepare "...courses of instruction...for law enforcement officers...in the handling of high-speed vehicle pursuits..."

The law requires that instruction related to vehicle pursuits included in the Basic Course and that supplemental training be provided to "All law enforcement officers who have received their basic training before January 1, 1995..." The law defines law enforcement officers, for the purpose of this instruction, as those officers employed by a local police or sheriff's department and the California Highway Patrol.

Based upon information from law enforcement driving instructors, the training specifications for the Basic Course have been revised. In addition, separate specifications have been prepared for supplementary training that is to be provided to officers and supervisors, and to managers and executives. No mention is made in the law of the ranks of law enforcement officers for whom this supplementary training is required. The Commission's legal counsel advises that it is prudent to assume the supplemental training requirement applies to officers of all ranks.

The report under this tab describes in greater detail the proposed training specifications and the modifications to Commission Procedure D-1, and to Commission Regulations 1005 and 1081.

Following receipt of testimony concerning the training specifications, and if the Commission concurs, the appropriate action would be a MOTION to approve the recommended changes to Procedure D-1 and Regulations 1005 and 1081, effective July 15, 1995, subject to approval by the Office of Administrative Law as to conformance with California rulemaking law.

E. Receiving Testimony on Proposed Implementation of Senate Bill 1874 and Level I Reserve Training Standards

Senate Bill 1874 (Ayala), effective January 1, 1995, amended Penal Code Section 832.6. The amendments have a significant impact upon Level I reserve officer training requirements. The major provisions of this legislation:

1. Require non-designated Level I reserve officers appointed after January 1, 1997 to complete the regular Basic Course training requirement;

2. Provide that a law enforcement agency may request an exemption from the above training requirement, if it has policies approved by the Commission limiting the duties of Level I's and requiring completion of other training requirements established by the Commission; and

3. Require all Level I reserve officers to satisfy the Continuing Professional Training (CPT) requirement prescribed by the Commission.

The proposed amendments to Commission regulations and procedures would implement certain provisions of SB 1874 by:

1. Establishing the regular Basic Course as the required training for non-designated Level I reserve peace officers consistent with Penal Code Section 832.6.

2. Establishing Commission requirements for exempting Level I reserves from the Basic Course if the agency has approved policies or other documentation specifying its Level I's are deployed to assignments or duties that are primarily less than "prevention and detection of crime and the general enforcement of laws" or are under the continuous and immediate supervision of a POST certificated regular officer while performing general law enforcement duties.

3. Requiring exempted Level I reserve officers to complete the current Level I Reserve Training course of 222 hours and a 200-hour field training program approved by the Commission.

4. Specifying that the CPT requirement for all Level I's, regardless of rank or assignment, be the same CPT requirement as that for regular officers (24 hours every two years).

5. Modifying Commission Regulation 1008 by allowing service as a Level I reserve to be considered peace officer service for purpose of the three year rule if the law enforcement agency has policies requiring a minimum 16-hours service per month for its Level I's.

Subject to the results of the public hearing and if the Commission concurs, the appropriate action would be a MOTION to adopt the proposed amendments to Commission regulations and procedures pertaining to Level I reserve officers, effective July 1, 1995 subject to approval by the Office of Administrative Law as to conformance with California rulemaking law.

F. <u>Receiving Testimony on Proposal to Increase the Required Minimum Instructional Hours for the POST Regular Basic Course From 560 to 664</u>

At its January 12, 1995 meeting, the Commission reviewed a recommendation to increase the minimum required instructional hours in the Regular Basic Course from 560 to 664. The Commission scheduled a public hearing in conjunction with its April 1995 meeting to receive testimony on the proposed change.

The minimum hours for the Regular Basic Course were last modified by the Commission in April of 1989. At that time, Regular Basic Course hours were increased from 520 to 560.

Since 1989, a significant number of peace officer training mandates have been promulgated by the Legislature which have impacted the Regular Basic Course instruction. Additionally, a variety of other topics have been added to the basic course by the Commission in response to training needs.

Recognizing the need to adjust minimum required hours to reflect changes in training and testing specifications, a POST Basic Course Instructional Hours Analysis Survey was developed and sent to academy directors. The results showed that nearly all academies significantly exceed 560 hours in order to deliver mandated instruction.

The report under this tab contains recommendations for adding time to 18 learning domains to both the cognitive and scenario testing blocks. It is also recommended that time be reduced in one domain. Collectively, these recommendations would add 104 hours to the Regular Basic Course, increasing the required minimum hours from 560 to 664 hours.

Subject to receipt and consideration of written and oral testimony, the indicated action would be a MOTION to increase the required minimum hours of the Regular Basic Course from 560 hours to 664 hours, effective July 1, 1995, subject to approval by the Office of Administrative Law as to conformance with California rulemaking law.

BASIC TRAINING BUREAU

G. Report on Proposal to Adjust Reimbursement Levels for the Regular Basic Course, the Marshals' Basic Course, and the District Attorney Investigators' Basic Course

This item is contingent upon action by the Commission on the previous item. Current maximum reimbursement for the Regular Basic Course is 560 hours. Historically, whenever the Commission increases the length of the course, it has correspondingly increased maximum reimbursement hours for the regular Basic Course, Marshals' Basic Course, and the District Attorney Investigators' Basic Course.

Subject to Commission action following the public hearing, the report under this tab includes a proposal to increase reimbursable hours for the Basic Course to 664 hours, increase the Marshals' Basic Course from 486 to 590 hours, and the District Attorney Investigators' Basic Course from 462 to 566 hours.

The potential fiscal impact to the regular Basic Course is estimated at $512,000 annually. Reimbursement adjustments

for Marshals' and District Attorney Investigators' Basic Courses are not expected to create a significant financial impact.

While the Commission by this action establishes reimbursable hours for basic training, the actual reimbursement rate and frequency decisions are considered separately consistently with funding availability and other factors.

If the Commission wishes to consider increasing reimbursable hours for the Regular, Marshals', and District Attorney Investigators' Basic Courses, the appropriate action would be a MOTION to:

1. Establish the maximum number of reimbursable hours for the Regular Basic Course as 664 hours, effective July 1, 1995.

2. Approve increasing the maximum reimbursement from 462 hours to 566 hours for District Attorney Investigators' Basic Course, and from 486 to 590 hours the Marshals' Basic Course .

H. Report and Recommendation to Schedule a Public Hearing on July 20, 1995 on the Proposal to Approve the Basic Course Transition Pilot Program and to Amend the Regulations Accordingly

The Long Range Planning Committee has received reports on an alternative approach to delivering law enforcement basic course training. The *Basic Course Transition Program* separates knowledge-oriented instruction from the Regular Basic Course curriculum into a preparatory phase of instruction as part of a community college degree program. Students graduating from these programs would take a state comprehensive exam. Those who pass the exam are screened to then attend a shorter, reconfigured Basic Course.

The proposed program is to test an alternative delivery model for basic training. Input from an ad hoc committee has helped draft this proposal. There is great interest on the part of academy directors and law enforcement executives. A number of academies have already volunteered to conduct pilot offerings. The reconfigured law enforcement academy is shorter and will result in significant dollar savings. Colleges can take longer than POST's minimums in the preparatory basic coursework curriculum, fostering deeper understanding of subject materials.

The Long Range Planning Committee reviewed the concept at its March 6, 1995 meeting and recommended approval of a pilot program. Of course, current certified basic course formats will continue unaffected by this pilot.

If the Commission would like to proceed, the appropriate action would be a MOTION to schedule a public hearing for July 20, 1995 to receive comments on the proposed regulation changes which would effectuate the Basic Course Transition Pilot Program.

I. Report and Recommendation to Adopt Changes to Regular Basic Course Training Specifications Using the Notice of Proposed Action Process

Commissioners previously approved modifications to Procedure D-1 to establish training specifications for each Regular Basic Course learning domain and to incorporate a new document *Training Specifications for the Regular Basic Course (1993)* into Procedure D-1 by reference. The training specifications now serve to describe the basic course requirements in Administrative Law.

The report under this tab proposes modifications to the training specifications for five learning domains. The recommended modifications are based on proposed curricula enhancements, changes to domain titles, or other editorial improvements.

Significant proposed changes include:

- Addition of topics to Learning Domain #5 (Introduction to Criminal Law) which specifically identify the concepts of the California criminal justice system to be included in instruction and a new topic to require instruction on a new law regarding the attempt to commit a crime.

- Rename Learning Domain #6 (Crimes Against Property) "Property Crimes."

- Move two topics regarding civil rights from Learning Domain #7 (Crimes Against Persons) to Learning Domain #15 (Laws of Arrest).

- Add instruction to Learning Domain #8 (General Criminal Statutes) on a new law regarding peeping in bathrooms.

All recommended changes have been reviewed and supported by members of the Basic Course Consortium.

The proposed curriculum changes must be adopted pursuant to the Administrative Procedures Act. It is recommended that the Notice of Proposed Action Process be used. If no one requests a public hearing, these proposed changes would go into effect upon approval by the Office of Administrative Law (OAL) as to conformance with California rulemaking law.

If the Commission approves, the appropriate action would be a MOTION to adopt the proposed changes to the Regular Basic Course Training Specifications, effective July 1, 1995 or upon OAL approval as noted.

J. Report and Recommendation to Schedule a Public Hearing on July 20, 1995 on the Proposal to Add a Module D to the Reserve Training Modules and approve a new document, *Training Specifications for Reserve Training Module D.*

Senate Bill 1874, effective January 1, 1995, requires POST to develop an optional bridging or supplemental course for existing Level I reserve officers who have completed Reserve training Modules A, B, C, totaling 222 hours and who wish to satisfy the Basic Course requirement (a proposed minimum of 664 hours). POST is also required to ensure there is no unnecessary redundancy of training.

A bridging course can effectively be created by adding a Module D to the existing Reserve training system. Module D would permit existing Level I's to satisfy the regular basic course training requirement. The existing training requirement for non-designated Level I's is completion of Reserve Training Modules A, B, & C which totals 222 hours. The minimum required hours for the Module D course is proposed to be 442 hours. Modules A, B, C, and D, if completed together, total 664 hours, the equivalent of the Basic Course.

A new document, *Training Specifications for Reserve Module D*, would specify the content, topics, and minimum hourly requirements of the course. The specifications include the topics, learning activities, and tests required for the Regular Basic Course, but not included in Reserve Training Modules A, B, & C. To ensure that students participate in learning activities and take required exercise tests, scenario tests, and physical abilities tests in Module D courses, it is recommended that Module D be certified only to presenters who are certified to deliver the Regular Basic Course. It is also proposed that a comprehensive exam be administered at the end of Module D addressing all cognitive aspects of the Basic Course.

The changes are significant and will require public input. If the Commission concurs, the appropriate action would be

to schedule a public hearing for the July 20, 1995 meeting to consider adopting regulations to implement a Reserve Training Program that would: (1) Add Module D as a bridge course for existing Level I officers who have completed Reserve Training Modules A, B, & C and who wish to satisfy the Basic Course training requirement; and (2) Adopt a new document, *Training Specifications for Reserve Training Module D*, as the curriculum for Reserve Module D training.

If the Commission would like to bring this to a public hearing, the appropriate action would be a MOTION to schedule the hearing on this matter for the July 20, 1995 meeting.

STANDARDS AND EVALUATION

K. Report and Recommendation to Adopt Proposed Changes to the Regular Basic Course Performance Objectives

Ongoing review of the regular basic course performance objectives has identified a number of changes that would improve the quality of the domain tests. The proposed changes occur in learning domains #5 (Introduction to Criminal Law), #6 (Property Crimes), #7 (Crimes Against Persons), #8 (General Criminal Statutes), and #41 (Hazardous Materials Awareness), and are as follows:

Domain 5: Introduction to Criminal Law. Delete one knowledge objective and replace it with a new knowledge objective.

Domain 6: Property Crimes. Modify seven knowledge objectives to require that students also recognize when a specific property crime has been attempted, but not completed. Modify two other knowledge objectives by adding penal code sections.

Domain 7: Crimes Against Persons. Modify six knowledge objectives to require that students also recognize when a specific crime against a person has been attempted, but not completed. Move two other knowledge objectives to Domain 15, Laws of Arrest.

Domain 8: General Criminal Statutes. Delete one knowledge objective that will be addressed in Domains 5, 6, and 7 as a result of proposed changes to these domains. Modify one other knowledge objective by adding a penal code section.

Domain 41: Hazardous Materials Awareness. Delete two knowledge objectives for which we have been unable to write acceptable test questions. Delete one other

knowledge objective which requires the student to use the *Emergency Response Guidebook* and replace it with four new knowledge objectives which would require students to more thoroughly demonstrate how to extract information from the *Guidebook*. Delete one exercise objective and replace it with a required learning activity.

The full text of all proposed changes, and the rationale for each, are provided in the full agenda report and attachments to the report.

The proposed changes have been endorsed by the Consortium of Academy Directors, and are consistent with the proposed changes to *Training Specifications for the Regular Basic Course - July 1993*, as described in a preceding agenda item. Those objectives recommended for deletion, and not replaced by new objectives, will continue to be required topics of instruction as delineated in the *training specifications*.

If the Commission concurs, the appropriate action would be a MOTION to accept the proposed changes to the regular basic course performance objectives to become effective with academy classes beginning on or after July 1, 1995.

L. Report on the Newly-Developed Dispatcher Entry-Level Test and Recommendation to Schedule a Public Hearing on July 20, 1995 on the Proposal to Modify Public Safety Dispatcher Selection Standards Incorporating Testing

The report under this tab summarizes recently completed research to develop a job-related entry-level dispatcher selection test, as well as proposed language for a new Commission regulation which would require that all public safety dispatcher candidates possess the abilities measured by the test (i.e., verbal ability, reasoning ability, memory ability, and perceptual ability). Individuals who have completed the Public Safety Dispatcher Basic Course and have successfully completed probation during previous employment would be exempt from the new requirements.

As proposed, the new regulation would require POST to maintain and make available the new test battery to interested agencies, at an estimated annual cost of between $40,000 and $80,000. An effective date of July 1997 is recommended for the new regulation, to allow agencies to conduct the research necessary to develop alternative job-related tests. Prior to this date, agencies would be charged to use the POST test battery. The charges would be to recover costs, and would be roughly $5 per candidate, plus a base charge of $125 per test administration. The test battery would be available for general use by September

of this year.

A draft of the report was presented to the Long Range Planning Committee at its March 6, 1995 meeting. The Committee recommends proceeding by scheduling the public hearing.

If the Commission concurs, the appropriate action would be a MOTION to:

1. Schedule a public hearing for July 20, 1995 to receive comment on the proposed new selection standards for public safety dispatchers; and

2. Approve implementation of a statewide dispatcher testing program as proposed (i.e., with interim charges to test users to recover costs, until such time as the new standards become effective), subject to the results of the public hearing.

TRAINING PROGRAM SERVICES

M. Report and Recommendation for a $30,000 Augmentation to the CSU San Diego Contract to Cover the Cost of Extra Television/Video Work

In January, the Commission scheduled a technology symposium to include a report to the Legislature titled *Partnerships for a Safer California*. The scheduled symposium was cancelled due to a variety of compelling reasons. Subsequently, a short video was developed to highlight and accompany the AB 492 report, *Partnerships for a Safer California*. The video, reviewing technology applications and skill facilities, was sent to the Governor's Office, all members of the Legislature, the Commission, and others.

Funds for the completion of *Partnerships for a Safer California* came from the original telecourse/video production contract with KPBS-TV studios, which was approved in April 1994. A contract amendment of $30,000 will replenish the amount needed for the Commission's telecourse/video work for this fiscal year.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to sign a contract amendment in the amount of $30,000 (ROLL CALL VOTE).

MANAGEMENT COUNSELING

N. Report on the Peace Officer Feasibility Study for the California Museum of Science and Industry, Department of Public Safety, and Recommendation to Submit the Report to the California Museum of Science and Industry and to the Legislature

Penal Code Sections 13540-42 require persons interested in being designated as peace officers to seek a feasibility study from POST. POST conducts such studies pursuant to contracts for recovery of costs. Completed studies are submitted to both the Legislature and the requesting party.

Rudy Schultz, Chief, Department of Public Safety, California Museum of Science and Industry (CMSI), requested a study concerning the designation of 25 Museum security officer positions in the Department of Public Safety as peace officers. The Chief and Assistant Chief positions of the CMSI Department of Public Safety are peace officers pursuant to Penal Code Section 830.3(r). The study addresses the four supervisors and 21 museum security officers assigned to the CMSI Department of Public Safety.

The jurisdiction of the CMSI Public Safety Department at Exposition Park (concurrent with the Los Angeles Police Department) consists of 172.3 acres of museum buildings, park grounds, and sports facilities. The report provides information which indicates that the duties and responsibilities of the museum security officers are predominantly oriented to safety and security responsibilities associated with the Museum of Science and Industry.

The report concludes that the work of the non-peace officer Museum security officers includes few duties and responsibilities that require peace officer authority. The report recommends those positions not be designated as peace officers. The report also recommends the Museum administration security officer positions be provided with limited peace officer powers described in Penal Code Section 830.11.

The matter before the Commission is to refer the report, this may be done by a MOTION to submit the completed feasibility study report, including recommendations, to the California Museum of Science and Industry and the Legislature.

O. <u>Report on the Peace Officer Feasibility Study for the Cabazon Band of Mission Indians, Public Safety Department, and Recommendation to Submit the Report to the Cabazon Band of Mission Indians and to the Legislature.</u>

Penal Code Sections 13540-42 require persons interested in being designated as peace officers to seek a feasibility study from POST. POST conducts such studies pursuant to contracts for recovery of costs. Completed studies are submitted to both the Legislature and the requesting party.

Paul Hare, Chief of Public Safety, Cabazon Band of Mission Indians, requested a study concerning the designation as peace officers of 23 positions in the Cabazon Tribal Police Department. The study addresses the Chief, Assistant Chief, one captain, four sergeants, two investigators, and 14 officer positions.

The Cabazon Indian Reservation consists of four non-contiguous land parcels with a total of 1,224.93 acres. The Cabazon tribal membership is less than 50 persons, none of whom reside on Reservation land. Some of those persons (12) live on allotted lands adjacent to the Reservation.

The study concludes that the work of the non-peace officer, tribal officers revolves predominantly around security for gaming operations, and patrons in and around the casino complex that is located on the Cabazon Reservation.

The report notes that there are plans for additional commercial growth and new residential development on the Reservation. However, the peace officer authority needed to handle future development will remain with the Riverside County Sheriff's Department around the casino complex and with the Coachella Police department in the planned housing development.

California is a Public Law 280 State. That federal law reserves the exclusive responsibility to provide general law enforcement services to state and local authorities.

The study concludes that the work of the non-peace officer Cabazon Tribal officers does not require peace officer authority. The report recommends those officer positions not be designated as peace officers.

The Commission's action is to refer the report, which may be done by a MOTION to submit the completed feasibility study report, including recommendations, to the Legislature and the Cabazon Band of Mission Indians.

LEARNING TECHNOLOGY RESOURCE CENTER

P. Report on Alternative Plans for Symposium on Technology and Training

At its January 12, 1995 meeting the Commission decided to cancel plans for the 1995 Symposium on Law Enforcement Technology and Training. The symposium had been scheduled to provide the Legislature with the AB 492 final report, provide demonstrations of a variety of technology-based applications, and provide a forum for interaction between law enforcement chief executives and members of the Legislature.

The Commission requested alternative plans be developed that would accomplish some of the cancelled symposium's goals. To date a variety of work has been completed, including formal transmittal of the report to the Legislature, and developing a short video presenting the highlights of the report and the completed Commission demonstration projects. Mailouts of the report and the video have been completed. CPOA has submitted a copy of the Bond Bill to Assemblyman Robert Campbell, author of the ACR 58 and AB 492 enabling legislation. He has agreed to sponsor the bill as Assembly Bill 1020, and has introduced the bill in the Legislature.

Several alternatives have been developed for discussion at this meeting. They include a wide variety of options to provide the Legislature and the field with information about POST and the AB 492 project. A report will be made on the POST visit alternative that we have actually tested with visits by one legislator and chief executive, Department of Finance personnel, and a key staff member of the Assembly Budget Committee. A variation of this presentation was also made to the CPOA/CSSA/CPCA Task Force on their recent visit to POST.

This matter is before the Commission for discussion, information, and comments.

Q. Report and Recommendation for a Marketing Agreement with Time Warner Interactive for Use of POST Driver Simulator Scenarios

The Commission has been working with Time Warner Interactive (TWI) on evaluation of the driving simulators at three fixed sites in California. The Commission has authorized and paid for the ongoing development of a series of driving scenarios that are being used at the three pilot sites, at the West Covina Police Department site, and by the Association of Bay Area Governments (ABAG) mobile training unit.

The Commission has an opportunity to enter into a non-exclusive marketing agreement with TWI. Under the agreement, POST would license to TWI a package of driving scenarios that would be bundled into the instructor workstation sold to each simulator site. POST is viewed nationwide as a leading developer of training, and the inclusion of the POST-developed and tested scenarios into an instructor package would benefit any agency that purchases these systems.

TWI proposes that a package of instructional materials priced at $2500 be included with any system that is sold outside of California. The $2500 would allow each simulator site to have the instructor manual and specific driving scenarios already loaded onto the system(s) when they are delivered. All of the $2500 license fee for each site would come to POST. The package would be installed free into any POST-participating site established in the future.

TWI has projected sales at approximately 25 sites during the current year. Depending on sales, this would potentially provide the Commission approximately $62,500. It would also provide TWI with a quality instructional package that can be bundled into the systems they deliver and provide national exposure for POST-developed and tested scenarios.

If the Commission concurs with this recommendation, the appropriate action would be a MOTION to authorize the Executive Director to enter into a non-exclusive marketing agreement with Time Warner Interactive for the purposes of marketing POST-developed driver training scenarios outside the State of California.

EXECUTIVE OFFICE

R. Report on Findings of Field Survey

As directed by the Commission, a survey was conducted of chief executives and training managers from POST-reimbursable agencies. Survey respondents were informed of the likelihood that current revenue shortfalls will continue, and were asked their views concerning current POST programs and reimbursement policies. They were also asked to provide suggestions for restoring funding.

Survey questionnaires were mailed to a total of 546 agencies. The overall response rate was 54.6% for chief executives and 52.0% for training managers.

The survey document was the same for both groups, and required that respondents provide both importance and familiarity ratings for each of 24 distinct POST programs.

In addition, space was provided to comment on each program.

The results indicate that POST programs are generally viewed favorably. All but four programs received an average importance rating of "3" or higher, with "3" representing "important" on the rating scale. Those programs considered most important relate to the Commission's responsibilities for establishing selection and training standards. For the most part, those programs rated least important are relatively new (e.g., agency accreditation, Labor/Management Institute, Master Instructor Program). Among the specific training programs rated, the Supervisory Leadership Institute and POST telecourses received the highest ratings.

The ratings were analyzed for differences by respondent group (chief executives versus training mangers), agency type (police departments, sheriffs' departments, and "other" departments), and agency size within police and sheriffs' departments (three difference size categories were used). Few statistically significant differences were found. Results of these analyses are contained in the full agenda report.

The written comments generally reflected the ratings. The comments for the Command College were perhaps the most diverse. Many were of a very positive nature, but a considerable number made reference to need for change in the program, and a comparable number stated that the program is too expensive and/or benefits too few people. There were also a notable number of expressions of the need to improve the quality of the courses developed for interactive multi-media training (a program which also received many favorable comments). Approximately two-thirds of the comments for the lowest rated program, agency accreditation, suggested that the program is not necessary and/or should not be implemented unless additional funds become available. The study of officers killed and assaulted is viewed by many as a duplication of work being done by the FBI and others, and a number of respondents questioned the wisdom of Commission involvement in the Labor/Management Institute.

With respect to the downturn in POST funding, the majority of respondents indicated that it has had some impact on the frequency and availability of training for their officers, although a sizable number also reported that they have yet to experience much impact. Maintenance of the current system of reimbursing for travel, per diem, and tuition is perceived as being **essential**. With regard to reimbursement for the training of civilians, a clear majority of respondents believe this program should be continued, but there was an approximately 50-50 split with regard to

whether the program should be expanded to include other civilian job classes. Ideas for generating additional revenues centered on either working with others to restore the lost POTF funding, or seeking other revenue sources.

In total, the survey results should prove useful in guiding future Commission policy directions. The results also point out the need for improved communications. Not only were a sizable number of the survey respondents unfamiliar with certain POST programs, but some of the comments received reflect misunderstandings about the nature of selected programs. An example is the somewhat common misperception that the study of peace officer killings and assaults duplicates work done by the FBI.

In keeping with the Commission's intent to mail each agency a copy of the survey results, it is recommended that the Commission approve distribution of the full agenda item report for this purpose.

If the Commission concurs, the appropriate action would be a MOTION to approve distribution of the report to survey respondents, provide copies to the CPOA/CSSA/CPCA Task Force, and incorporate findings as stakeholder input in future strategic planning, and seek to clarify some program misunderstandings evidenced in the survey results.

S. Review of Proposal to Expand Civilian Employee Training to Include Executive Secretaries

At its January 1995 meeting, the Commission heard an appeal from the California Police Chiefs' Association of a denial of course certification for an executive secretary course. Certification had been denied because of long standing Commission policy that precludes certification of courses for civilian employees except in certain specified categories. Following discussion, the Commission directed that this issue be further addressed in the statewide field survey of chief executives, and further directed staff to report back on the results of the survey.

Results of the field survey are described in the enclosed report. Responses are mixed with many expressing strong support for funding of executive secretary training; many others opposed such an expense at a time when monies are scarce and there is potential to take away from funding for peace officer training. As described in the report, it is proposed that the Commission consider authorizing certification of the requested training program, but direct that no reimbursement would be provided until such time as the Commission determines that funds are available for a program expansion.

If the Commission concurs with this approach, enabling modification of existing policy concerning civilian training would be required which may be done in the form of a MOTION to so modify policy.

T. Report and Recommendation to Contract for Consulting Services for Development of a Strategic Plan for POST

Due to a number of factors, it appears timely to develop a more formal strategic plan for POST. Though Commission actions throughout the years certainly reflect strategic thinking, a formal plan may serve to assemble widespread understanding and support through participation as the Commission describes future direction for its programs and services. It is proposed that the Commission contract for consulting services, to develop and implement such a plan for POST, via the state's Master Services Agreement. A specific recommendation for a vendor and maximum dollar amount will be reported at the meeting.

COMMITTEE REPORTS

U. Finance Committee

The Committee's April 19, 1995 agenda is enclosed under this tab. As noted, the Committee will review and report on current year and proposed FY 1995/96 budgets and may offer recommendations on issues of a financial nature.

At its January meeting, the Commission authorized negotiation of a number of training, standards, and administrative contracts. Commissioner Ortega, Committee Chairman, will report the Committee's recommended actions on the following contracts. If the Commission concurs with the Committee's recommendations, the appropriate action would be a MOTION to authorize the Executive Director to sign them on behalf of the Commission. (ROLL CALL VOTE)

Proposed Fiscal Year 1995/96 contracts which were negotiated as authorized by the Commission in January are listed below:

Training Contracts

1. Contracts for the Management Course are proposed for the following presenters — $ 308,649

   California State University - Humboldt
   California State University - Long Beach
   California State University - Northridge
   California State University - San Jose
   San Diego Regional Training Center

2.	A contract with San Diego Regional Training Center for support of Executive Training (e.g., Command College, Executive Seminars, and Executive Development Course)	$ 537,629
3.	A contract with CSU Long Beach for support of the Supervisory Leadership Institute	$ 473,320
4.	An Interagency Agreement with Department of Justice Training Center for local law enforcement training	$1,024,803
5.	A contract for San Diego State University or other units of the California State University System for production of 12 satellite video broadcasts	$ 60,000
6.	Contracts with Alameda County District Attorney's Office and Golden West College for Case Law Update Video Production	$ 52,000
7.	Interagency Agreement with San Diego State University for production of 12 telecourse programs	$ 530,000
8.	Contract with San Diego Regional Training Center for Master Instructor Program	$ 90,513
9.	Contract with one or more vendors for the core course for the Robert Presley Institute for Criminal Investigation	$ 300,000
10.	Contract with San Diego Regional Training Center to coordinate three Instructors' Update Workshops and six course evaluation meetings for the Robert Presley Institute for Criminal Investigation	$ 46,000
11.	Contracts with various vendors for training of over 3,748 students in Basic Narcotics, Basic Motorcycle, and Basic Academy Driver Training courses	$1,657,876

Standards Contracts

12.	An Interagency Agreement with Cooperative Personnel Services - Basic Course Proficiency Exam	$	45,000
13.	An Interagency Agreement with Cooperative Personnel Services - Entry-Level Reading and Writing Test Battery	$	94,000
14.	An Interagency Agreement with the Cooperative Personnel Services - P.C. 832 Written Examination	$	39,100

Administrative Contracts

15.	A contract with the State Controller's Office for Auditing Services	$	85,000
16.	An Interagency Agreement with the Teale Data Center for Computer Services	$	65,000
17.	Contract with Computer Associates, Inc. for Ingress maintenance	$	12,800
18.	An Interagency Agreement with the Health and Welfare Data Center - CALSTARS Contract	$	25,000

V. Long Range Planning Committee

Chairman Leduc, who also chairs the Long Range Planning Committee, will report on the Committee meeting held in Los Angeles on March 6, 1995.

W. Legislative Review Committee

Chairman Block will report on the Committee meeting held April 20 just prior to the Commission meeting.

X. Advisory Committee

Committee Chair Judith Valles will report on the Committee meeting held April 19, 1995 in San Diego.

OLD/NEW BUSINESS

Y. Report on Certificate Revocation Concerns of Labor Groups

Concerns of law enforcement labor groups were last reviewed by the Commission at its January 1994 meeting. It was concluded at that time that a committee should be formed to meet with representatives of labor associations and explore mutually acceptable solutions. Such a meeting was held on March 10, 1995. A report from Chairman Leduc including proposed directions is enclosed under this tab.

Z. Appointment of Advisory Committee Member

The California Highway Patrol (CHP) has submitted the name of Chief Keith Miller to fill the unexpired term of Chief Donald Menzmer, who has been transferred to the CHP Northern Division office in Redding. The appointment will expire in September 1996.

AA. Report of Nominating Committee for Election of Officers

Commissioners Lowenberg and Hall-Esser, members of the Nominating Committee, will report the results of the Committee's recommendations for nominations for Commission Chairman and Vice-Chairman.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

July 20, 1995 - Hyatt Regency - Irvine
November 9, 1995 - Orange County
January 18, 1996 - San Diego
April 18, 1995 - Southern California

COMMISSION MEETING MINUTES
January 12, 1995
Holiday Inn Capitol Plaza
Sacramento, CA 95814

The meeting was called to order at 10:15 a.m. by Chairman Leduc.

Commissioner Lou Silva led the flag salute.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

Marcel Leduc, Chairman
Sherman Block
Cois Byrd
Colleen Campbell
Bud Hawkins, representing Attorney General Daniel E. Lungren
Manuel Ortega
Lou Silva
Dale Stockton

Commissioners Absent:

Jody Hall-Esser
George Kennedy
Ron Lowenberg
Raquel Montenegro
Devallis Rutledge

POST Advisory Committee Members Present:

Judith Valles, Chairman
Jay Clark
Norman Cleaver
Derald D. Hunt, Award Recipient
Don Menzmer
Earle Robitaille
Alexia Vital-Moore
Woody Williams

Staff Present: (Because the Commission meeting was in Sacramento, staff members were invited to attend who otherwise may not have opportunity to do so. Therefore, more staff was present than usual.)

Norman C. Boehm, Executive Director
Glen Fine, Deputy Executive Director
Hal Snow, Assistant Executive Director
John Berner, Bureau Chief, Standards and Evaluation
Steve Chaney, Law Enforcement Consultant, Training Delivery and Compliance Bureau
Mitch Coppin, Manager, Computer Services Unit
Alan Deal, Law Enforcement Consultant, Management Counseling Bureau
Mike DiMiceli, Bureau Chief, Management Counseling Bureau
Bob Fuller, Bureau Chief, Center for Leadership Development
Louise Hanson, Contracts Manager, Administrative Services
Tom Hood, Law Enforcement Consultant, Center for Leadership Development
Everitt Johnson, Bureau Chief, Basic Training Bureau
Tom Liddicoat, Budget Officer, Administrative Services
Dick Reed, Law Enforcement Consultant, Training Delivery and Compliance Bureau
Gary Sorg, Law Enforcement Consultant, Training Delivery and Compliance Bureau
Jackie VanBuskirk, Secretary, Training Program Services
Ken Whitman, Bureau Chief, Learning Technology Resource Center
Frederick Williams, Bureau Chief, Administrative Services
Vera Roff, Administrative Assistant

Visitor's Roster:

Maxine Anderson, Redding
Andy Anderson, Redding
Kathy Anderson, Placerville
James Foreman, Department of Finance
Gordon Graham, Award Recipient
Mrs. Renee Graham and Children
Maury Hannigan, Commissioner, California Highway Patrol
Dennis Hegwood, Award Recipient
Ruby Hunt, Costa Mesa
Skip Murphy, President, PORAC
Carrie Nevans, Department of Finance
Dave Parker, College of the Sequoias, Visalia
Mike Richardson, CHP
Ron Scott, Chief, Livermore Police Department (CPCA Representative)
Dean Shelton, Governor's Liaison to Law Enforcement

PRESENTATIONS

Dean Shelton, Governor Wilson's Liaison to Law Enforcement, presented the 1994 Governor's Awards for Excellence in Peace Officer Training to the following:

- o Gordon Graham, Lt., California Highway Patrol
  Individual Achievement Category

  Commissioner Maury Hannigan, accepted a replica of the award on behalf of the California Highway Patrol

- o Dennis Hegwood, Chief
  Rialto Police Department
  Organizational Award Category

- o Derald D. Hunt, Professor Emeritus
  Lifetime Achievement Category

HONORING FORMER COMMISSIONER BERNARD PARKS

Chairman Leduc displayed a plaque prepared for former Commissioner Bernard Parks, who was unable to attend the meeting, in appreciation for his outstanding public service and dedication to law enforcement as a member of the Commission from December 1992 to September 1994.

Commissioner Block will present the plaque on behalf of the Commission to Chief Parks.

A. APPROVAL OF MINUTES

MOTION - Ortega, second - Silva, carried to approve the minutes of the November 17, 1994 regular Commission meeting at the Waterfront Hilton Hotel in Huntington Beach. (Abstain: Campbell - Excused absence)

CONSENT CALENDAR

B. MOTION - Campbell, second - Byrd, carried unanimously to approve the following Consent Calendar:

B.1 Receiving Course Certification Report

B.2 Receiving Financial Report - Second Quarter FY 1994/95

B.3 Receiving Information on New Entry of the Riverside County Coroner's Department Into the POST Regular (Reimbursable) Program

B.4 Receiving Information on Withdrawal of the Kern County Coroner's Office from POST Regular (Reimbursable Program)

B.6 Receiving Information on New Entry of the San Mateo County Public Safety Communications Division Into the Public Safety Dispatcher Program

B.7 Setting Command College Tuition for Non-Reimbursable Agencies (@ $3570 for all Classes Beginning after July 1995)

B.8 Setting Supervisory Leadership Institute Tuition for Non-Reimbursable Agencies (@ $1656 for all Classes Beginning after July 1995)

B.9 Confirming Policy Statements for Inclusion in Commission Policy Manual

a. D2 - Legislatively-Mandated Training

b. D6 - New Categories of Peace Officers, In General

BASIC TRAINING BUREAU

C. Approval Given to Modify Requalification Course Content

In 1980, Commissioners approved the implementation of an 80-hour Requalification Course. Since 1980, the program has been expanded and modified several times to include legislatively-mandated subject matter and other desirable instruction. Currently the program is a minimum of 136 hours in duration, presented in an intensive format over a three-week period or an extended format over a five-week period.

Staff proposed that the current content of the Requalification Course be modified to incorporate new mandates. It was also proposed that several currently prescribed topics be deleted so that the program can continue to be delivered within the current 136 hour minimum time frame.

MOTION - Ortega, second - Block, carried unanimously, to approve proposed changes to the prescribed curricula for the POST Requalification Course content to be effective April 1, 1995.

D. Adopted Changes to Regular Basic Course Training Specifications using the Abbreviated Public Notice Process

Commissioners previously approved modifications to Procedure D-1 to establish training specifications for each Regular Basic Course learning domain and to incorporate a new document *Training Specifications for the Regular Basic Course - July 1993* into Procedure D-1 by reference. The

training specifications now serve to describe the Regular Basic Course in Administrative Law. The Commission routinely reviews Basic Course content and modifies training specifications as needed.

Staff recommended the following changes:

- Addition of a learning activity to domain #1 relating to analysis and critique of possible unethical or unprofessional behavior by a peace officer.

- Addition of a learning activity to domain #26 relating to law enforcement responses to a variety of unusual occurrences (e.g., fires, floods, natural gas leaks, electrical wires down, etc.).

- Addition of a learning activity to domain #31 concerning the responsibilities of a peace officer to provide for the care and custody of an arrested person from the time of arrest until the person is transferred to a local detention facility.

- Addition of four learning activities to domain #32 relating to health problems common to law enforcement officers, proper nutrition, techniques to evaluate personal fitness and principles of physical conditioning.

- Addition of two learning activities to domain #41 relating to the resources available for determining the hazard potential of suspected hazardous materials and a "table top" exercise simulating a law enforcement response to a hazardous materials incident.

The curriculum changes must be adopted pursuant to the Administrative Procedures Act. It was recommended that the abbreviated public notice process be used. If no one requests a public hearing, the proposed changes would go into effect upon approval as to form and procedure by the Office of Administrative Law (OAL).

MOTION - Silva, second - Block, carried unanimously, to approve the proposed changes to the Regular Basic Course Training Specifications, effective April 15, 1995, subject to approval as to form and procedure by the Office of Administrative Law.

STANDARDS AND EVALUATION

E. Approved Changes to Basic Course Performance Objectives

Ongoing review of the performance objectives for the regular basic course has resulted in the identification of a number of proposed changes. The proposed changes occur in learning domains #1 (History, Professionalism, Career and Ethics), #26 (Unusual Occurrences), #31 (Custody) and #32 (Lifetime Fitness). The proposed changes are correlated to the recommended changes to the Basic Course Training Specifications in the above agenda item.

MOTION - Stockton, second - Ortega, carried unanimously to adopt the proposed changes to the regular basic course performance objectives to become effective with academy classes beginning on or after April 15, 1995.

LEARNING TECHNOLOGY RESOURCE CENTER

F. Contracts for Duplication of Multimedia Courseware Authorized

The Commission is currently developing an interactive multimedia course on *Alcohol and Other Drugs*. This courseware is scheduled for delivery to the Commission in early 1995. Provisions were made to separate the development contract for the courseware and the services necessary to duplicate the laser discs and software diskettes in an attempt to hold down the initial development costs for the course.

Invitation for Bid proposals for these duplication services were conducted. The low bid for duplication of 2100 laser discs is $32,665 from Pioneer New Technologies of Carson, CA. The low bid for duplication of approximately 28,000 software diskettes is $16,520 from Bay Area Data Supply of Sunnyvale, CA.

The Finance Committee reviewed the proposal at its January 11, 1995 meeting and recommended approval.

MOTION - Byrd, second - Campbell, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into service contracts with: (1) Pioneer New Technologies for laser disc duplication at a cost not to exceed $32,665; and (2) Bay Area Data Supply for diskette duplication at a cost not to exceed $16,520.

MANAGEMENT COUNSELING

G. Public Hearing on High-Speed Vehicle Pursuits Training Curricula and Commentary on Pursuit Guidelines Set for April 20, 1995

Penal Code Section 13519.8 requires the Commission to adopt guidelines and training courses addressing specified topics concerning high-speed vehicle pursuits. Implementation was required by November 1, 1994. Work on this project has been delayed. The author of the bill (SB 601, Marks) is aware of and understanding of the delay.

Commissioners reviewed the following:

- Proposed guidelines that may be voluntarily used by local law enforcement agencies to develop or revise vehicle pursuit policies.

- Extensive commentary on subject matter related to the guidelines believed to be of value to policy makers and trainers.

- Proposed curriculum modifications to the Basic Course designed to meet requirements of the law.

- Proposed training course for in-service officers designed to meet the statutory requirements for training of officers whose basic training occurred prior to January 1, 1995.

  The in-service or supplemental training is proposed as two separate courses: one designed for entry-level officers and supervisors; and the other designed for middle managers and above. The two courses are proposed because POST's legal counsel has advised that the law is best interpreted as requiring training for all ranks.

The required training curricula must be adopted pursuant to the Administrative Procedures Act. The guidelines for use of local agencies in policy development are for voluntary use and do not require public hearing. Nevertheless, due to the importance of the issue and concerns expressed by some agencies, the Long Range Planning Committee has recommended the Commission schedule an informal hearing on the guidelines at its April 20, 1995 meeting.

MOTION - Ortega, second - Byrd, carried unanimously to schedule a public hearing for adoption of the mandated training specifications, and an informal hearing to receive

comment on the adoption of the pursuit guidelines at the April 20, 1995 Commission meeting.

TRAINING DELIVERY AND COMPLIANCE

H. Appeal of POST Policy on Certification of Training for Non-Sworn Personnel

Los Medanos Community College had requested POST certification of a course to training Executive Secretaries working for police chiefs and sheriffs. The certification was not granted because this classification is not currently eligible for POST funded training. The California Police Chiefs' Association, which supported the certification request, appealed to the Commission requesting a change in policy to permit the certification.

Ron Scott, Chief of Livermore Police Department, representing the California Police Chiefs' Association, requested that the Commission reconsider its policy on certifying courses for civilians working in law enforcement agencies. He stated that due to the level of responsibility required of executive secretaries in law enforcement agencies, additional training opportunities should be provided for them via POST certified courses.

Advisory Committee Chair, Judith Valles, reported that the Advisory Committee reviewed this item at its January 11, 1995 meeting and recommended that the issue be researched further because: (a) POST's existing policy limiting course certification to only selected non-sworn positions is based upon training needs information from 1985; (b) key non-sworn positions, e.g., Chiefs' Executive Secretaries, can have major impact upon the public's image of and confidence in law enforcement; (c) the advent of community-oriented policing concept may suggest a need to rethink this policy; and (d) the cost of the proposed training may not be all that significant in the total scheme of things.

Following discussion there was consensus that while the concept is noteworthy, the Commission would like further information on the matter. It was suggested that the issue be added to the proposed field survey for input.

EXECUTIVE OFFICE

I. Field Survey Authorized Regarding Field Input on POST Programs

Staff reported that it has been three years since legislative action resulted in a significant reduction in POST revenues. Attempts to restore the revenues have

resulted in very modest, one-time revenue augmentations each of the last two fiscal years, and absent legislation that would fundamentally change the basic funding formula, there is little reason to believe that revenues will increase substantially in the foreseeable future.

It was proposed that a survey be sent to chief executives and training managers advising them of the steeply declining revenues and soliciting input that would be useful to the Commission in making the difficult program decisions which lie ahead. It would also provide an opportunity to gauge the level of support and commitment to restoring POST revenues to pre-1991 levels.

Advisory Committee Chair, Judith Valles, reported that the Advisory Committee reviewed the survey at its January 11, 1995 meeting and recommended that information useful in approaching state legislators about POST funding needs and possible consequences of inaction be made available for Commissioners and Advisory Committee members.

The Finance Committee also reviewed the survey at its meeting on January 11, 1995 and recommended approval.

Following discussion, there was consensus to direct staff to finalize the cover letter for the Commissioners' signature and mail the survey in January in order to report the results to the Commission in April.

J. <u>The 1995 Symposium on Law Enforcement Training Technology is Cancelled - Report on Alternative Ways to Inform Legislators Due in April</u>

Staff reported that due to the problems confronting the Legislature at this time, participation by legislators at the January 11, 1995 symposium was not likely and it was, therefore, postponed. It was recommended that the 1995 Symposium on Law Enforcement Technology and Training be cancelled due to the continuing problems confronting the Legislature.

There was discussion concerning alternative methods of providing information and selected hands-on demonstrations to members of the Legislature.

Advisory Committee Chairman Judith Valles reported that the Advisory Committee recommended the symposium be cancelled. It was further recommended that a video be prepared for distribution to legislators that would accompany an invitation to them or their staff to personally witness and experience technology-based training for law enforcement that would be arranged by POST.

MOTION - Ortega, second - Byrd, carried unanimously to cancel the proposed 1995 Symposium on Law Enforcement Technology and Training and to report back with alternative methods of informing legislators at the April Commission meeting.

K. Public Hearing Scheduled for April 20, 1995 to Receive Testimony on the Implementation of Senate Bill 1874 and Level I Reserve Training Standards

Senate Bill 1874 (Ayala) was recently signed into law, effective January 1, 1995, amending Penal Code Section 832.6. The amendments will have a significant impact upon Level I reserve officer training requirements. The major provisions of this legislation:

1. Require non-designated Level I reserve officers appointed after January 1, 1997 to complete the regular Basic Course training requirement;

2. Allow a law enforcement agency to request an exemption from the above training requirement, if the agency has policies approved by the Commission limiting duties of their non-designated Level I reserve officers, and they complete other training requirements established by the Commission; and

3. Require all Level I reserve officers to satisfy the Continuing Professional Training (CPT) requirement prescribed by the Commission.

The proposed amendments to Commission regulations and procedures would implement certain provisions of SB 1874 by:

1. Establishing the regular Basic Course as the required training for non-designated Level I reserve officers consistent with Penal Code Section 832.6.

2. Establishing Commission requirements for exempting Level I reserve officers from the Basic Course if the agency has approved policies or other documentation specifying its Level I's are deployed to assignments or duties that do not include "prevention and detection of crime and the general enforcement of laws" as defined by POST or are under the continuous and immediate supervision of a POST certificated regular officer while performing general law enforcement duties.

   Examples of limited duties include backup only calls, prisoner transportation, report taking, etc. The

policy or other documentation must specify what limited duties are performed.

3. Requiring exempted Level I reserve officers to complete the current Level I Reserve Training course of 222 hours and a 200-hour field training program approved by the Commission.

4. Specifying that the CPT requirement for all Level I reserve officers, regardless of rank or assignment, be the same CPT requirement as that for regular officers (24 hours every two years).

5. Modifying Commission Regulation 1008 to allow service as a Level I reserve to be considered peace officer service for purpose of the three year rule if the law enforcement agency has a policy that requires a minimum of 16-hours service per month.

The Commission directed staff to outline the specific duties proposed for non-designated Level I reserve officers for review by the Long Range Planning Committee at its next meeting prior to the Commission meeting.

MOTION - Ortega, second - Block, carried unanimously to schedule this matter for a public hearing in conjunction with the April 20, 1995 Commission meeting.

COMMITTEE REPORTS

L. Finance Committee

Commissioner Stockton, member of the Finance Committee, reported that the Committee met on January 11, 1995 in Sacramento. In addition to matters already addressed on the agenda, the Committee discussed the following items:

1. The second quarter Financial Report shows that projections in training volume and revenue, at this point, suggest the good likelihood that we can progress through this Fiscal Year without a deficit. While revenue continues at a rate below the $31.884 million budget appropriation (projections based upon six months show nearly a $1 million shortfall), trainee projection is revised down from 54,982 to 47,215. This lower trainee count mitigates against a deficit projection.

   After review of the Financial Report, the Committee recommended approval of the following:

   o Continue current year reimbursement suspension (Plan V and technology);

- Increase one Supervisory Leadership presentation at an annual cost of $83,000; and

- Contract for six student workbooks at a cost of $99,381.

MOTION - Ortega - second - Silva, carried unanimously by ROLL CALL VOTE to approve the recommendation of the Finance Committee for contract of six student workbooks.

2. The Committee reviewed the 1995/96 Governor's Budget. The proposed budget reflects a projected slight increase in revenue.

3. The Committee recommends approval of extension of the Management Fellow Contract with Lt. Jim Holts, Los Angeles County Sheriff's Department, for a period of six months to allow for continuing planning for creation of Regional Public Safety Training Centers. Cost for the six-month contract extension would not exceed $70,000.

MOTION - Ortega - second - Hawkins, carried unanimously by ROLL CALL VOTE to approve the extension of the contract with the Los Angeles County Sheriff's Department in an amount not to exceed $70,000.

4. The Committee reviewed proposed contracts to be negotiated for FY 1995/96 and recommended that the Commission authorize the Executive Director to negotiate contracts for training, standards, and administration monies and return them to the April meeting for formal approval.

MOTION - Block - second - Hawkins, carried unanimously to accept the report of the Finance Committee and approve its recommendations.

M. Long Range Planning Committee

Chairman Leduc, who also chairs the Long Range Planning Committee, reported that the Committee met on December 13, 1994 in Los Angeles. In addition to items previously addressed on the agenda, the Committee took the following actions:

1. The Committee provided a final review of the AB 492 Project Report to the Legislature. With a suggested modification of regional committee make-up in Los Angeles County, staff was given authorization to

transmit the report to the Legislature.

2. The Los Angeles Daily News recently criticized POST reimbursement policy that was reported as requiring training in an out-of-town retreat setting in order to qualify for reimbursement. Staff provided a report on this matter. Committee conclusion was that current policies appear adequate, but confusion may have been created by POST's July 1994 action to restrict reimbursement to courses attended more than 25 miles from the department. Staff was asked to send a notice to law enforcement agencies to assure understanding of the policy.

3. As directed by the Commission, the Committee reviewed a staff report concerning the 12-month time period allowed from date of hire to completion of basic training for public safety dispatchers. Following discussion, consensus was that current regulations should remain unchanged.

4. Staff reported on continuing work to establish an alternative delivery model for basic training that would shift a significant amount of cognitive curricula from the Basic Course to Community College Criminal Justice Degree programs. There remains widespread interest in this concept on the part of trainers and employers. Staff will continue work on this project with a view toward firm recommendations to be presented to the Commission in April 1995.

5. A report was received describing the establishment of a Center for Crime Control and Public Safety within the Bourns College of Engineering at UC Riverside. Amongst the purposes of the Center will be the development and facilitation of transfer of technology to improve public safety agency effectiveness.

   There was consensus that POST adopt a supportive position towards the Center's work that may target training and education technologies. There was also consensus that POST co-sponsor a technology transfer workshop planned by the Center if it remains apparent that mutual interests are served.

N. Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee, reported that the Committee met just prior to the Commission meeting.

1. The Committee reviewed AB 26 (Murray) - Peace officer disqualification for felony convictions in another state, and recommended a "Neutral" position.

2. The Committee reviewed a draft letter to the legislators offering POST services and assistance in drafting bills on law enforcement matters.

3. The Committee also received a status report on the proposed bond bill for the regional skills training centers.

4. The Committee received a preview of the following proposed legislation for 1995:

   - POST reimbursement for Los Angeles County Security Police
   - POST reimbursement for reserve peace officers for state mandated training
   - Peace officer status - Los Angeles Museum of Science and Industry Security
   - Peace officer status - State Franchise Tax Board Investigators
   - Proposition 191 Cleanup that will concern transition of constables and deputy constables to sheriffs' and marshals' offices
   - Sheriff's qualification - requiring applicants for the office to submit verification at time of filing
   - Restoration of POST funding

There was consensus to accept the report of the Legislative Review Committee.

O. Advisory Committee

Judith Valles, Chairman of the POST Advisory Committee, reported that the Committee met on January 11, 1995 in Sacramento.

In addition to items already addressed on the agenda, Chairman Valles reported that the Award Committee will meet to review and evaluate the Governor's Awards process. A report on findings and recommendations will be made at the April meeting.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

April 20, 1995 - Holiday Inn On-the-Bay, San Diego
July 20, 1995 - Hyatt Regency - Irvine

November 9, 1995 - Orange County
January 18, 1996 - Southern California

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Course Certification/Decertification Report		Meeting Date: April 20, 1995
Bureau: Training Delivery & Compliance Bureau	Reviewed By: Ronald T. Allen, Chief	Researched By: Rachel S. Fuentes
Executive Director Approval: Norman C. Boehm	Date of Approval: 3.31.95	Date of Report: March 31, 1995

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 January 12, 1995 Commission meeting:

CERTIFIED

	Course Title	Presenter	Course Category	Reimbursement Plan	Annual Fiscal Impact
1.	Arrest/Control Tactics Update	Santa Monica P.D.	Technical	N/A	$ -0-
2.	Supervisory Update	San Mateo College	Supv. Trng.	IV	4,800
3.	Semi-Automatic Pistol Transition	San Diego Marshal	Technical	IV	-0-
4.	Training Conference	CRPOA	Technical	N/A	-0-
5.	D.A.R.E. Mentor Officer Training	Los Angeles P.D.	Technical	IV	6,840
6.	Training Conference	Santa Clara D.A.	Technical	N/A	-0-
7.	Skills & Knowledge Modular Training	Santa Clara D.A.	Technical	IV	-0-
8.	Effective Report Writing	Imperial Valley College	Technical	N/A	-0-
9.	Inv. & Trial Prep.	Golden West Col.	Technical	IV	46,200
10.	Arrest & Firearms (P.C. 832)	San Mateo S.D.	P.C. 832	IV	-0-

CERTIFIED (Continued)

	Course Title	Presenter	Course Category	Reimbursement Plan	Annual Fiscal Impact
11.	Advanced Officer	Richmond P.D	Advanced Officer	IV	12,480
12.	Firearms-Semi-Auto Pistol	San Francisco S.D.	Technical	IV	10,800
13.	D.R.E. Pre-School	Los Angeles P.D.	Technical	IV	29,028
14.	D.R.E. Classroom	Los Angeles P.D.	Technical	IV	101,606
15.	Baton Update (Straight Stick)	Glendale P.D.	Technical	N/A	-0-
16.	Baton Update (side-handle)	Glendale P.D.	Technical	N/A	-0-
17.	Alcohol Forensic Supervisor	CCI	Technical	IV	5,000
18.	Court Security	San Mateo S.D.	Technical	IV	-0-
19.	Criminal Investigation	San Diego S.D.	Technical	IV	11,040
20.	Arrest & Control Instructor	Los Angeles P.D.	Technical	IV	24,960
21.	Peer Support Coord.	San Francisco P.D.	Technical	IV	9,750
22.	Supervisory Update	Ventura Co. CJTC	Supv. Trng.	IV	-0-
23.	Skills & Knowledge Modular Training	El Dorado S.D.	Technical	IV	3,000
24.	Problem Oriented Policing	Los Angeles P.D.	Technical	IV	6,624
25.	Drug Influence, Recognition-1150 H&S	Santa Maria P.D.	Technical	IV	864
26.	Bicycle Patrol	Los Angeles P.D.	Technical	IV	2,208

CERTIFIED (Continued)

	Course Title	Presenter	Course Category	Reimbursement Plan	Annual Fiscal Impact
27.	Computer L. E. Methods	Los Angeles P.D.	Technical	IV	1,350
28.	Defensive Tactics for Instructors	Monterey Peninsula College	Technical	IV	12,000
29.	Tactical Entry	Sacramento PSC	Technical	IV	12,096
30.	Special Weapons & Tactics	Monterey Peninsula College	Technical	IV	81,000
31.	Vehicle Theft Inv.	Los Angeles P.D.	Technical	III	72,000
32.	Defensive Tactics for Instructors	Sunnyvale DPS	Technical	IV	-0-
33.	Skills & Knowledge Modular Training	Willits P.D.	Technical	N/A	-0-
34.	Dispatcher Customer Service - Instructor	Contra Costa CJTC	Technical	IV	6,380
35.	Firearms Instructor	San Bernardino S.D.	Technical	IV	26,485
36.	Side-Handle Baton	El Dorado S.D.	Technical	IV	3,200
37.	Supervisory Leadership Update	Long Beach P.D.	Supv. Trng.	IV	-0-
38.	Interview & Interrogation Update	Palomar College	Technical	IV	1,140
39.	Skills & Knowledge Modular Training	Los Gatos P.D.	Technical	N/A	-0-
40.	Skills & Knowledge Modular Training	Riverside P.D.	Technical	N/A	-0-
41.	Skills & Knowledge Modular Training	Santa Clara P.D.	Technical	N/A	-0-
42.	Crime Scene Inv.-Adv.	Sacramento S.D.	Technical	III	24,960

CERTIFIED (Continued)

	Course Title	Presenter	Course Category	Reimbursement Plan	Annual Fiscal Impact
43.	Law Enforcement Labor Management Symposium	PORAC	Technical	N/A	-0-
44.	Less Lethal Force Inst./ Trainer	Fullerton College	Technical	IV	3,216

45.- 89. 44 additional IVD courses certified as of 3-31-95. To date 96 IVD certified presenters have been certified and 125 IVD courses certified.

90.- 95. 5 additional Proposition 115 Hearsay Evidence Testimony Course Presenters have been certified as of 3-31-95. Presentation of this course is generally done using a copy of POST Proposition 115 Video Tape. To date, 283 presenters of Proposition 115 have been certified.

96.-440. 344 additional Telecourses certified as of 3-31-95. To date 325 Telecourse presenters have been certified and 4,551 Telecourses certified.

DECERTIFIED

Course Title	Presenter	Course Category	Reimbursement Plan
None			

TOTAL CERTIFIED	44
TOTAL PROPOSITION 115 CERTIFIED	05
TOTAL TELECOURSES CERTIFIED	344
TOTAL IVD COURSES CERTIFIED	44
TOTAL DECERTIFIED	00
TOTAL MODIFICATIONS	57

1,242 Skills & Knowledge Modules certified as of 3-31-95
4,551 Telecourses certified as 3-31-95
125 IVD Courses as of 3-31-95
1,493 Other Courses certified as of 3-31-95

7,411 TOTAL CERTIFIED COURSES
648 certified presenters

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Financial Report - Third Quarter 1994/95		April 20, 1995
Bureau	**Reviewed By**	**Researched By**
Administrative Services Bureau	Frederick Williams	Staff
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Boehm	4-13-95	April 4, 1995

Purpose:

- [ ] Decision Requested
- [x] 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.

This report provides financial information relative to the local assistance budget through March 31, 1995. Revenue which has accrued to the Peace Officers' Training Fund is shown as are expenditures made from the 1994/95 Budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH - This report, shown as Attachment 1A, identifies monthly revenues which have been transferred to the Peace Officers' Training Fund. Through March 31, 1995, we received $22,567,353. The total is $1,276,647 less than anticipated on a straight line projection (see Attachment 1B) but is $42,034 (less than 1%) more than received for the same period last fiscal year.

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - This report, identified as Attachment 2, compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 33,400 trainees through the third quarter represents an increase of 2,146 compared to the 31,254 trainees reimbursed during the similar period last fiscal year. (See Attachment 2)

REIMBURSEMENT BY COURSE CATEGORY - These reports compare the reimbursement paid by course category this year with the amount reimbursed last fiscal year. Third quarter reimbursement of $9,538,954 represents a $1,894,609 (17%) decrease compared to last fiscal year. The decrease is primarily due to elimination of reimbursements this fiscal year for salary reimbursements and training technology. A comparison excluding reimbursement for salary and training aids technology, shows a $697,414 (8%) increase compared to last fiscal year. (See Attachments 3A & 3B)

ANALYSIS AND RECOMMENDATION - Revenue is lagging by some $1.2 million behind what was projected. There has been a slight increase in reimbursed trainees and a corresponding increase in reimbursement through the third quarter, as compared to this time last year.

Overall analysis will be presented to the Finance Committee. Current projections are that we will end the fiscal year with a balance between revenue and expenditures.

Attachment 1A

File: 9495REV

COMPARISON OF REVENUE BY MONTH

FISCAL YEARS 1993-94 AND 1994-95

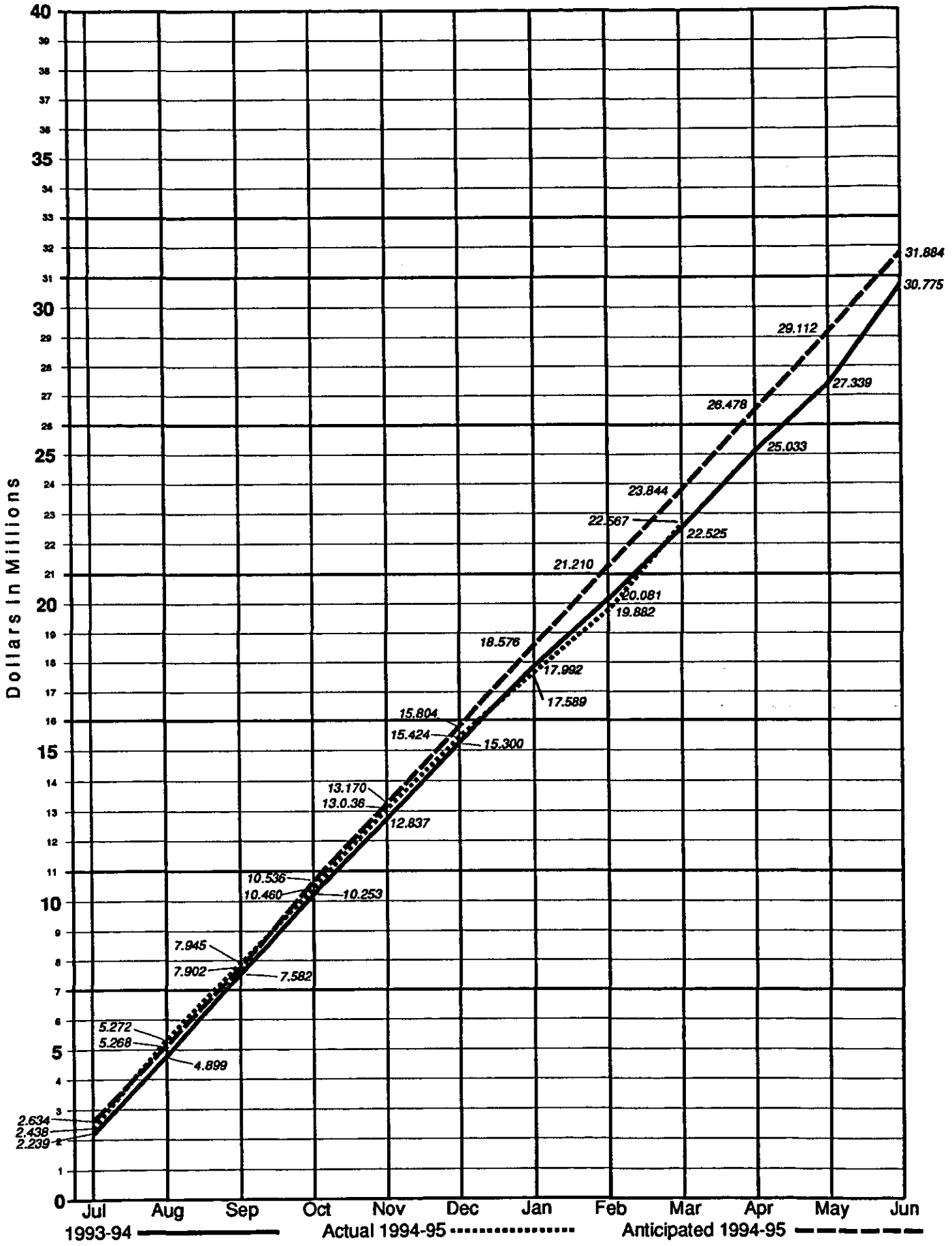
	1993-94				1994-95					
MO	PENALTY ASSESMENT FUND	OTHER	CUMULATIVE TOTAL	CUMULATIVE MONTHLY ESTIMATE	PENALTY ASSESSMENT FUND	OTHER **	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST
JUL	2,239,254		2,239,254	2,634,000	2,435,532	2,592	2,438,124	92.56%	2,438,124	92.56%
AUG	2,659,494		4,898,748	5,268,000	2,829,120	4,678	2,833,798	107.59%	5,271,922	100.07%
SEP	2,679,980	3,565	7,582,293	7,902,000	2,666,819	6,558	2,673,377	101.49%	7,945,299	100.55%
OCT	2,670,736		10,253,029	10,536,000	2,488,567	27,102	2,515,669	95.51%	10,460,968	99.29%
NOV	2,559,159	24,366	12,836,554	13,170,000	2,550,039	25,449	2,575,488	97.78%	13,036,456	98.99%
DEC	2,454,936	8,595	15,300,085	15,804,000	2,375,259	12,174	2,387,433	90.64%	15,423,889	97.59%
JAN	2,660,390	31,787	17,992,262	18,576,000	1,952,219	212,516	2,164,735	78.09%	17,588,624	94.68%
FEB	2,014,175	74,772	20,081,209	21,210,000	2,267,572	25,589	2,293,161	87.06%	19,881,785	93.74%
MAR	2,421,259	22,851	22,525,319	23,844,000	2,635,857	49,711	2,685,568	101.96%	22,567,353	94.65%
APR	2,493,236	14,001	25,032,556	26,478,000			0	0.00%	22,567,353	85.23%
MAY	2,216,512	89,476	27,338,544	29,112,000			0	0.00%	22,567,353	77.52%
JUN	3,389,329	46,981	30,774,854	31,884,000			0	0.00%	22,567,353	70.78%
TOT	30,458,460	316,394	30,774,854	31,884,000	22,200,984	366,369	22,567,353	70.78%	22,567,353	70.78%

** - Includes $150,403 from coroner permit fees (per Ch 990/90)

Attachment 1B

Comparison of Revenue by Month

Fiscal Years 1993-94 and 1994-95



CRM.el

Attachment 2

COMMISSION ON POST

NUMBER OF REIMBURSED TRAINEES BY CATEGORY

MARCH 1995

	1993-94			1994-95		
COURSE	Actual Total For Year	Actual Jul-Mar	% of Total	Projected Total For Year	Actual Jul-Mar	% of Projection
Basic Course	695	457	66%	3,000	1,109	37%
Dispatchers - Basic	294	205	70%	304	209	69%
Advanced Officer Course	3,802	2,972	78%	10,000	2,586	26%
Supervisory Course (Mandated)	511	311	61%	625	290	46%
Management Course (Mandated)	174	123	71%	161	164	102%
Executive Development Course	480	375	78%	545	375	69%
Supervisory Seminars & Courses	3,123	2,027	65%	3,249	2,351	72%
Management Seminars & Courses	2,038	1,438	71%	2,128	1,297	61%
Executive Seminars & Courses	471	295	63%	523	255	49%
Other Reimbursement	33	33	100%	36	0	0%
Tech Skills & Knowledge Course	32,766	22,150	68%	33,040	23,929	72%
Field Management Training	37	31	84%	41	8	20%
Team Building Workshops	446	349	78%	471	434	92%
POST Special Seminars	704	455	65%	766	355	46%
Approved Courses	84	33	39%	93	38	41%
TOTALS	45,658	31,254	68%	54,982	33,400	61%

Attachment 3A

COMMISSION ON POST

REIMBURSEMENT BY COURSE CATEGORY

COURSE	1993-94 Total For Year	1993-94 Actual Jul-Mar	1994-95 March	1994-95 Actual Jul-Mar*
Basic Course	$1,983,731	$1,789,280	$127,837	$994,991
Dispatchers - Basic	138,496	84,458	26,210	129,431
Advanced Officer Course	523,729	443,612	28,481	179,647
Supervisory Course (Mandated)	352,124	233,310	1,532	187,577
Management Course (Mandated)	196,182	146,632	40,433	154,642
Executive Development Course	301,817	235,259	1,816	229,667
Supervisory Seminars & Courses	1,216,474	747,957	133,667	964,328
Management Seminars & Courses	685,805	477,374	89,768	376,889
Executive Seminars & Courses	153,935	95,051	17,591	74,412
Other Reimbursement	22,020	22,020	0	0
Tech Skills & Knowledge Course	8,792,138	5,952,843	778,868	5,951,713
Field Management Training	17,737	15,196	0	4,307
Team Building Workshops	174,125	138,149	20,811	183,676
POST Special Seminars	133,714	70,762	12,622	85,843
Approved Courses	14,232	8,703	754	4,966
Training Aids Technology	1,193,681	972,957	12,323	16,865
TOTALS	$15,899,940	$11,433,563	$1,292,713	$9,538,954

* - Does not include $468,279.16 charged to FY 94-5 for FY 93-4 training

Attachment 3B

COMMISSION ON POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

EXPENSE CATEGORIES	FY 1993-94 Total	1993-94 Jul-Mar	1995 March	1994-95 Jul-Mar*
Resident Subsistence	$7,228,607	$4,886,384	$717,140	$5,160,795
Commuter Meal Allowance	580,798	$370,254	$72,232	$560,867
Travel	2,347,212	$1,580,972	$216,425	$1,711,153
Tuition	2,927,101	$2,003,930	$274,593	$2,088,552
Salary	1,622,541	$1,619,066	$0	$722
Training Aids Technology	1,193,681	$972,957	$12,323	$16,865
TOTALS	$15,899,940	$11,433,563	$1,292,713	$9,538,954

* - Does not include $468,279.16 charged to FY 94-5 for FY 93-4 training

COMMISSION AGENDA ITEM REPORT

Agenda Item Title New Agency - Humboldt County Marshal's Office - North Division		Meeting Date April 20, 1995
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen	Researched By Bob Spurlock
Executive Director Approval Norman C. Boehm	Date of Approval 2-14-95	Date of Report February 6, 1995

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 Humboldt Marshal's Office - North Division is seeking entry into the POST Reimbursable Program on behalf of its peace officers.

BACKGROUND

The County of Humboldt has submitted the proper documentation supporting POST objectives and regulations.

ANALYSIS

The Humboldt Marshal's Office - North Division has 2 full-time peace officers. The agency is complying with POST Regulations. Fiscal impact for reimbursement of training costs is approximately $1,000 per year.

RECOMMENDATION

The Commission be advised that the Humboldt Marshal's Office - North Division be admitted into the POST Reimbursable Program consistent with Commission Policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title New Agency - Humboldt County Marshal's Office - Eel River Division		Meeting Date April 20, 1995
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen	Researched By Bob Spurlock
Executive Director Approval Norman C. Boehm	Date of Approval Feb 14, 1995	Date of Report February 6, 1995
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 Humboldt Marshal's Office - Eel River Division is seeking entry into the POST Reimbursable Program on behalf of its peace officers.

BACKGROUND

The County of Humboldt has submitted the proper documentation supporting POST objectives and regulations.

ANALYSIS

The Humboldt Marshal's Office - Eel River Division has 2 full-time peace officers. The agency is complying with POST Regulations. Fiscal impact for reimbursement of training costs is approximately $1,000 per year.

RECOMMENDATION

The Commission be advised that the Humboldt Marshal's Office - Eel River Division be admitted into the POST Reimbursable Program consistent with Commission Policy.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Fontana Unified School District Police Department		Meeting Date April 20, 1995
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen	Researched By Bob Spurlock
Executive Director Approval Norman C. Boehm	Date of Approval 4-4-95	Date of Report March 29, 1995

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 Fontana Unified School District Police Department is seeking entry into the POST Reimbursable Program on behalf of its peace officers.

BACKGROUND

The department's officers are appointed pursuant to Section 830.32(b) of the Penal Code. Suitable background and other provisions of the Government Code regarding selection standards have been met.

ANALYSIS

The police department currently employs 16 peace officers.

Fiscal impact for reimbursement of training will cost approximately $8,000 per year.

RECOMMENDATION

The Commission be advised that the Fontana Unified School District Police Department be admitted into the POST Reimbursement Program consistent with Commission Policy.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Los Angeles County Safety Police-Health Services Division		Meeting Date April 20, 1995
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen	Researched By Bob Spurlock
Executive Director Approval Norman C. Boehm	Date of Approval 1-31-95	Date of Report January 30, 1995
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 Los Angeles County Safety Police - Health Services Division is seeking entry into the POST non-Reimbursable Program on behalf of its officers.

BACKGROUND

The provisions of 830.31 (a) Penal Code permit the County to employ sworn officers. The County of Los Angeles has submitted the proper documentation supporting POST objectives and regulations.

ANALYSIS

The Los Angeles County Safety Police - Health Services Division has 280 sworn officers. Adequate background investigations have been conducted and the agency is complying with POST Regulations. There will be no impact on the POST budget.

RECOMMENDATION

The Commission be advised that the Los Angeles Safety Police - Health Services Division be admitted into the POST non-Reimbursement Program consistent with Commission Policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Safety Dispatcher Program		Meeting Date April 20, 1995
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen	Researched By Bob Spurlock RS
Executive Director Approval Norman C. Boehm	Date of Approval 4-4-95	Date of Report April 1, 1995

Purpose:

- [ ] Decision Requested
- [x] 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.

ISSUES

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 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

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

JANUARY - APRIL 1995

Name	Ord/Res/Letter	Entry Date
CSU, Northridge	Resolution	2-8-95
Hermosa Beach Police Dept.	Ord. 94-1122	2-8-95
Irwindale Police Dept.	Ord. 460	3-28-95
Murrieta Police Dept.	Ord. 136-95	2-8-95
Pasadena Police Dept.	City Ord.	1-13-95
San Diego City Schools P.D.	City Ord.	2-15-95

There are currently 330 agencies participating in the program.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Guidelines for High Speed Vehicle Pursuits		Meeting Date April 20, 1995
Bureau Management Counseling Services Bureau	Reviewed By Michael C. DiMiceli	Researched By Alan B. Deal
Executive Director Approval Norman C. Boehm	Date of Approval 4-5-95	Date of Report April 5, 1995
Purpose: [X] 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, subject to the information received during the period for public comment, the proposed vehicle pursuit guidelines developed in response to Penal Code Section 13519.8?

BACKGROUND

Penal Code Section 13519.8 (SB 601, Marks), Attachment A, requires the Commission to "...develop uniform minimum guidelines for adoption by California law enforcement agencies for response to high-speed vehicle pursuits." The law became effective January 1, 1994. The Management Counseling Services Bureau is assigned responsibility for development of the guidelines.

At its January 12, 1995 meeting the Commission reviewed the following:

- Proposed guidelines that may be voluntarily used by local law enforcement agencies to develop or revise vehicle pursuit policies.
- Detailed commentary on subject matter related to the guidelines, believed to be of value to policy-makers and trainers.

Because some law enforcement officers had expressed concerns about the guidelines, the Commission scheduled a period to receive public comment on the proposed pursuit guidelines and commentary at the April 20, 1995 Commission meeting. Though not required, this action seems to be warranted because of the great importance the issue holds for law enforcement agencies and the public.

A copy of the draft pursuit guidelines, along with the Bulletin announcing the public comment session, was mailed to all law enforcement agencies on March 6th. A copy of the draft and notice is found in Attachment B.

Since the January 1995 Commission meeting, concern regarding the proposed pursuit guidelines has been expressed from law enforcement executives, law enforcement professional associations and attorneys who often represent the interests of law enforcement. POST staff continues to receive correspondence representative of concern over the draft pursuit guidelines.

ANALYSIS

The guidelines document was conceived to include brief guideline statements that address the topics required by the statute to be given "adequate consideration." Following each guideline, under the headings of Considerations and Factors to be Considered, material was included for reference by planners and policy-makers. This reference material was also believed to be of benefit to trainers for curriculum development.

During the Fall 1994, the Commission directed review of the first draft of the pursuit guidelines. At that time, 85 copies of the guidelines were sent for review to:

a. California Highway Patrol and local law enforcement agencies (62 agencies, some of which received multiple copies for review by communications center managers and agency legal counsels);

b. private attorneys familiar with law enforcement management and pursuit issues (8);

c. regional public safety communications manager (1); and

d. public and law enforcement labor representatives (5).

The list of agencies and individuals is Attachment C.

The responses generally were supportive of the draft guidelines and the supporting text. Most of the responses were provided as margin notes or comments written on the draft guidelines document. Most comments indicated the guidelines and supporting text were viewed as being comprehensive, helpful and useful, and supportive of flexibility in policy development.

A few responses were critical of the draft guidelines and corresponding text as either exceeding the scope of the legal mandate, establishing a statewide pursuit policy, creating potential new liability for law enforcement agencies, and/or limiting the flexibility of agency administrators to create local policy.

An additional critical letter suggested the guidelines fall short of providing uniform, minimum guidelines that may be adopted as policy by local agencies.

The significant criticisms seem to be largely based upon an assumption that the reference material (Considerations and Factors) will be viewed by the courts as Guidelines in their entirety. Thus, the belief is expressed that agencies will have no choice but to view the Considerations and Factors, in their entirety, as mandatory elements of their pursuit policy.

The criticisms focus primarily on legal concerns and were reviewed by the Commission's legal counsel in the Attorney General's Office. POST's legal counsel and others conclude that neither the guideline statements nor the text under the heading of Commentary (Considerations and Factors) impose any significant new or enhanced liability upon local agencies. The only legal mandates concerning the guidelines found in the legislation rest upon the Commission. The construction of the language of the law is careful not to mandate the guidelines upon law enforcement agencies.

A number of technical changes were also suggested in the responses. The suggestions referred primarily to clarification of terms and language, perceived redundancies and changes to specific words or the discussion of issues at various places in the text. The suggested changes were evaluated and incorporated in the text, as appropriate.

In recognition of these concerns, staff reformatted the proposed guidelines document to separate the guidelines from the reference material. That revision was provided to the Commission during the January 1995 meeting.

The proposed guidelines and commentary document is Attachment B. It represents the second draft and is the one provided to the field for review prior to the April 20 public comment session.

Summary: Letters and Responses

The Commission approved sending the proposed guidelines and commentary to the field along with the notice of the public comment session at its January meeting. POST began receiving letters of opposition to the guideline and commentary even before they were sent to the field on March 7th. As of the mailing of the agenda, 55 such letters have been received. Copies of the guidelines, the hearing announcement, the letters received, and the POST written response are enclosed.

Actions Available to the Commission

Following receipt of written and oral comment during the public comment period, the Commission has several alternative courses it may take. These alternatives include:

- Adopt the Pursuit Guidelines and Commentary as written;
- Adopt the Pursuit Guidelines only, omitting the Commentary from the publication;
- Adopt the Pursuit Guidelines and direct the Commentary be redesigned and incorporated into training curricula; or
- Defer any action concerning the guidelines until POST staff can confer with law enforcement executives, legal advisors, and other interested parties, and revise the guidelines and commentary in response to the concerns expressed. The revised proposed guidelines could be considered for adoption by the Commission at the July 20 meeting.

Recommendation

The Commission asked for written and verbal public input at this meeting. The public comment session should allow airing and clarification of facts, suppositions, and feelings regarding this matter. This was the Commission intention before coming to a decision. After considering the testimony, the Commission would be in the position to choose a course of action as is deemed appropriate in light of the proceedings.

§ 13519.8. High speed vehicle pursuits; training courses and guidelines

(a) The commission shall implement, on or before November 1, 1994, a course or courses of instruction for the training of law enforcement officers in the handling of high-speed vehicle pursuits and shall also develop uniform, minimum guidelines for adoption by California law enforcement agencies for response to high-speed vehicle pursuits. The guidelines and course of instruction shall stress the importance of vehicle safety and protecting the public at all times, include a regular assessment of law enforcement's vehicle pursuit policies, practices, and training, and recognize the need to balance the known offense and the need for immediate capture against the risks to officers and other citizens of a high-speed pursuit.

As used in this section, "law enforcement officer" includes any officer or employee of a local police or sheriff's department or the California Highway Patrol.

(b) The course or courses of basic training for law enforcement officers and the guidelines shall include adequate consideration of each of the following subjects:

(1) When to initiate a pursuit.

(2) The number of involved law enforcement units permitted.

(3) Responsibilities of primary and secondary law enforcement units.

(4) Driving tactics.

(5) Helicopter assistance.

(6) Communications.

(7) Capture of suspects.

(8) Termination of a pursuit.

(9) Supervisory responsibilities.

(10) Blocking, ramming, boxing, and roadblock procedures.

(11) Speed limits.

(12) Interjurisdictional considerations.

(13) Conditions of the vehicle, driver, roadway, weather, and traffic.

(14) Hazards to uninvolved bystanders or motorists.

(15) Reporting and postpursuit analysis.

(c) All law enforcement officers who have received their basic training before January 1, 1995, shall participate in supplementary training on high-speed vehicle pursuits, as prescribed and certified by the commission.

Local law enforcement agencies are encouraged to include, as part of their advanced officer training program, periodic updates and training on high-speed vehicle pursuit. The commission shall assist where possible.

(d) The course or courses of instruction, the learning and performance objectives, the standards for the training, and the guidelines shall be developed by the commission in consultation with appropriate groups and individuals having an interest and expertise in the field of high-speed vehicle pursuits. The groups and individuals shall include, but not be limited to, law enforcement agencies, police academy instructors, subject matter experts, and members of the public.

The commission, in consultation with these groups and individuals, shall review existing training programs to determine the ways in which high-speed pursuit training may be included as part of ongoing programs.

(e) It is the intent of the Legislature that all local law enforcement agencies adopt the minimum guidelines on high-speed vehicle pursuit developed by the commission. *(Added by Stats.1993, c. 340 (S.B.601), § 1.)*

ATTACHMENT B

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

PETE WILSON, *Governor*
DANIEL E. LUNGREN, *Attorney General*

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

March 7, 1995

BULLETIN: 95-8

SUBJECT: PUBLIC COMMENT SESSION RELATIVE TO THE ADOPTION OF VEHICLE PURSUIT GUIDELINES

New legislation, Penal Code Section 13519.8, requires the Commission to prepare vehicle pursuit guidelines for adoption by local law enforcement agencies. The guidelines and supporting materials are designed not as suggested policy, but rather as useful information for agency administrators as they review vehicle pursuit policies, and for training managers and presenters.

The POST Commission has scheduled an informal hearing to receive input relative to the approval of vehicle pursuit guidelines. The informal hearing will be held at 10:00 a.m., in conjunction with the April 20, 1995 Commission meeting at the Holiday Inn On-The-Bay, San Diego. This is not a formal public hearing and is not required by the Administrative Procedures Act. Adoption of the vehicle pursuit guidelines by local agencies is optional, not mandatory. The guidelines will not be adopted into POST Commission Regulations and Procedures.

Although POST has previously submitted drafts to a number of law enforcement agencies, associations, and subject matter experts for review and comment, the Commission has delayed final action to allow for this statewide input opportunity. The latest draft guidelines and supporting material are enclosed.

Written comments on the proposed guidelines and supporting materials prior to the April 20, 1995 Commission meeting should be directed to Senior Consultant Alan Deal, POST Management Counseling Services Bureau, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083 or may be sent by FAX at (916) 227-3895. Questions should be directed to Alan Deal at (916) 227-4809.

Sincerely,

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

Attachment

ATTACHMENT B

HIGH SPEED VEHICLE PURSUIT

PROPOSED GUIDELINES AND COMMENTARY

MARCH 1995

THE COMMISSION
ON PEACE OFFICER STANDARDS AND TRAINING

STATE OF CALIFORNIA

INTRODUCTION

Law enforcement vehicle pursuits represent one of the most hazardous critical incidents in which an officer may engage. They might be compared to the use of firearms in having similar, potential consequences. In reality, vehicle pursuits occur more often and have a greater potential for injury and death than does the use of firearms.

Penal Code Section 13519.8 requires the Commission on Peace Officer Standards and Training to establish guidelines and training for law enforcement's response to vehicle pursuits. This publication contains those guidelines and the curriculum requirements for recruit and in-service officers. This document also includes reference material related to the guidelines. This material is designed to assist law enforcement executives and trainers in addressing the broad range of issues surrounding vehicle pursuits.

The service priorities, policies and procedures of each law enforcement agency should reflect the environment and community in which it functions. Accordingly, the guidelines are intended to promote discussion, analysis and review of the agency's pursuit policy. When preparing its pursuit policy, the decision to address any issue raised in the guidelines is fully within the discretion of the agency head. The guidelines are written to ensure broad discretion for administrators in developing a pursuit policy appropriate for the agency and the community it serves.

The document is organized as follows:

Section I - Vehicle Pursuit Guidelines
Section II - Commentary on issues related to the guidelines
Section III - Training course curricula (to be added)
Section IV - Definition of key terms

Questions or comments concerning the guidelines may be directed to the Management Counseling Services Bureau at (916) 227-4800. Questions or comments concerning the curricula may be directed to the Training Program Services Bureau at (916) 227-4885, or the Basic Training Bureau at (916) 227-4252.

SECTION I

LAW ENFORCEMENT VEHICLE PURSUIT GUIDELINES

DRAFT

LAW ENFORCEMENT
VEHICLE PURSUIT GUIDELINES

I. WHEN TO INITIATE A PURSUIT

Guideline: The policy should define a "pursuit," articulate the reasons for which a pursuit is authorized and identify the issues that must be considered in reaching the decision to pursue.

II. NUMBER OF INVOLVED LAW ENFORCEMENT UNITS PERMITTED AND RESPONSIBILITY OF PRIMARY AND SECONDARY UNITS

Guideline: The policy should establish the authorized number of law enforcement units and supervisors who may be involved in a pursuit. It should describe the responsibility of each authorized unit and role of each officer and supervisor.

III. COMMUNICATIONS

Guideline: The policy should clearly describe the communications procedures associated with a pursuit.

IV. SUPERVISORY RESPONSIBILITIES

Guideline: The policy should describe the role of the supervisor in managing and controlling a pursuit.

V. DRIVING TACTICS

Guideline: The policy should describe authorized and prohibited driving tactics and the circumstances under which the tactics may be appropriate or become unauthorized.

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VI. BLOCKING, RAMMING, BOXING AND ROADBLOCK PROCEDURES

Guideline: The policy should describe the tactics that are authorized to terminate a pursuit. The policy should describe the circumstances and conditions in which each tactic is authorized to be used.

VII. SPEED LIMITS

Guideline: The policy should identify the factors to consider in determining appropriate speeds during a pursuit.

VIII. AIR SUPPORT

Guideline: Where an agency uses fixed-wing aircraft or helicopters during a pursuit, procedures should be developed to ensure coordination by the air unit and the ground law enforcement units.

IX. TERMINATION OF A PURSUIT

Guideline: The policy should clearly describe the reason(s) for terminating/discontinuing a pursuit. The reason(s) should include the condition of the vehicle, driver, roadway, weather, traffic and potential hazards to bystanders and motorists. The policy should stress the importance of vehicle safety and protecting the public, and identify the issues that will enable officers to balance the known offense and the need for immediate capture against the risks of a pursuit to officers and citizens.

X. CAPTURE OF SUSPECT(S)

Guideline: The policy should describe the critical issues associated with taking an offender(s) into custody immediately following a pursuit.

XI. USE OF DEADLY FORCE (FIREARMS)

Guideline: The policy should address use of deadly force (firearms).

XII. INTERJURISDICTIONAL CONSIDERATIONS

Guideline: The policy should describe procedures to ensure effective coordination, management and control of interjurisdictional pursuits.

XIII. REPORTING AND POST-PURSUIT ANALYSIS

Guideline: The policy should provide procedures for reporting pursuits and ensuring post-pursuit analysis, review and feedback.

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SECTION II

LAW ENFORCEMENT VEHICLE PURSUIT GUIDELINES

COMMENTARY

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I. WHEN TO INITIATE A PURSUIT

Considerations

Summarized below are issues that should be considered regarding when to initiate a pursuit.

Vehicle Code Issues

Section 17004.7(c)(4) V.C. (Public Agency Immunity) specifies for immunity purposes that policy address guidelines for determining when the interests of public safety and effective law enforcement justify a vehicular pursuit, and when a vehicular pursuit should not be initiated.

Other Vehicle Code requirements relevant to vehicle pursuits provide important considerations when developing policy. Pertinent sections include:

- 165 V.C. - Authorized Emergency Vehicle;
- 17001 V.C. - Liability of a Public Agency;
- 17002 V.C. - Extent of Liability;
- 17004 V.C. - Authorized Emergency Vehicles;
- 17004.7 V.C. - Public Agency Immunity;
- 21052 V.C. - Public Officers and Employees;
- 21055 V.C. - Exemption of Authorized Emergency Vehicles;
- 21056 V.C. - Effect of Exemption;
- 2800.1 V.C. - Evading a Peace Officer;
- 2800.2 V.C. - Evading a Peace Officer: Reckless Driving;
- 2800.3 V.C. - Evading a Peace Officer Causing Injury or Death;
- 21806 V.C. - Authorized Emergency Vehicles; and
- 21807 V.C. - Effect of Exemption.

Pursuit and Failure to Yield

"Failure to yield", "following" and "high-speed following" are terms frequently communicated by officers that blur the distinction between an agency-defined and authorized pursuit and a following activity that may be outside agency policy. During these activities, officers sometimes exceed the rules of the road without putting themselves "in pursuit" and using all of their emergency equipment, and are therefore not afforded the protection of Section 17004.7(c) V.C. The use of the above terms, the agency's definitions of them, and the propriety of the activity are appropriate issues to consider.

Consideration should be given to defining a pursuit and describing those circumstances when a "following" action becomes a "pursuit."

Reasons for Initiating a Pursuit

Approved reasons for initiating a pursuit span the range of decisions (e.g., from investigative stop, reasonable suspicion, or probable cause to known high-risk felony).

An officer's exercise of discretion in making the decision to initiate a pursuit should be guided by a number of factors. Some of these factors are contained in the shaded box at the right.

If an agency authorizes a pursuit only for certain categories of offenses (infraction, misdemeanor, felony), or for violation of specific statutes, the categories or statutes, along with the knowledge an officer may possess, should be articulated.

Initial Notification and Assignment of a Supervisor

Supervisory management and control of each pursuit is an important factor to be considered. Procedures to ensure that a supervisor is notified when a pursuit begins, responsibility for the notification, and the method of acknowledgement are important to the overall management of the pursuit. *(See Guideline IV: Supervisory Responsibility.)*

Factors to consider may include:

- Public safety;
- Officer safety;
- Vehicle Code requirements (see *Vehicle Code Issues*);
- Nature of the offense;
- Non-peace officer in officer's vehicle (e.g., victim, citizen, witness, prisoner);
- Other persons in or on pursued vehicle (e.g., passengers, co-offenders, hostages) *(NOTE: The age of the offender or persons in or on the pursued vehicle should also be considered)*;
- Pedestrian and vehicular traffic patterns and volume;
- Location of the pursuit (e.g., school zone, playground, residential, downtown);
- Time of day;
- Speeds of the pursuit;
- Weather and visibility;
- Road conditions;
- Identity of offender (if known)/offender can be located at a later time;
- Capabilities of law enforcement vehicle(s) and officer(s) driving;
- Availability of additional resources;
- Whether supervisory approval is required;
- Officer's/supervisor's familiarity with the area of the pursuit; and
- Quality of radio communications (e.g., out of range, garbled, none).

Non-emergency Vehicles

It is recognized that an officer may observe an offense or life-threatening situation while driving a vehicle with no agency markings or emergency equipment. Circumstances may suggest the officer exercise discretion to follow an offender while summoning assistance from an authorized emergency vehicle.

The circumstances and situations wherein an officer driving a non-emergency vehicle is authorized to follow an offender are important considerations. These include:

- Whether to authorize an officer driving a non-emergency vehicle to deviate from the rules of the road while following an offender;

  NOTE: This authorization should be carefully considered as the agency and officers would not enjoy immunity.

- Circumstances that justify deviation from the rules of the road that may be necessary to follow an offender while in a non-emergency vehicle;

- Driving tactics that are authorized;

- Information to be broadcast by the officer(s) in the non-emergency vehicle, including:

  - nature of offense,
  - description of offender's vehicle,
  - identity of the offender, if known,
  - direction of travel,
  - request for assistance, and
  - description of non-emergency vehicle and statement that vehicle is without emergency equipment,
  - traffic conditions,
  - speed of following; and

- Manner in which the non-emergency vehicle should stop following an offender when a marked unit (equipped with emergency equipment) is in a position to intercept the suspected offender from the non-emergency vehicle.

II. NUMBER OF INVOLVED LAW ENFORCEMENT UNITS PERMITTED AND RESPONSIBILITY OF PRIMARY AND SECONDARY UNITS

Considerations

Summarized below are issues that should be considered regarding those units that may, by statute, participate in a pursuit.

Vehicle Code Issues

Section 17004 V.C. (Authorized Emergency Vehicle) and Section 17004.7(c)(1) and (2) V.C. (Public Agency Immunity) describe the requirements an agency must address to establish employee and agency immunity.

The requirements may be partially addressed by:

- Designating the primary pursuit vehicle;
- Determining the total number of vehicles to be permitted to participate at one time in a pursuit; and
- Coordinating operations with other jurisdictions *(Refer to Guideline XII: Interjurisdictional Considerations)*.

This section (17004.7[c][1] V.C.) also requires that the policy provide, if available, supervisory control of the pursuit.

Factors to consider may include:

- Type of units authorized to participate in a pursuit;
- Types of units confined to limited roles;
- Types of units prohibited from participating;
- Tactics and techniques authorized for units approved to "trail" or parallel a pursuit (e.g., traffic control in advance of the pursuit); and
- Role of each officer/supervisor regarding:
  - initiating a pursuit;
  - joining a pursuit in progress;
  - evaluating appropriateness of pursuit under existing circumstances;
  - communicating with other officer(s), dispatch and supervisor(s);
  - terminating/discontinuing pursuit; and
  - apprehending suspect upon termination of pursuit.

Role of Essential Units

Defining the role of the primary unit, secondary unit, supervisor unit and any additional units is an essential component of the policy. The description of the functions and responsibilities associated with each of the units in a pursuit may include:

Primary Pursuit Unit

- Usually the unit initiating the pursuit;
- May be a single- or multiple-officer unit;
- Usually responsible for simultaneously notifying dispatch, supervisor and field units of the pursuit by broadcasting:
  - unit designation or identification,
  - location, direction of travel and speed,
  - initial reason(s) for the pursuit, including the law known or suspected to have been violated,
  - vehicle description, including license number, if known,
  - number of occupants in offender's vehicle,
  - traffic conditions, and
  - weather (if a factor);
- Remains alert to the pursued offender's driving and provides updated information concerning the conduct of the pursuit;
- May exercise responsibility for determining the number of units needed to support the pursuit (while occurring and at termination);
- May be authorized uninterrupted access to radio frequency to broadcast critical information and requests;

  NOTE: Supervisors and others may broadcast matters directly related to the pursuit, or other emergency information.
- May maintain immediate field command and have operational responsibility for the pursuit unless relieved by a supervisor or is otherwise unable to continue (e.g., mechanical or equipment failure);
- May request air support;
- May discontinue the pursuit; and
- Second officer (if present) in the primary unit, may:
  - assume responsibility for broadcasting,
  - provide information related to safety considerations to the driver officer,

- observe the conduct of the individuals in or on offender's vehicle, and
- assist the driver officer in maintaining awareness of the surroundings and in decision-making concerning the pursuit (e.g., perception, factors to be considered, policy issues).

NOTE: The authority of the primary unit usually pertains to the immediate field operation and should be subordinate to the command and control responsibility of a supervisor or other agency manager.

Secondary Pursuit Unit

- Usually refers to a unit (same agency or an outside agency) providing support to the primary unit during and immediately following a pursuit;
- May assume broadcasting responsibilities from the primary unit;
- Should simultaneously notify dispatch, primary unit and supervisor when it is immediately behind the primary unit;
- Should attempt to maintain an appropriate distance close enough to the primary unit so as to mitigate collision hazards (i.e., enhance public awareness of secondary unit); and
- May assume responsibility as the primary unit upon direction of a supervisor or if the primary unit is unable to continue.

Additional Pursuit Unit(s)

- May be specifically identified as an authorized, additional pursuit unit by an agency;
- May be required to notify the dispatch center when joining the pursuit;
- May routinely include authorized, interjurisdictional support units;
- May describe any exception (to the authorized number of units) for unusual situations (e.g., nature of the crime, armed offender(s), multiple offenders, multiple vehicles being pursued); and
- May require supervisory approval for exemption to the number of usually authorized units/officers in a pursuit.

Supervisory Unit

- May be specifically identified as an authorized unit by an agency for the purpose of exercising management and control of the pursuit.

*(See Guideline IV: **Supervisory Responsibilities**.)*

Other Law Enforcement Vehicle Considerations

Circumstances arise where officers in specialized law enforcement vehicles encounter offenders that flee from the scene of an incident. Consideration should be given to providing a clear description of the types of units that may perform a limited role in a pursuit (e.g., motorcycles, unmarked units with emergency equipment), and those that may be prohibited from participating (e.g., unmarked units without emergency equipment, utility units, bicycles).

Peripheral Pursuit Vehicles

The dynamics of pursuits demonstrate that law enforcement units not directly involved in a pursuit occasionally engage in certain activity, both authorized and unauthorized. Understanding the need to effectively manage units peripheral to the pursuit reduces the potential hazards when such units are not controlled.

NOTE: The policy-maker may address these issues and concerns in the policy and reinforce them through training and monitoring.

Issues for consideration include describing the units authorized to "trail" or parallel a pursuit, and the tactics and techniques they may use (e.g., secure intersections). Tactics for paralleling a pursuit may include:

- Obeying all traffic laws;
- Remaining alert to the progress of the pursuit;
- Remaining uninvolved unless specifically requested to join the pursuit by an authorized individual; and
- Responding to the termination scene and assisting in the capture of the offender only upon request by an authorized individual.

III. COMMUNICATIONS

Considerations

Summarized below are issues that should be considered regarding communications associated with a pursuit.

Vehicle (Primary) Initiating the Pursuit

Communications are a critical element in the management and control of pursuits. Communications issues related to the primary vehicle include:

- Notification of the communications center of the initiation of a pursuit;

- Immediate broadcast, upon initiating the pursuit, to include:

  - primary unit identification,
  - location, direction of travel and speed,
  - initial reason(s) for the pursuit, including the law known or suspected to have been violated,
  - pursued vehicle description, including license number, if known,
  - number of vehicle occupants (including identity or description, if known), and
  - pursuit conditions (weather, traffic);

- Request for a check of vehicle (and offender, if known) status (e.g., wants/warrants/Stolen Vehicle System (SVS)/Department of Motor Vehicles);

- Update information as the pursuit continues and as conditions change;

- Report of hazards encountered throughout the pursuit (e.g., road condition, congested traffic, weather, shots fired, traffic collisions);

Factors to consider may include:

- Management and control function;
- Role of unit initiating pursuit;
- Role of secondary unit(s);
- Role of the supervisor(s);
- Role of air support unit(s);
- Role of the dispatch center;
- Interjurisdictional issues; and
- Coordination of resources.

- Notify supervisor of observation(s) of deviations from policy (e.g., unsafe passing, too many units, cutting off authorized pursuing units);
- Reports concerning objects or persons leaving the offender's vehicle (e.g., item, location) and direction to another unit(s) to locate the object or person;
- Request for other resources (e.g., additional officers, air support, supervisor);
- Request for another involved unit to assume communications responsibilities;
- Reporting the relinquishment of a pursuit to another unit (same or allied agency);
- Reporting the pursued vehicle lost; and
- Reporting the termination or discontinuance of the pursuit.

Supporting (Secondary) Unit

Communications issues related to the secondary unit include:

- Notification of the communications center that the secondary unit has joined the pursuit;
- Assume pursuit communications responsibilities (as dictated by conditions or as requested by the primary unit or supervisor);
- Notification that the secondary unit will (has) become the primary unit;
- Notify supervisor of observation(s) of deviations from policy (e.g., unsafe passing, too many units, cutting off authorized pursuing units);
- Assumption of command and control responsibilities at the termination of a pursuit, where additional resources are required; and
- Reporting the apprehension or escape of the offender.

Communications Center

Issues related to the Communications Center include:

- Acknowledging the pursuit and clearing or assigning a frequency for pursuit communications;

- Notification of appropriate personnel of the pursuit (i.e., supervisor, watch commander, air unit, secondary unit, allied agencies);

- Check for offender and vehicle status from information provided by the primary unit;

- Periodic request for and broadcast of updated pursuit status information;

- Recording information concerning the pursuit (audio, data entry and/or handwritten);

- Response to requests or directions of the pursuing units and the supervisor;

- Coordinating the assignment of additional resources to the pursuit;

- Notification of adjoining jurisdiction(s) of the pursuit, as appropriate, and coordination of allied agency assistance;

- Coordinating communication among pursuing units, supporting resources and other communications centers (within the agency and interjurisdictional); and

- Reporting the termination/discontinuance of a pursuit.

<u>Supervisor/Watch Commander</u>

The pursuit communications issues related to a supervisor include:

- Acknowledging responsibility for monitoring and controlling the progress of the pursuit;

- Reporting direct involvement in the pursuit;

- Obtaining frequent information about the conditions and status of the pursuit to support decisions concerning the management and control of the pursuit;

- Requesting additional resources (e.g., air unit, other units, allied agencies) to support the pursuit;

- Approving and coordinating specific tactics;

- Directing pursuing vehicles to terminate/discontinue the pursuit;

- Directing unauthorized units out of the pursuit;

- Directing relinquishment of the pursuit to another jurisdiction. *(Refer to Guideline: **Interjurisdictional Considerations** regarding verification and willingness of allied agency to assume pursuit.)*

<u>Air Support Unit</u>

The pursuit communications issues related to air support include:

- Broadcasting participation in the pursuit;
- Notifying units of hazards and other conditions the pursuit may encounter;
- Assuming broadcast responsibility from the primary or secondary unit;
- Responding to requests for information by the primary unit, supervisor and dispatch center;
- Notify supervisor of observation(s) of deviations from policy (e.g., unsafe passing, too many units, cutting off authorized pursuing units);
- Relaying communications between units and entities involved (within the agency and interjurisdictionally).

NOTE: It may be appropriate for an agency to consider terminating or discontinuing a pursuit when communications capabilities are lost, delayed or substantially degraded.

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IV. SUPERVISORY RESPONSIBILITIES

Considerations

Summarized below are issues that should be considered regarding the supervisor's role in the management and control of a pursuit.

Vehicle Code Issues

Section 17004.7(c)(1) V.C. (Public Agency Immunity) describes issues to be considered when developing the component of the policy that addresses supervisory control of the pursuit. The statute acknowledges that a supervisor may not always be available.

Where an agency does not have a supervisor or acting supervisor immediately available, other options might be considered. One option might be to notify an on-call supervisor to monitor or respond as determined by the agency.

Initial Involvement

The need for the supervisor to become an active participant in a pursuit is an urgent factor in assuring immediate exercise of management control.

Initial responsibilities should include:

- Assumption of management and control;
- Communication of assumption of management and control; and
- Assessment of initial pursuit information broadcast by pursuing officer(s).

Describing the manner and methods in which responsibility is assigned to the supervisor is an appropriate area to address. **As with any critical law enforcement incident, it is not necessary for the supervisor to be at the scene to begin exercising management and control of a pursuit.**

NOTE: Active participation may refer to monitoring the pursuit from another location or participating in the pursuit as an additional authorized unit.

The supervisor must be provided basic, initial information concerning the pursuit either by the primary pursuing officer(s) or the dispatch center. Information from which the supervisor

may begin preliminary assessment of the pursuit includes those elements contained in the box at the right. Where this initial information is not immediately provided by the primary unit/officer(s), an agency may consider authorizing the supervisor to discontinue the pursuit.

Initial information to be broadcast by the primary unit/officer(s) and assessed by supervisor should include:

- Unit designation or identification;
- Location, direction of travel and speed;
- Nature of the offense;
- Vehicle description, including license number, if known;
- Number of occupants;
- Traffic conditions; and
- Weather conditions (if a factor).

Process for Assessing the Pursuit and Exercising Management and Control

The role of the supervisor during a pursuit involves the continual assessment of the critical issues that support authorization to continue the pursuit, or the decision to discontinue or terminate the pursuit (see shaded box on the following page). Consistent with these responsibilities, the supervisor must consider the importance of maintaining control of the law enforcement officer(s) during a pursuit, protecting the public at all times, and balancing the known offense and the need for the immediate capture of the offender against the risk to the public and the officers.

This may include establishing the accountability of the supervisor in:

- Limiting additional vehicles in the pursuit;
- Allowing a pursuit to continue;
- Terminating/discontinuing a pursuit;
- Authorizing during-pursuit and post-pursuit tactics; and
- Completing the post-pursuit assessment and evaluation.

Approval of Exceptional Tactics

A pursuit takes on a unique personality that gives the supervisor many factors to consider in the decision to allow it to continue or direct it to be discontinued. Important factors for consideration include when the **collective** nature (i.e., duration, offender's driving behavior and the critical need to apprehend the offender) of a pursuit reaches the point beyond which its continuation no longer reasonably appears to outweigh the risk of death or serious injury.

Options available to the supervisor in examining and considering the decision to continue or terminate a pursuit include:

- Continue to follow;
- Back off (drop back from the offender's vehicle);
- Relinquish the "following" of the offender to the air unit;
- Use offensive tactics (including options of deadly force); and
- Discontinue the pursuit.

Factors to be considered throughout a pursuit may include:

- Nature of the offense;
- Public/officer safety;
- Safety of other persons in or on the vehicle being pursued (e.g., passengers, victim, co-offenders, hostages);
- Other non-peace officer(s) in officer's vehicle;
- Pedestrian and vehicular traffic patterns and volume;
- Location of the pursuit;
- Speeds of the pursuit;
- Weather and visibility;
- Road conditions;
- Time of day;
- Duration/distance of the pursuit;
- Driving performance of the offender;
- Limitations of law enforcement vehicle(s) and driver officer(s);
- Identity of offender (if known)/offender can be located at a later time;
- Officer/supervisor familiarity with the area of the pursuit;
- Quality of radio communications;
- Adherence to agency policy;
- Availability of additional resources; and
- Whether to discontinue/terminate a pursuit.

Tactics and Procedures for Ending a Pursuit

There are several ways in which a pursuit can be discontinued or terminated after a supervisor makes the decision to do so. Authorized tactics and procedures to safely bring a pursuit to an end may include:

- Discontinue officer participation in pursuit;
- Use no intervention tactics (i.e., agency views pursuit as primarily a following action);
- Discontinue pursuit when aircraft will follow offender to the point where vehicle is abandoned (officers may then be directed to this point to capture offender);
- Use spike strip (or other similar technology);
- Use other assertive tactics; and
- Use firearm.

It is appropriate to describe requirements for the approval and use of any of these methods or tactics. The last two options have significant legal and training implications for an agency. *(See Guideline V: Driving Tactics; Guideline VI: Blocking, Ramming, Boxing and Roadblock Procedures; and Guideline XI: Use of Firearms.)*

It may also be appropriate to describe authorization requirements to use any of the above intervention tactics (except officer[s] discontinuing the pursuit or allowing an aircraft to follow the offender). A requirement that a supervisor authorize assertive tactics is strongly encouraged; however, this requirement may not be practical in all situations.

Termination/Discontinuance of a Pursuit

When a supervisor directs termination/discontinuance of a pursuit or the pursuit discontinues, there are specific steps or procedures that occur. Clearly describing the procedures to be followed when a supervisor directs termination/discontinuance of a pursuit, or the pursuit discontinues, is an appropriate subject to be addressed. These may include:

- Communication and acknowledgement of the termination/discontinuance order;
- Response by the supervisor to the location where the pursuit was terminated, oversight of post-pursuit discipline, and (when required) assumption of management control of the scene;
- Duties and responsibilities of the supervisor at the termination of a pursuit (refer to "Factors to be considered at the end of a pursuit" on the following page);
- Requirement that *one* supervisor retain all oversight responsibilities until the offender is booked or released, and all reports related to the incident are completed and reviewed by the same supervisor; and
- The supervisor giving specific direction to all persons responsible for completing any report related to a pursuit.

Procedures to be followed when a supervisor directs terminating or discontinuing a pursuit should include:

- Broadcast(s) by the supervisor directing termination;
- Acknowledgement by primary, secondary and other authorized units; and
- Verification broadcast of the termination order by the dispatch center on frequencies and channels used by the agency and other agencies that share or monitor frequencies or were advised of the pursuit.

Problems can occur when multiple officers and supervisors are involved in post-pursuit direction, decision-making and reporting.

During agency review of an officer-involved traffic collision or the pursuit incident, or when the agency becomes the subject of litigation, differences, inaccuracies and discrepancies may be discovered in a number of the reports completed following a pursuit. These discrepancies are usually not the product of an attempt to distort or misrepresent facts. They often simply mirror work completed by different people and reviewed by different supervisors.

Trying to correct or rectify these discrepancies at a later date can prove difficult due to the passage of time. Trying to correct inaccuracies later may raise doubt in the reviewer's mind as to the credibility of the information provided by the agency. It may create significant problems in civil and criminal court proceedings. The costs associated with this issue may be substantial to the jurisdiction, the agency and to individual employees.

Factors to be considered at the end of a pursuit may include:

- Safety of the public;
- Safety of officers;
- Safety of persons in or on the offender'(s) vehicle;
- Safety of hostage(s);
- Safety of offender(s);
- Command and control tactics employed to apprehend offender(s);
- Use of force;
- Injuries to any person (i.e., from traffic accident or taking the offender(s) into custody);
- Prompt medical attention to injured persons;
- Expeditious removal from the scene of offender(s) and other involved persons;
- Clear area of uninvolved or unnecessary law enforcement officers;
- Report and investigate traffic collisions related to the pursuit; and
- Notifications of command and management personnel.

These costs may be significantly reduced through effective expenditure of supervisory time immediately following the pursuit. Through appropriate supervisory oversight of the entire process following a pursuit, attention to detail will yield positive later results for the agency and its employees.

Post-Pursuit Assessment, Evaluation and Reporting

An agency may want to examine the benefit of collecting specific information following each pursuit. The collection and examination of information may address such issues as:

- Adherence to policy;
- Identification of training needs;

- Identification of needed policy or procedure changes; and
- Documentation of pursuit incidents which may enhance the agency's ability to manage liability.

In addition to the reports listed at right, sources of information that may address these issues include:

- Supervisor's administrative report regarding the pursuit *(See Guideline XIII: Reporting and Post-Pursuit Analysis)*;
- Other supervisor's daily report(s) containing reference to the pursuit;
- Any outside-agency report(s) from agencies involved in an interjurisdictional pursuit;
- Audio communications recording of all frequencies used during the pursuit (including outside agencies); and
- Audio-visual recording from any video camera mounted in police vehicle(s).

Reports that should receive personal review and approval by the supervisor include:

- Booking authorization and/or release form for the offender and any other person related to the incident;
- Crime, arrest or release-from-custody report;
- Supervisor's daily report describing facts related to the pursuit (before, during and following);
- California Highway Patrol, Pursuit Report (CHP 187);
- Dispatch center daily report related to the pursuit;
- Administrative notification form informing management of the pursuit;
- Media releases related to the pursuit;
- Traffic collision reports;
- Officer-involved traffic collision administrative report;
- Use of force report;
- Injury or any medical examination report; and
- Daily activity report of officers involved in the pursuit and/or tactical operation to capture the offender.

Interjurisdictional Pursuits

Interjurisdictional pursuits create a major challenge to supervisors in the exercise of management and control. *(See Guideline: XII. Interjurisdictional Considerations.)*

V. DRIVING TACTICS

Considerations

Summarized below are issues that should be considered regarding driving tactics appropriate during a pursuit.

Vehicle Code Issues

Sections 21055 V.C. (Exemption of Authorized Emergency Vehicles), 21056 V.C. (Effect of Exemption), 21806 V.C. (Authorized Emergency Vehicle) and 21807 V.C. (Effect of Exemption) identify issues to be considered when addressing driving tactics.

These sections:

- Describe the exemptions conferred upon authorized emergency vehicles engaged in specific activity;
- Provide for exemption to the rules of the road under certain circumstances; and
- Place limits on the various exemptions.

Factors to consider may include:

- Public and officer safety;
- Vehicle Code Requirements (21055, 21056, 21806 and 21807);
- Need for immediate capture weighed against risks to public/officers/suspects;
- Vehicle capabilities and limits;
- Environmental factors;
- Time of day;
- Nature of the offense;
- Duration of the pursuit;
- Officer's experience and training;
- Offender's identity determined/can be apprehended at a later time;
- Loss of communications capability;
- Distance between officer(s) and offender vehicle;
- Loss of visibility with offender's vehicle;
- Loss of emergency equipment (light and/or siren);
- Driving against traffic;
- Availability of additional resources;
- Supervisory approval; and
- Training.

Authorized Pursuit Driving Tactics

To apply proper driving tactics during a pursuit, officers and supervisors need to be equally aware of both authorized and prohibited pursuit driving tactics. The decision to use or not use specific authorized driving tactics requires the same

assessment process discussed in the guidelines concerning pursuit initiation and termination. Other factors are described in the shaded box on the previous page.

Environmental and Other Factors

The decisions to pursue, to discontinue a pursuit, or to apply various driving tactics in a pursuit, require continuous assessment of environmental and other related factors. These factors include agency-specific considerations in the areas of:

- Congestion (pedestrian and vehicular);
- Location (e.g., business, residential, rural, school zone);
- Familiarity with the area;
- Visibility;
- Weather conditions;
- Time of day;
- Type/condition of vehicle (officer's and offender's);
- Type/condition of roadway; and
- Known traffic hazards (e.g., nearby construction).

Prohibited Driving Tactics

Certain tactics, some previously authorized in pursuit policies, have in practice become unacceptable standards of action that create risk beyond the value derived in their application. Actions generally prohibited due to the risks to the public, officers and offenders include:

- Passing other law enforcement vehicle(s) engaged in pursuit;

- Caravaning (i.e., unauthorized trailing of a pursuit beyond the authorized number of law enforcement vehicles actively and appropriately engaged in pursuit);

- Driving against traffic on the opposite side of a divided freeway or highway;

- Using the spotlight(s) of a law enforcement vehicle to cause visual impairment (temporary blindness) of the offender;

- Failing to discontinue involvement in a pursuit after being relieved by a supervisor or other unit(s) directed to take over (own jurisdiction or interjurisdictional officers); and

- Slowing uninvolved traffic ahead of the direction of travel of the offender and pursuing officers.

Refer also to Guideline I: Initiation of a Pursuit; Guideline VI: Blocking, Ramming, Boxing and Roadblock Procedures; and Guideline IX: Termination of a Pursuit.

VI. BLOCKING, RAMMING, BOXING AND ROADBLOCK PROCEDURES

Considerations

Summarized below are issues that should be considered regarding tactics to terminate a pursuit (e.g., blocking, ramming, boxing, roadblock).

Risk to Public Safety

A variety of tactics have been employed to terminate a pursuit. The tactics generally require slowing or disabling the offender's vehicle to permit the offender to be apprehended.

In general, each authorized tactic, conditions for use and the mechanics of employing a tactic are described in the policy.

Policy considerations concerning the approval of specific tactics to terminate a pursuit include:

Factors to consider may include:

- Need for immediate capture weighed against risks to public/officers/suspects;
- Equivalent to use of deadly force;
- Seizure;
- Training;
- Definition of tactics;
- Description of mechanics of process;
- Minimum/maximum speeds for effectiveness; and
- Possible air bag deployment.

- The balance of the potential hazards arising from the use of each tactic and the possible dangers to the public, officers and persons in or on the pursued vehicle. This includes consideration of whether the need to immediately apprehend the offender outweighs the potential hazards of the pursuit to public and officer safety;

- Statute and case law concerning the potential for some tactics to be considered by the courts to be a seizure or use of deadly force;

Authorization to Employ a Tactic

Conditions for authorizing the use of a tactic include consideration of:

- Providing a clear and specific description of the requirements for, and limitations on, the use of each authorized tactic;

- The level of authorization (e.g., supervisory, other) that will be required to use these tactics, and the factors to be considered in determining whether to authorize the use of these tactics; and

- Whether only officers and supervisors trained in the approved tactics should employ or authorize their use.

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VII. SPEED LIMITS

Considerations

Summarized below are issues that should be considered regarding speed limits during a pursuit.

Speed of Pursuing Vehicles

Speed is a critical element in both the conduct of pursuits and the concerns for safety that arise from pursuits. The increased dangers of driving at speeds above the *basic speed law* (Section 22350, V.C.) during a pursuit are well recognized by law enforcement. Although Vehicle Code Section 21055 provides an exemption from speed laws for pursuit vehicles, speed remains an important factor in a pursuit. Other factors for consideration in this issue include general roadway types (e.g., freeway, rural road, urban street), traffic volume and pursuit environment (e.g., commercial district, residential area, time of day) and whether to describe a speed, or range of speed, that is inappropriate for officers to exceed during a pursuit.

Reasonableness is recognized as a *general standard* for guiding officers' discretion concerning the speeds of a pursuit. An important consideration is how to provide clear and specific guidance to officers, supervisors and managers to support decisions regarding speeds appropriate during a pursuit.

The factors to be considered by the officers and supervisor to determine "reasonable" speeds, in view of the specific circumstances and environment of each pursuit, include:

- Public safety;
- Officer safety;
- Need for immediate capture vs. risks to public, officers and offenders of the pursuit;
- Nature of the offense;
- Duration of the pursuit;
- Pedestrian and vehicular traffic patterns and volume;
- Location (e.g., business district, residential area, rural area, park, school);
- Officer's and supervisor's familiarity with the area of the pursuit;
- Weather conditions and visibility;
- Time of day;
- Type of vehicles (officer and offender);
- Capabilities and limitations of law enforcement vehicle(s);

- Road type and condition;
- Availability of air support;
- Officer's experience and training;
- Distance between officer's and offender's vehicles; and
- Knowledge of offender's identity.

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VIII. AIR SUPPORT

Considerations

Summarized below are issues to be considered regarding air support during a pursuit.

Aircraft can provide valuable assistance to the units and supervisor involved in a pursuit. This assistance includes coordinating the activities of resources on the ground, reporting information concerning the progress and conduct of the pursuit, and providing officers and supervisors with information to evaluate whether or not to continue the pursuit.

An aircraft is not defined as an authorized emergency vehicle in the California Vehicle Code. If an aircraft is designated as the "primary" pursuit vehicle, the immunity afforded under Sections 17004 and 17004.7 V.C. would not apply. For this reason, agency policy may describe other appropriate functions of an air unit in a pursuit.

Air units may be used to:

- Maintain visual contact with the pursued vehicle;
- Provide information to help officer/supervisor evaluate whether to continue or terminate pursuit;
- Report actions by the offender or other persons in or on the pursued vehicle;
- Illuminate suspect's vehicle during hours of darkness;
- Assume broadcast responsibilities;
- Identify and record all law enforcement vehicles involved in the pursuit;
- Coordinate ground units to apprehend suspect at termination of pursuit;
- Maintain air surveillance of suspect vehicle after pursuit is discontinued and direct ground units to offender's ultimate location; and
- Direct non-law enforcement aircraft away from the emergency operation.

Assistance to Pursuing Units

Functions aircraft can perform to assist the pursuing units on the ground include:

- Further identification of the pursued vehicle and occupants;
- Reporting the location and direction of travel of the pursued vehicle (this may include assuming responsibility for broadcasting from the primary unit);

- Illuminating the pursued vehicle with the aircraft spotlight to identify its location, direction of travel, further identify the occupants and their actions, assist in locating objects discarded from or occupants leaving the vehicle, and cause the offender to stop fleeing;

  NOTE: Consideration of this tactic includes the potential of the spotlight to create hazards for the drivers of vehicles on the ground.

- Reporting pedestrian and vehicular traffic patterns and volume ahead of the pursuit;

- Reporting potential hazards, road conditions and weather ahead of the pursuit;

- Reporting traffic collisions during the pursuit; and

- Following the offender when the pursuit is discontinued.

<u>Assistance in Managing the Pursuit</u>

Functions aircraft can perform to assist with management and control of the pursuit include:

- Reporting to the supervisor dangerous or erratic driving by the offender;

- Reinforcing the supervisor's control of the units involved in the pursuit;

- Relaying communications broadcasts when:

  - the radio signal is insufficient,
  - radio frequencies are incompatible (interjurisdictional),
  - equipment failure occurs that may not meet the agency's requirement for discontinuing the pursuit (e.g., dispatch center goes off-line), or
  - requested;

  NOTE: Also refer to Guideline III: Communications.

- Observing and reporting violations of agency policy to the supervisor;

- Verifying compliance with the supervisor's instructions;

- Reporting the loss of the pursued vehicle;

- Assisting in post-pursuit coordination and control; and

- Directing media and other private aircraft away from an emergency operation.

  NOTE: Decisions concerning this function include considering the balance between the media's needs and rights, and concerns for safety, tactical secrecy and other requirements necessary for law enforcement control of the pursuit.

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IX. TERMINATION OF A PURSUIT

Considerations

Summarized below are issues that should be considered regarding termination/discontinuance of a pursuit.

Vehicle Code Issues

Section 17004.7(c)(4) V.C. (Public Agency Immunity) describes issues to be considered when developing the component of the policy that provides guidelines for determining when a pursuit should be terminated.

Safety Issues

The emphasis in making the decision to terminate or discontinue a pursuit is based on the need to balance the known offense and the need for immediate capture against the risks to the public, officer(s) and the offender(s) from the pursuit.

Factors to consider may include:

- Emphasis on protecting the public, officer(s) and offender(s) at all times;
- Clearly defined factors which indicate termination/ discontinuance of a pursuit;
- Agency response when violator voluntarily discontinues pursuit/ submits to arrest;
- Responsibilities of officer/supervisor/watch commander/executive officer regarding terminating pursuit; and
- Communication/acknowl-edgement of decision to terminate.

Setting Agency Limits

A variety of factors should be considered when developing a standard for officers and supervisors to use in reaching the decision to discontinue or terminate a pursuit. Agency-established limits which may support discontinuing or terminating a pursuit are appropriate to be addressed in the policy. Factors that may be considered include:

- Nature of the offense;
- Speed limits;
- Loss of communications capability, emergency lights or siren;
- Risk to the pursuing officer or the public;
- Unfamiliarity with the area of the pursuit;
- Pursuing on wrong side of a divided highway or freeway against traffic;

- Leaving agency jurisdiction;
- Approaching an international border; and
- Loss of pursued vehicle.

Some agencies describe specific offenses or categories of offenses in setting limits for which a pursuit will either be immediately discontinued, or will be discontinued within an agency-prescribed period of time or distance.

Responsibilities of Authorized Units

Each authorized unit or individual involved in pursuit has a clearly described purpose, both during the pursuit and at the time of pursuit termination or discontinuance. Those with responsibilities regarding terminating or discontinuing a pursuit include:

- Primary pursuing officer(s);
- Secondary pursuing officer(s);
- Supervisor responsible for oversight of the pursuit;
- Watch commander; and/or
- Command or executive officer(s).

Risk Assessment--Officers and Supervisor

The dynamics of a pursuit involve rapidly changing conditions and require officers and supervisors to constantly evaluate the risks and the decision to continue a pursuit. Issues to consider may include:

- Environmental conditions;
- Duration of the pursuit;
- Whether offender's identity has been determined;
- Nature of the offense; and
- Benefit of immediate apprehension vs. the risk of injury or death of any person.

The supervisor will also weigh broader issues related to the dynamics of a pursuit. These may include:

- Vehicle safety (e.g., control of vehicles, collisions, mechanical considerations);

- Presence of other persons in or on the vehicle being pursued (e.g., passengers, prisoners, co-offenders, hostages);

- Emotional impact of the pursuit upon the primary officer(s), other involved officers, and officers monitoring the pursuit;

- Experience of pursuing officer;

- Need for immediate capture vs. the risk to the public, officer(s), offender(s) from the pursuit itself;

- Air support;

- Level of threat to the public and officers represented by the driving actions of the offender (e.g., excessive speeds, wrong-way driving, intentional ramming);

- Level of law enforcement control (e.g., driving tactics, communications and supportive response) by the officer(s) directly and indirectly involved in the pursuit; and

- Escalating risks related to cumulative minor and significant events during the course of a pursuit (e.g., traffic collisions, vehicle damage, uninvolved persons dangerously yielding, near collisions).

Process of Discontinuing a Pursuit

The decision to discontinue or terminate a pursuit needs to be clearly and specifically communicated to and immediately acknowledged by the communications component, primary officer(s), secondary officer(s), supervisor(s) and air support unit(s).

Standard procedures to be followed by the primary and other authorized units when the offender is lost or the pursuit is discontinued may include:

- Discontinuing use of emergency equipment and resuming adherence to the rules of the road;

- Altering the direction of travel perpendicular to or opposite from the last known direction of travel by the offender; and

- Advising the supervisor responsible for the pursuit of the location to meet with officer(s) and complete post-pursuit report(s).

Reinitiation of Pursuit

There are occasions where pursuit of a previously lost (or escaped) offender is reinitiated upon re-contact by the same or another unit. Some agencies clearly describe a requirement that the same standards for initiation of a pursuit apply and must be considered in making the decision again to pursue. Under such circumstances, the supervisor may want to consider officers' emotional state in determining whether to allow the pursuit to continue or to order its discontinuation.

X. CAPTURE OF SUSPECT(S)

Considerations

Summarized below are issues that should be considered regarding capture of suspect(s) following a pursuit.

Safety

The safety of the public and officers during the law enforcement effort to capture an offender is a consideration when a pursuit concludes. Planning, discipline and training help ensure an offender is taken into custody in a well-organized, well-managed and controlled manner.

Officer Safety

The safety of law enforcement personnel (e.g., plainclothes officers and other support personnel) assisting at the scene of a pursuit termination and/or the location where the offender is apprehended, is a primary issue confronted by law enforcement. Standard procedures facilitate immediate recognition of law enforcement personnel.

Factors to consider may include:

- Management and control of immediate post-pursuit activity;
- Responsibility for command;
- Tactics;
- Required communications;
- Coordination;
- Resource needs;
- Public, officer and offender safety;
- Maintaining strict personal discipline;
- Restoring order to the scene;
- Obtaining medical treatment; and
- Interjursidictional considerations.

For the safety of all concerned, strict personal discipline should be maintained immediately following the pursuit and apprehension of the offender. The policy needs to designate the persons responsible for quickly removing the offender from, and restoring order to, the scene of the pursuit termination or the location where the offender is taken into custody.

NOTE: The policy-maker may consider prohibiting uninvolved units from responding to the termination point unless requested by an officer or supervisor responsible for control of the incident.

Command Responsibility

The person in command at the apprehension location needs to be identified and may be the driver or senior officer of the primary pursuit unit, an officer assigned to the secondary unit, or the supervisor assigned to provide management control of the pursuit (if he or she relieves the officer in command).

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XI. USE OF DEADLY FORCE (FIREARMS)

Considerations

Summarized below are issues that should be considered regarding the use of firearms during a pursuit.

Use of Firearms During a Pursuit

Issues surrounding the use of firearms are most often described in an agency's use-of-force policy. Reference to the use-of-force policy is appropriate in a pursuit policy. These issues are also appropriate for consideration in the overall context of pursuits due to the dynamics of a pursuit and the fact that firearms may be used during the course of a pursuit.

There are public- and officer-safety issues that arise in the context of a rapidly unfolding mobile situation. Unsafe conditions may evolve much more quickly than in circumstances most frequently seen in situations involving use of deadly force. The potential for tragic consequences resulting from use of deadly force (firearms) during a pursuit is appropriate to consider.

Factors to consider may include:

- Background (e.g., officers, pedestrians, other vehicles in the line of fire);
- Distance between officer and suspect(s);
- Likelihood of shot accuracy;
- Presence of passenger(s);
- Consequences if suspect disabled;
- Hostage situations;
- Fixed or mobile firing position;
- Self-defense;
- Likelihood of disabling a vehicle;
- Tactics;
- Circumstances under which agency may authorize use of deadly force during pursuit;
- Whether prior approval is required; and
- Informing others involved in the pursuit of intent to use deadly force.

Offenses Warranting Use of Deadly Force

With any use-of-force policy, deadly force may not be authorized strictly to prevent the escape of an individual suspected of a misdemeanor or a non-serious felony. Consideration should be given to the types of offenses for which the use of deadly force is either authorized or prohibited during a pursuit. The known

reason an offender is wanted by law enforcement is an appropriate factor to consider regarding the use of deadly force.

A continuing pursuit may eventually result in the commission of a felony. Consideration should be given to the pursuit circumstances, if any, that may warrant the use of deadly force.

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XII. INTERJURISDICTIONAL CONSIDERATIONS

Considerations

Summarized below are issues that should be considered regarding interjurisdictional pursuits.

Vehicle Code Issues

Section 17004.7(c)(3) V.C. (Public Agency Immunity) describes the element of interjurisdictional consideration which should be examined when developing this component of the policy. A policy should adequately address this area or provide sufficient guidance to officers and supervisors, the agency may enjoy immunity from liability.

The broad range of subjects associated with interjurisdictional pursuits may include:

- Supervisory control of a pursuit that enters another jurisdiction;
- Supervisory control of a pursuit when a supervisor from the initiating agency is unavailable, too far away or unfamiliar with the area of the pursuit;
- Communication and notifications among the agencies involved;
- Assistance required from the agency into whose jurisdiction the pursuit enters (e.g., additional units, air support);

Factors to consider may include:

- Supervisory control;
- Communications and notifications;
- Assistance by other agency;
- When an officer may assist an outside agency;
- Limits an agency may establish to not become involved;
- Authorization to become involved or take over a pursuit;
- Determination of agency management and control;
- Responsibility for arrestee(s);
- Coordination and control at termination;
- Relinquishing a pursuit to another jurisdiction;
- Post-pursuit administrative activities;
- Post-pursuit reporting by each agency;
- Post-pursuit review among agencies; and
- Addressing conflict between agency policy and an interjurisdictional agreement.

- Responsibility of an officer or employee who becomes aware of an outside jurisdiction conducting a pursuit within the officer's/employee's jurisdiction;

- Procedures under which an agency may provide assistance, including assuming control of an ongoing pursuit;

- Specific informational requirements that should be broadcast to agencies into whose jurisdictions a pursuit may enter;

- Any limitations prohibiting involvement in an outside-agency pursuit;

- Any limitations on the number of agencies and/or units allowed in pursuit at any time;

- Any requirement for supervisory approval to broadcast that an interjurisdictional pursuit is in progress;

- Any requirement for authorization by a supervisor prior to assisting or becoming involved in an outside pursuit;

- Procedures for establishing responsibility for coordination, management and control of a pursuit (e.g., initiating unit, agency taking over the pursuit, etc.);

- Procedures for establishing responsibility for any arrest(s) occurring when the offender(s) is captured;

- Supervisory coordination, management and control at the termination of an interjurisdictional pursuit;

- Factors to be considered to determine when to relinquish a pursuit to another jurisdiction (e.g., distance, unfamiliarity with the area, loss of radio communications capability outside initiating agency's jurisdiction, willingness or ability of other agency to take over a pursuit, and interagency agreement[s]);

- Factors to be considered to determine when to relinquish a pursuit-related arrest to another agency (e.g., agency may have a more serious offense than that for which the pursuit was initiated);

- Procedures for establishing agency responsibilities for transporting, booking, releasing, investigating and prosecuting related offenses and offenders;

- Procedures for investigating and reporting all traffic collisions, injuries, deaths and property damage related to the pursuit;

- Procedures for affixing responsibility for investigating and reporting all information relevant to the post-pursuit administrative report(s) for each agency involved in the pursuit;

- Procedures for affixing responsibility for intra-agency notifications and media relations.

- Procedures for each agency to provide copies of post-pursuit administrative reports to all agencies involved in the pursuit;

  NOTE: This procedure may require review by an agency's attorney regarding confidentiality, discovery and other possible liability concerns. The emphasis of this review process should stress the importance of this critique as a means for providing recommendations for improving interagency pursuit coordination.

- Procedures for providing overall review by each involved agency to identify training needs, potential personnel-related issues and any need to revise agency agreements; and

- Procedures to be followed when conflict arises between an agency's pursuit policy and the interjurisdictional agreement (i.e., which will take precedence?).

Interjurisdictional Agreement

There is strong need for law enforcement agencies to develop local, countywide or regional agreements to address this critical issue. It could include a memorandum of understanding, memorandum of agreement, regional agreement or countywide agreement that emanates from a local professional association or an ad hoc committee (e.g., local peace officer association, chiefs association or law enforcement executives association). This suggests the agreements include law enforcement agencies in adjoining states, where appropriate.

It may be appropriate to establish procedures in the policy and the agreement to address concurrent-jurisdiction pursuits. Such issues may include:

- Freeways or highways that intersect a municipality (i.e., a city or county law enforcement agency may have jurisdiction for all non-traffic-related matters that occur within the city limits or county, while the California Highway Patrol may exercise primary responsibility for traffic-related law enforcement activity [or concurrent jurisdiction for general law enforcement] on freeways and highways within the same jurisdiction);

- Other State or Federal law enforcement agencies that operate within proximity of a local law enforcement agency;

- State or Federal military agencies that operate within proximity of a local law enforcement agency; and

- Specialized law enforcement agencies within the same jurisdiction (e.g., school police, transit authority police, airport police, housing authority police, park rangers).

Management Control

Most agencies retain primary responsibility for pursuits they initiate unless assistance is requested or responsibility is relinquished to another jurisdiction. The employees of an agency into which a pursuit travels, however, may be better able to recognize critical conditions, factors or circumstances unknown to the outside agency involved in the pursuit.

Both the agency and the parties to an agreement need to examine the issue of municipal accountability (e.g., community protection, community accountability, community criticism, protecting the agency from liability) when an outside-originated pursuit extends into the agency's jurisdiction. The perspective for this examination involves the potential conflict of management control by the initiating or controlling agency, and the belief or opinion by the receiving agency (i.e., the jurisdiction into which the pursuit may travel) that the pursuit is unsafe.

If appropriate, and in circumstances where an outside-agency pursuit crosses into the agency's jurisdiction, the policy and agreements need to describe any authority conferred upon officers and/or supervisors to:

- Discontinue the pursuit; or
- Recommend discontinuance of the pursuit.

It may also be appropriate for agencies who do not have supervisors or acting supervisors immediately available to notify an on-call supervisor to monitor or respond as determined by the agency.

Supervisor's Responsibilities

Regardless of the outside agency responsible for a pursuit in another jurisdiction, supervisory management and control of law enforcement activity within the agency visited by the pursuit is essential. The focus of this perspective is public safety, coordination of resources and providing assistance to the outside agency to ensure quickly restored community order. *(See Guideline IV: **Supervisory Responsibilities**.)*

Reporting and Post-Pursuit Analysis *(See Guideline XIII by the same title.)*

Interjurisdictional exchange of information encourages cooperation and reduces misunderstandings or miscommunications as well as potential liability. The agreement may describe procedures for interjurisdictional post-pursuit reporting, analysis and review by agencies involved in interjurisdictional pursuits. This procedure may provide for:

- Constructive feedback between agencies;
- Identification of training needs; and
- Identification and review of areas of the policy that may require amendment.

Consideration should be given to post-pursuit, after-action meetings and follow-up meetings (management or executive level) when any agency involved in a pursuit desires to convene one.

Training

An interjurisdictional pursuit agreement is only effective when it is widely known, appropriately exercised, and covered by training with all agencies party to the agreement. Training is the key element for assuring compliance amid the stress of application during an interjurisdictional pursuit.

Each agency may consider training with participating agencies, including situation simulation and actual driver training, to provide for controlled field experience within the context of the interjurisdictional pursuit policy.

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XIII. REPORTING AND POST-PURSUIT ANALYSIS

Considerations

Summarized below are issues that should be considered regarding reporting and post-pursuit analysis.

Post-Pursuit Reports

Section 14602.1 V.C., establishes the process for reporting and the centralized collection of pursuit information. In addition, post-pursuit reporting and analysis within an agency supports the management of pursuits, accountability for pursuit activities, policy development and implementation, and training.

Written reports of all relevant information for **every** pursuit that involves agency personnel supports an effective review and analysis of pursuit activities. The reporting process provides a base of data from which pursuit trends and policy needs may be identified, pursuit safety enhanced, and training needs discovered and addressed. In addition, law enforcement administrators may use the reporting and analysis process to determine how well each pursuit conforms with the established policy requirements and to assure accountability for pursuit activities.

Factors to consider may include:

- Recording of information on every pursuit;
- Identification of information to be captured;
- Completion of CHP Form 187 (required by Section 14602.1 V.C.)
- Analyzing data for trend information;
- Providing feedback to managers, supervisors and officers;
- Using data for identifying:
  - training needs
  - issues of employee accountability
  - policies in need of revision; and
- Creation of a review process for all pursuits.

The information about each pursuit that provides the basis for analysis may include:

- Date and Time
  - Time Began
  - Time Ended
- Total Length of Time
- Distance Traveled
- Primary Unit and Officer(s)
  - Unit Number
  - Driver
  - Passenger
  - Seat belts Used
- Secondary Unit and Officer(s)
  - Unit Number
  - Driver
  - Passenger
  - Seat belts Used
- Additional Unit(s)
  - Unit Number
  - Driver
  - Passenger
  - Seat belts Used
- Supervisor In-charge
  - Participant
  - Other Location of Involvement
- Relinquished to Another Agency
  - Yes or No
  - Other Agency
- Location or Geographic Area of Pursuit
  - Where it began
  - Where it ended
- Initial Reason for Pursuit
  - Infraction
  - Misdemeanor
  - Felony
  - Other (explain)
- Aircraft Requested, Available, Responded
  - Yes or No
  - When it Became Involved
  - Kind of Support Provided
- Type of Law Enforcement Vehicle(s) Involved
  - Year
  - Make
  - Miles
- Highest Speeds Attained
  - Primary Unit
  - Offender
- Other Persons in or on Offender's Vehicle
  - Hostage(s)
  - Offender(s)
  - Other
- Disposition of Other Persons in or on Offender's Vehicle
- Discontinuance of Pursuit by Officer or Supervisor?
  - Yes or No
- First Supervisor at Scene of Termination
  - Date and Time
- Escape by Offender
  - Yes or No
  - In Vehicle
  - On Foot
- If Arrested or Cited, Offender's:
  - Name
  - Date of Birth
  - Booking Number
  - Release From Custody Number
  - Citation Number
  - Charge(s)
- Use of Force
  - Yes or No
- Method of Apprehension
- Injuries and How Sustained
  - Officer(s)
  - Offender(s)
  - Other Person(s)
- Traffic Collision(s) Summary
- Weather Conditions
- Traffic Conditions
- Type of Roadway(s)
  - Highway
  - Freeway
  - Off road
- Type of Area(s)
  - Rural
  - Residential
  - Commercial
- Notifications
  - To and by Whom
  - Date and Time
- Supervisor's Narrative of Pursuit
  - Summary of Pursuit
  - Route of Pursuit
  - Other Information to Assist Management Analysis and Review

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A broader analysis of pursuit activity, to provide management information to support decisions concerning trends, individual employees, training needs and policy issues, requires additional data. Other information that may be collected for management purposes includes:

• Total Number of Pursuits
• Initial Reason
• Average Length of Pursuits
• Number of Units Involved
• Type of Offender's Vehicle
• Speeds of Pursuit
  · Offender
  · Officer(s)
	• Traffic Collision Information
	  · Offender
	  · Officer(s)
	• How the Pursuit was Discontinued
	• Arrest and Booking Information
	• Adherence to Policy
	  · Yes or No
	  · Kind of Deviation

In addition to the data required for the internal analysis of a pursuit, each agency involved in the pursuit should ensure that a **Vehicle Pursuit Data Report (CHP Form 187)** is submitted to the California Highway Patrol, as required by Section 14602.1 V.C.

Review and Analysis of Pursuit Data

The information from the post-pursuit reports and the management data may be consolidated and analyzed to provide both general and specific trend information. The information resulting from the regular and frequent analysis permits managers and supervisors to identify patterns of behavior, and policy considerations and training needs. The data may also assist in reducing the number of pursuits and the potential for adverse consequences (e.g., accidents, injuries, liability) of a pursuits.

The post-pursuit review process usually begins with the pursuit supervisor and includes a review by command-level personnel. The supervisor's responsibilities in this review are described in the Guideline IV: ***Supervisory Responsibilities***. The supervisor's post-pursuit report and related reports provide the basis for the review that can:

- Focus upon pursuit activities and adherence to policy;
- Support a determination about whether each pursuit complied with policy;
- Identify training needs;
- Serve as a mechanism to provide feedback to supervisors and officers involved in each pursuit; and
- Identify other pursuit-related issues.

SECTION IV

DEFINITION OF KEY TERMS

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DEFINITION OF KEY TERMS

Certain terms are used in this document that warrant definition. The definitions are intended to assure understanding of what the terms mean as used in this document. No other use of the definitions is intended.

DISCONTINUE

In the context of this document, discontinue describes the decision and actions of the pursuing law enforcement driver(s) who stops chasing the fleeing vehicle. Actions to discontinue the pursuit may include turning off the emergency light(s) and siren, reducing speed, observing the applicable rules of the road, allowing the distance between the law enforcement vehicle and the fleeing vehicle to increase, changing direction away from the fleeing vehicle, and notifying the dispatch center of the decision to discontinue the pursuit.

FAILURE TO YIELD

In the context of this document, failure to yield refers to the actions of a vehicle operator who fails to stop or respond to the emergency light(s) and siren of a law enforcement vehicle, continues generally to travel forward at or below the speed limit, observes traffic control devices and other applicable rules of the road, and does not change the direction of travel in an evasive manner.

FOLLOW

Following--In the context of this document, following refers to the actions of a law enforcement officer to stay behind a vehicle and attempt to keep the vehicle in sight, while complying with applicable laws and rules of the road.

GUIDELINE

In contrast to policy which may prescribe or define courses of action or decision making options, guidelines, in the context of this document, describe suggested discretionary actions regarding formulation of policy.

OFFENDER

In the context of this document, offender refers to the subject operator or occupant(s) of a pursued vehicle. Based on an agency's own standard for authorizing or continuing pursuits, the offender may or may not have violated a statute to become a legitimate object of a pursuit (i.e., initial reasons

for attempting to stop an individual may include: investigation, suspicious activity, or reasonable suspicion of a violation of statute).

POLICY

In the context of this document, the following best defines the use of the term policy:

"Although 'policy' can be defined to mean a guideline for carrying out even the most detailed action, the term usually refers to the broad statement of principle."[1]

"Policy may consist of values and principles which guide an agency's behavior or performance of its activity. It reflects a statement of guiding principles that should be done in order to achieve an agency's objectives."[2]

PURSUIT

In the context of this document, pursuit refers to the actions of a law enforcement officer to apprehend an offender who is attempting to avoid arrest as demonstrated by evasive driving tactics.

SUPERVISOR

In the context of this document, a supervisor is a person who has specific, formal responsibility for issuing orders and providing direction to subordinates. Supervisory responsibility may begin at the sergeant rank or level and extend to the highest executive level in an agency.

TERMINATE

In the context of this document, terminate refers to a specific operational tactic (e.g., pursuit immobilization tactic [PIT], ramming, blocking, roadblock) intended to disable a fleeing vehicle or otherwise prevent further flight or escape.

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[1] O.W. WILSON AND ROY CLINTON MCLAREN. *Police Administration*, 4th ed., Chap. 8, p. 137. McGraw-Hill Book Company, New York, 1977.

[2] *MANUAL OF THE LOS ANGELES POLICE DEPARTMENT*. Volume 1/010. Policy., Los Angeles, 1992.

REVIEW AND COMMENT

Law Enforcement Agencies

Alhambra Police Department
Bakersfield Police Department*
Berkeley Police Department*
Burbank Police Department
California Highway Patrol*
Carlsbad Police Department
Chino Police Department
Chula Vista Police Department*
Culver City Police Department
Daly City Police Department*
El Cerrito Police Department
El Dorado County Sheriff's Department*
El Segundo Police Department*
Eureka Police Department
Fremont Police Department*
Fresno Police Department
Garden Grove Police Department*
Gardena Police Department
Hawthorne Police Department
Hayward Police Department*
Huntington Beach Police Department*
Inyo County Sheriff's Department
Irvine Police Department*
La Mesa Police Department*
Los Angeles County Sheriff's Department*
Los Angeles Police Department, Willie Williams, Chief of Police*
Los Angeles Police Department, Jerry Powell, Sergeant*
Los Angeles Police Department, Maurice Moore, Commander*
Los Gatos Police Department
Mono County Sheriff's Department*
Monterey Police Department*
Oakland Police Department*
Orange County Sheriff's Department*
Oxnard Police Department*
Palo Alto Police Department
Perris Police Department
Placentia Police Department*
Redding Police Department*
Redondo Beach Police Department
Richmond Police Department
Riverside County Sheriff's Department*
Riverside Police Department*
Sacramento County Sheriff's Department
Sacramento Police Department*
San Bernardino Co. Sheriff's Department*
San Diego County Sheriff's Department
San Diego Police Department*

San Francisco Police Department*
San Joaquin County Sheriff's Department
San Jose Police Department
San Luis Obispo Police Department*
San Luis Obispo County Sheriff's Department*
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Lawrence

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Ferguson, Praet and Sherman

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Michele R. Vadon, Esq.*
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Public and Other

Frank James*
Redwood Empire Municipal
Insurance Fund

Skip Murphy, President*
Peace Officers Research Association

Andrea Skorepa
Casa Familia

Barbara Tryon
City of Los Altos Hills
League of California Cities

Roxanne Brown*
Stanislaus County Emergency
Dispatch

**Asterisk indicates response to POST*

INFORMATION ONLY

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Devallis Rutledge
Collene Campbell
Jody Hall-Esser
George W. Kennedy
Daniel E. Lungren
Raquel Montenegro, Ph.D.

(Other Commissioners as agency executives)

CITY OF COVINA

444 North Citrus Avenue • Covina, California 91723-2065 • (818) 331-3391

John F. Lentz, *Police Chief*

March 15, 1995

Norman Boehm
Executive Director
Commission on POST
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Mr. Boehm,

I am writing you to express my concern regarding the adoption of POST minimum guidelines for police pursuits. I have reviewed the guidelines and found them to be quite comprehensive. The document would be of great use as a training tool. However, by POST adopting these as State recognized "minimum guidelines", a Pandora's box of the first magnitude would occur.

All agencies will be forced into adopting these guidelines in order to mitigate liability. Agencies who do not adopt these guidelines as policy will have to explain why in court. Defense attorneys will use these guidelines as a tool against us. Our liability costs are already sky high as it is, and adoption of a 40 plus page document that sets down "minimum" guidelines will only make things worse.

I am asking that you consider dramatically scaling back the minimum guidelines into a more basic and workable format.

Sincerely,

John F. Lentz
Chief of Police

xdq

OFFICE OF THE MARSHAL
SAN BERNARDINO COUNTY

COMMISSION ON POST
95 MAR -6 AM 11:55

JOHN W. FINCK
Marshal

Administration
157 West Fifth Street
San Bernardino, CA 92415-0480
(909) 387-5500

Barstow
235 East Mt. View
Barstow, CA 92311
(619) 256-4751

Central
351 North Arrowhead Avenue
San Bernardino, CA 92415-0225
(909) 387-4981

Chino
13260 Central Avenue
Chino, CA 91710
(909) 590-5275

East
216 Brookside Avenue
Redlands, CA 92373
(909) 798-8565

Morongo Basin
6527 White Feather Road
Star Route 1, Box 60
Joshua Tree, CA 92252
(619) 366-4151

Valley
17780 Arrow Boulevard
Fontana, CA 92335
(909) 829-6242

Victorville
14455 Civic Drive
Victorville, CA 92392
(619) 243-8756

West Valley
8303 Haven Avenue
Rancho Cucamonga, CA 91730
(909) 945-4440

February 27, 1995

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

I understand that April 20, 1995 has been set for public hearing of the POST guidelines for police pursuits.

I am hereby requesting a copy of the proposed "minimum" guidelines for review by my agency. I have serious concerns regarding the impact of these guidelines on a small agency with a large jurisdiction, and of their overall implementation.

I would also request a postponement of the April 20th hearing so that a thorough review maybe conducted.

JOHN W. FINCK, MARSHAL

John D. Chencharick

John D. Chencharick, Lt.
Operations Division

JDC/clk

SACRAMENTO COUNTY SHERIFF'S DEPARTMENT

Glen Craig
Sheriff

COMMISSION ON POST
95 MAR 15 AM 9:38

March 10, 1995

Norman C. Boehm
Executive Director
Commission on P.O.S.T.
1601 Alhambra Boulevard
Sacramento, CA 95816

Dear ~~Mr. Boehm~~ Norm:

I have been informed that POST has developed guidelines regarding police pursuits, as required by Penal Code Section 13519.8, and that a public hearing is scheduled in San Diego for April 20, 1995, on the guidelines as currently proposed.

To my knowledge, this department has not received a copy of these police pursuit guidelines, thus we have not had an opportunity to review them. I request, therefore, that you send this agency a copy of the proposed police pursuit guidelines.

In addition, I request that you postpone the public hearing date so that this department will have adequate time to intelligently review and respond, if necessary, to the proposed guidelines.

Sincerely,

GLEN CRAIG, SHERIFF

cc: CHP Commissioner Maurice Hannigan

Norm
I have some real problems with POST setting policy guidelines for me to follow. More over there has accountability to the public directly. I think it goes well beyond what POST was created to do.
Glen

CITY OF SAN BUENAVENTURA

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Jack Tingstrom

March 2, 1995

Norman C. Boehm
Executive Director
Commission on POST
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Mr. ~~Boehm~~: Norm

I understand that POST will hold a public meeting on April 20, 1995, on the issue of the "minimum" guidelines developed by POST regarding police pursuits and that you will be urging the Commission to adopt these guidelines.

It is with great concern that I am writing this letter to encourage you to reconsider your stance on this issue and ask that the guidelines be redrafted to the existing, approved and court tested guidelines as now in place by agencies such as the City of San Diego, City of Corona, and the City and County of Los Angeles. According to CPOA, these cities policies contain sufficient guidelines to enjoy the immunity of Vehicle Code 17004.7 and as a result did not incur civil liability.

The 40 page guideline, as proposed by POST, will create a far higher standard for pursuits than the courts have set or the law requires. The practicability of a 40 page policy dealing with one subject matter makes for an incumbering, impracticable set of rules and procedures and most surely sets up a vulnerable situation that will be difficult if not impossible to follow.

Thank you for your attention to this matter.

Sincerely,

Richard Thomas

Richard F. Thomas
Police Chief

RFT:wr

cc: Commissioner Maurice Hannigan

POLICE DEPARTMENT

1425 Dowell Drive • Ventura, California • 93003-7362 • (805) 339-4400

CITY OF
Santa Rosa

COMMISSION ON POST
95 MAR 15 AM 9:39

March 10, 1995

Norman Boehm
Executive Director
Peace Officers Standards & Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

We are in receipt of a letter, Mr. Boehm, that was authored by California Highway Patrol Commissioner M. J. Hannigan, dated February 21, 1995. This letter concerns the Legislature's actions on Section 13519.8, instructing P.O.S.T. to develop minimum pursuit guidelines for use by law enforcement agencies in California. The correspondence implies that local agencies would be compelled to adopt the procedures developed by P.O.S.T.

Our department, with assistance from our legal department, has spent many hours developing and updating a pursuit policy that we feel meets the minimum requirements and also contains the necessary language to defend in a civil litigation. I am opposed to the involvement of P.O.S.T. in developing any portions of a pursuit policy.

Salvatore V. Rosano

SALVATORE V. ROSANO, Chief of Police

SVR/RDS/ab

POLICE DEPARTMENT
965 Sonoma Avenue Post Office Box 1678 Santa Rosa California 95402-1678
Telephone 707-543-3600 FAX 707-543-3615

COMMISSION ON POST
95 MAR 15 AM 9:39

March 9, 1995

County of Contra Costa

Office of the Sheriff-Coroner

Warren E. Rupf
Sheriff-Coroner

Mr. Norman C. Boehm
Executive Director
Peace Officers Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95814

Dear Mr. Boehm:

POST has created "Vehicle Pursuit Guidelines" ostensibly pursuant to Penal Code Section 13519.8.

What you drafted to be used as a "training/recommendation" will undoubtedly become a legal yardstick and used to place liability on law enforcement if we dare deviate from those guidelines.

CPOA and the Commissioner of the California Highway Patrol have already notified you of that same concern. It is my belief that your endeavor to implement Section 13519.8 goes far beyond what was contemplated by the Legislature and deprives our organizations the flexibility needed to model and maintain pursuit policies.

I am requesting that POST recognize the need for law enforcement flexibility and amend or delete your guidelines which could easily become a forced statewide pursuit policy.

The California State Sheriff's Association, CPOA, and others provide excellent guidance and a professional forum for these very sensitive issues. I do not believe that POST should establish pursuit policies generic or broad enough to satisfy every law enforcement at every level in the State of California. I suggest that you revisit Penal Code Section 13519.8 and see for yourself if you have not in fact exceeded the legislative intent of that section.

By copy of this letter, I am asking the California State Sheriff's Association to review POST's "Vehicle Pursuit Guidelines" and join with the CPOA and the California Highway Patrol in that effort.

Sincerely,

WARREN E. RUPF, Sheriff

WER:RFP:lw

Post Office Box 391 • Martinez, California 94553
(510) 646-2402

County of
FRESNO

Steve Magarian
Sheriff

March 6, 1995

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Boehm:

I have been in contact with several of my fellow Sheriffs and other law enforcement administrators regarding the Vehicle Pursuit Guidelines being proposed by the Commission on Peace Officer Standards and Training (POST). As I am sure you are aware there is deep concern that POST has gone well beyond the legislative intent of Penal Code Section 13519.8 in developing the forty page document on high speed vehicle pursuits.

The document as proposed is much too comprehensive, and forces all law enforcement agencies in California to adhere to a single set of guidelines regardless of how these guidelines relate to individual agencies. Were an agency, after due consideration and with legitimate reason, to exclude one or more of these guidelines from a department's pursuit policy, they could expose themselves to liability by the courts for being out of compliance with the "State of California Pursuit Policy", which in essence is what the guidelines would become. As in other areas of law enforcement where agencies continually adjust their policies and procedures to conform with ever changing case law, the Fresno County Sheriff's Department is constantly reviewing the pursuit policy in light of the most recent case decisions regarding pursuits. Let us not impose upon ourselves guidelines that are much more restrictive than those already dictated by the courts.

I would like to quote two excerpts from California Penal Code Section 13519.8. First, from subsection (d) "and the guidelines shall be developed by the commission in consultation with appropriate groups and individuals having an interest and expertise in the field of high speed vehicle pursuits". In California it could be argued that the Highway Patrol is the foremost expert in high speed vehicle pursuits. Based on the letter written to the POST Commission by Commissioner M.J. Hannigan of the California Highway Patrol on November 10,

1995 he and his agency are not in support of the guidelines, nor does it appear that they were consulted during their preparation. Secondly, subsection (f) "It is the intent of the legislature that all local law enforcement agencies adopt the minimum guidelines on high speed vehicle pursuits developed by the commission". I would re-emphasis the word minimum. Your guidelines as currently proposed go well beyond the legislatures intent and the definition of minimum.

Please heed the crescendo of voices coming from organizations and agencies within law enforcement who feel that the guidelines as submitted are overly specific and leave little opportunity for agencies to implement vehicle pursuit policy based on their exact needs.

Sincerely,

Steve Magarian

Steve Magarian, Sheriff

Los Angeles County
POLICE CHIEFS' ASSOCIATION

COMMISSION ON POST
95 MAR 15 AM 9:40

STEPHEN R. PORT
President

STEVE SIMONIAN
Secretary / Treasurer

March 10, 1995

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816

Dear Norm:

It is not often Police Chiefs find themselves at odds with P.O.S.T. However, I must tell you the proposed vehicle pursuit guidelines developed by P.O.S.T. have seemingly done just that.

At a recent meeting of the Los Angeles County Police Chiefs, the proposed guidelines were given a great deal of discussion. By a unanimous vote this letter of concern and opposition is being sent to you.

We fully realize you were charged with a very difficult task, maybe in many ways a no-win task. That does not mean this cumbersome set of guidelines should be pushed, or forced down upon us.

I could spend a great deal of time discussing and debating the proposed guidelines.

- *We do not agree that they will act as guidelines. They will become the standard.*

- *P.O.S.T. sets the standard. If we subscribe to "P.O.S.T.," how can we not subscribe to P.O.S.T.'s pursuit guidelines?*

- *We are covered under the current Vehicle Code and case law. It seems we have guidelines in place that set a reasonable standard for pursuits.*

Hawthorne Police Department • 4440 W. 126th Street, Hawthorne, CA 90250
Phone (310) 970-7948 • Fax (310) 970-7992

In their current state the guidelines are absolutely cumbersome.

There is no doubt of our Association's support for you and P.O.S.T. The proposed guidelines have no support. We trust you will seriously reconsider the guidelines as they are currently formulated in the Commission agenda item report.

The guidelines hinder - they do not enhance - the law enforcement function in the arena of high speed vehicle pursuits.

Sincerely,

STEVE

Stephen R. Port
Chief of Police
Hawthorne Police Department
President, Los Angeles County Police Chiefs' Association

SRP:rds
cc: M.J. Hannigan, Commissioner
California Highway Patrol

Alameda Police Department

Burnham E. Matthews
Chief of Police

March 15, 1995

Mr. Norman C. Boehm
Commission on Peace Officer Standards and Training
1601 Alhambra Blvd
Sacramento, CA 95816-7083

Dear Director Boehm:

I have had an opportunity to review the proposed POST minimum guidelines regarding police pursuits for adoption by law enforcement agencies. Additionally, I have discussed the proposal with several of my colleagues here in Alameda County and find that we all share a common concern.

The concern that I have regarding the proposed minimum standards is that it calls for guidelines which are very specific and contain far more criteria than that which has previously been required by the courts. Additionally, due to POST's strong and professional reputation throughout the State, these guidelines are destined to become state-wide mandated policy. Unfortunately, rather than making the decision process easier for the officer on the street, the proposed guidelines confuse the entire process. For these reasons alone, I must strongly object to POST formally adopting these guidelines.

Additionally, I believe that the local law enforcement executives throughout the state should have the authority to dictate pursuit policy, taking into consideration the needs and idiosyncrasies of their respective communities. I believe that POST should recommend basic parameters for pursuit policy but it must end there.

While I realize the State Legislature directed POST to formulate a policy, I personally believe POST should concentrate on the training of police officers and leave the policy formulation and implementation to the chief executives of law enforcement agencies throughout the state.

Therefore, I oppose the adoption of these guidelines by POST. Additionally, as a member of the California Peace Officer's Association, I request the public hearing scheduled for April 20, 1995 be postponed so this issue may be more closely analyzed in light of the proposal currently on the table.

Sincerely,

Burnham E. Matthews
Chief of Police

cc: Commissioner Maurice Hannigan, CPOA

COMMISSION ON POST
95 MAR 15 AM 9:39

1555 Oak Street • Alameda, California 94501 • Non-emergency (510) 748-4508 • Fax (510) 523-5322

CITY OF
TORRANCE

POLICE DEPARTMENT

JOE DE LADURANTEY
POLICE CHIEF

March 8, 1995

Norman C. Boehm
Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816

Dear Norm:

After a review of the proposed POST Guidelines and Training Curricula for High Speed Pursuits, we are in agreement with Commissioner Hannigan, California Peace Officers' Association President, that the guidelines far exceed the legislative intent of Penal Code Section 13519.8. Specifically, we believe POST endeavors in effectuating its mandate pursuant to Section 13519.8 go beyond what was contemplated by the Legislature and deprive my organization of the flexibility needed to draft and maintain a pursuit policy that both comports with the directives of Vehicle Code Section 17004.7, yet is also sensitive to the unique needs of our jurisdiction and will result in significant liability concerns in subsequent litigation arising out of our agency's pursuit of criminal suspects.

The Torrance Police Department recently went through a very thorough development process to publish our most recent Pursuit Policy (enclosed) and believe it meets all legal and statutory requirements, yet allows for the necessary flexibility in our enforcement efforts.

In closing, we would like to express our concerns regarding POST's efforts regarding this issue. As stated previously, the Torrance Police Department has recently instituted a model Pursuit Policy. The proposed Guidelines and Training Curricula for High Speed Vehicle Pursuits, as drafted, appear to thwart this agency's ability to develop its own policy. In addition, the guidelines do not seem to recognize individual agency flexibility.

Therefore, we do not support the proposed guidelines. We believe any related guidelines should be simple and brief, while recognizing the need for individual agency flexibility. Each agency should be able to develop their own Pursuit Policy, consistent with the requirements of Vehicle Code Section 17004.7, as the Torrance Police Department has accomplished.

Very truly yours,

JOSEPH C. DE LADURANTEY,
CHIEF OF POLICE.

3300 Civic Center Drive • Torrance, California 90503-5056 • Telephone 310/328-3456 • Facsimile 310/618-5532

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GARY H. TATUM, Vice Mayor
PAULINE CLANCY
JEFFREY KAHN
ERNEST KIMME

VACAVILLE

CITY OF VACAVILLE

650 MERCHANT STREET, VACAVILLE, CALIFORNIA 95688
ESTABLISHED 1850

March 10, 1995

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Mr. Boehm:

It is my understanding P.O.S.T. has set a public hearing for April 20, 1995 in San Diego regarding the establishment of "minimum" guidelines for police pursuits. I also understand these guidelines as proposed by P.O.S.T. are in excess of 40 pages.

Please send me a copy of the proposed guidelines so that I will have an opportunity to review the information prior to that date. This policy will have a direct impact on my agency and all other law enforcement agencies who will have to live with the repercussions of having to adopt and implement this pursuit policy.

I also request the public hearing scheduled for April 20th be postponed until such time as the material can be properly reviewed by all law enforcement agencies affected by this proposal.

Very truly yours,

LEE DEAN
Chief of Police

c: Commissioner Maurice Hannigan
Department of California Highway Patrol

COUNCIL MEMBERS
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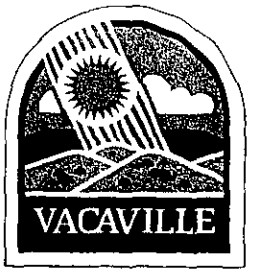


CITY OF VACAVILLE

650 MERCHANT STREET, VACAVILLE, CALIFORNIA 95688
ESTABLISHED 1850

COMMISSION ON POST
95 MAR -6 AM 11:52

March 2, 1995

Norm Boehm
Commission on P.O.S.T.
1601 Alhambra Boulevard
Sacramento, CA. 95816

RE: **POST PURSUIT GUIDELINES**

CHP Commissioner Hannigan's mailer on police pursuits raises some good issues. I am sure you have had a chance to read his thoughts in this February 21st CPOA transmittal..

I agree that whatever the end product is, it will be viewed as a mandate from a negligence per se standpoint. No easy answer exists in terms of how a balance can best be struck. It is clear however, that the more specificity the P.O.S.T. guidelines contain, the greater potential for liability exposure based on non-compliance.

As a chief law enforcement executive, I ask that you be sensitive to the concerns expressed by Commissioner Hannigan in your deliberations.

Very truly yours,

LEE DEAN
Chief of Police

LD:av

copy: Assemblyman Tom Hannigan

City of Millbrae

621 Magnolia Avenue, Millbrae, California 94030

COMMISSION ON POST
95 MAR -7 AM 10: 54

March 2, 1995

Commission on Police Officer Standards & Training
1601 Alhambra Blvd.
Sacramento, CA. 95816-7083

To Whom It May Concern:

I recently received information from the California Peace Officer Association pertaining to the draft copy of "Vehicle Pursuit Guidelines" developed by P.O.S.T. ostensibly pursuant to Penal Code Section 13519.8

Upon review of the information I received it would appear that P.O.S.T. has far exceeded the legislative intent of Section 13519.8 and instead drafted a blueprint for what it hopes to be a statewide pursuit policy.

Legislative enactment of Section 13519.8 directed P.O.S.T. to develop minimum pursuit guidelines for use by law enforcement agencies in the generation of individual agency pursuit policies. It would appear that P.O.S.T. has advanced a different understanding of its mandate under the statute, an understanding with which I'm sure many law enforcement agencies will strongly disagree, since the P.O.S.T. developed guidelines will deprive individual law enforcement agencies from adopting a pursuit policy tailored to the specific needs of the department.

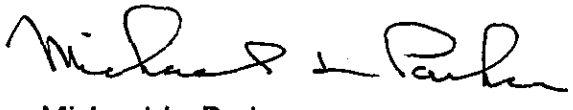
The over-inclusiveness of P.O.S.T.'s efforts, characterized by the guidelines "factor specific" language, will create a Pandora's box of legal and liability problems for all California law enforcement agencies. The over-inclusiveness removes flexibility and discretion an agency may wish to incorporate in an existing or revised pursuit policy. Even more significantly, the over-inclusiveness puts organizations at risk if, after consideration and deliberation, an agency chooses - for legitimate and valid reasons particular to the agency - to not include one or more of the items which the P.O.S.T. guidelines indicate should be considered. A comprehensive set of P.O.S.T. guidelines, inclusive of all P.O.S.T. recommended "factors to be considered" will most certainly be reviewed by the courts as mandates; if an agencies pursuit policy does not specifically address, or include, each of these "factors," the policy will be pronounced as deficient.

Agencies who are looking for examples of legally sufficient and satisfactory pursuit policies have to look no further than the recent group of California cases that have evaluated various agencies' pursuit policies. While the decisions found some policies satisfactory and some unsatisfactory for purposes of statutory mandates, the courts have recognized there are a myriad of ways in which a law enforcement agency can formulate a satisfactory pursuit policy. In so doing, however, the courts have never required the kind of comprehensiveness P.O.S.T. is attempting to accomplish.

It is my belief that P.O.S.T.'s endeavors in effectuating its mandate pursuant to Section 13519.8, go beyond what was contemplated by the Legislature, deprive police agencies of the flexibility needed to craft and maintain a pursuit policy that both comports with the directives of Vehicle Code section 17004.7, yet is also sensitive to the unique needs of jurisdictions, and will result in significant liability concerns in subsequent litigation arising out of an agencies pursuit of criminal suspects. If it is P.O.S.T.'s contention that many law enforcement agencies support it efforts in this matter, I disagree: I submit that many agencies have not voiced objection to what P.O.S.T. is doing because they are unaware of P.O.S.T.'s activities. Once more law enforcement executives become aware of what P.O.S.T. is recommending, I am sure P.O.S.T. as well as legislative representatives will be made aware of law enforcements concern.

A properly drafted pursuit policy permits pursuits to continue as an important and effective law enforcement tool. I believe P.O.S.T.'s efforts on this issue will thwart an agencies ability to develop its own policy tailored to its specific needs, and interfere with the ability of law enforcement agencies throughout the State to realistically develop and implement workable pursuit policies. P.O.S.T. should recognize the need for individual agency flexibility and directs its efforts toward the basic fundamentals of policy guidelines that will permit each law enforcement agency to develop its own pursuit policy. P.O.S.T. should also be sensitive to the interaction between law enforcement pursuits and governmental liability concerns. My concern is that P.O.S.T. has done neither. Hopefully P.O.S.T. will reconsider it position regarding this matter and reevaluate precisely what is, and is not, necessary and desirable for purposes of Penal Code Section 13519.8.

Sincerely,



Michael L. Parker
Chief of Police

CITY OF TRACY

Police Department
400 East 10th Street
Tracy, California 95376

(209) 835-4550
FAX (209) 833-0361

6 March 1995

Executive Committee
Commission on Peace Officer Standards & Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear P.O.S.T.;

This letter is regarding your proposed adoption of a model "Vehicle Pursuit Guidelines" pursuant to Penal Code Section 13519.8. My staff and I concur with the California Peace Officers' Association and the California Highway Patrol in their evaluation of your efforts at creating a statewide pursuit policy. As currently written, it would increase liability while decreasing the flexibility our officers require in the field to apprehend fleeing suspects.

There are several very recent court cases (Billester v. City of Corona; Colvin v. City of Gardena) which outline and define the necessary elements in a proper pursuit policy. In determining its needs, vis a vis the recent decision, a jurisdiction is well served and can develop its own pursuit guidelines by reviewing the Courts' decisions and opinions.

The fact is if P.O.S.T. publishes a guideline, it will be construed as a mandate. That mandate will be taken and run with by plaintiff's attorneys and unsympathetic courts to the detriment of law enforcement and the communities they serve.

My Command Staff and I believe and demand P.O.S.T. abandon this ill-considered project which will only lead to more misunderstanding and liability for our enforcement actions.

Sincerely,

JARED ZWICKEY,
Chief of Police

California Peace Officers' Association

California Peace Officers' Association

1455 Response Road, Suite 190, Sacramento, CA 958
(916) 923-1825 FAX (916) 263-6090

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. . .

Executive Director
RODNEY PIERINI

February 27, 1995

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Boehm:

I am writing to you in my capacity as Bay Area Chairman of the California Peace Officers Association Legal Advisors Committee. The proposed POST Guidelines regarding police pursuits pose serious legal issues for agencies statewide.

The complexity and scope of the over 40 page proposal create very difficult compliance problems. The guidelines exceed those requirements currently mandated in case law and will, in effect, raise pursuit standards to a new level. Should the proposal be adopted, the guidelines will become the standard to which all police departments will be held. An agency's failure to incorporate the guidelines into its own policy and procedure would likely result in a plaintiff's allegation of negligence should litigation arise.

While the work that POST is doing to tackle this difficult area is truly appreciated, the Police Legal Advisors hope that the guidelines can be modified to allow street officers the necessary latitude to operate effectively with minimum legal risk. Thank you for your serious reconsideration.

Yours truly,

Tom Merson

Tom Merson, Bay Area Chair
CPOA Police Legal Advisors

TM:dm

INTERNATIONAL COMMUNITY

Delano Police Department

1022 12th Avenue
Post Office Box 218

DELANO, CALIFORNIA 93216
(805) 721-3377 FAX (805) 725-0631

CITY OF DELANO

GERALD M. GRUVER
Chief of Police

March 8, 1995

Mr. Norman C. Boehm, Executive Director
Commission on POST
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Mr. Boehm:

I am extremely concerned regarding the proposed pursuit policy guidelines, and proposed directive with respect to the various elements that are encountered in a vehicular pursuit.

The proposed guideline appears to be over-inclusive and it may contain too many restrictions regarding problems that may, or may not be present, to many of us in the rural areas of the state.

The policy in its entire form is characterized by the guidelines' "factor specific" language that will be overly restrictive and most likely create a Pandora's box of liability and legal problems for all California law enforcement agencies. This proposed guideline removes flexibility and discretion for each of our individual agencies and places many smaller and/or rural agencies in risk of costly litigation.

If after consideration and deliberation on the proposed policy, we deviate from the proposed guideline, and for some reason do not include one or more of the items that have been indicated in the guideline, this may be viewed by the courts as mandated policy and our deviation would be considered as failure to implement. This could be held against us in civil and criminal courts as well.

Enumeration of such factors may be construed as a directive, intimating that law enforcement agencies must write a pursuit policy in similar manner, if not a mirror of that of POST in order to qualify for immunity provided in section 17004.7 of the California Vehicle Code.

My concern is that this will further bind us to a overly intrusive policy that is not necessarily a sound policy for each and every jurisdiction throughout the state. I'm sure that you are aware

of the many instances where this policy would weaken our ability to render proper and prudent service to our communities, and further erode the tools we employ that enable us to enforce the law, and apprehend serious and often dangerous violators with proper and prudent efficiency i.e.: The originating offense may have been precipitated by a much more violent crime, and the nature of the desire of the suspect to escape may be aided by the considerations that are outlined in this policy.

I believe that many of the guidelines are prudent, however, some appear to be too restrictive and may possibly place undue financial liability on many agencies.

I look forward to a properly drafted pursuit policy that permits pursuits to continue as an important and effective law enforcement tool. I pray that you will not thwart our agencies ability to develop and utilize a policy that has been tailored to meet our specific needs.

I am anticipating interaction between you and our agencies, in an effort to be sensitive to each of our needs and assist us in a positive manner.

Respectfully,

G. M. Gruver
Chief of Police

GMG:lc

CAPITOLA POLICE DEPARTMENT
CITY OF CAPITOLA
FOUNDED 1874 INCORPORATED 1949

DON BRAUNTON
CHIEF OF POLICE

422 CAPITOLA AVENUE
CAPITOLA, CALIFORNIA 95010
TELEPHONE (408) 475-4242
FAX (408) 479-8881

March 7, 1995

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Norm:

It has been brought to my attention that a possibility exists that the POST Commission may adopt new "advisory" pursuit guidelines at its April 20, 1995 meeting. This information comes as a complete surprise to me, as I heard nothing of the proposal until today. I've learned that only about 80 individuals received advanced copies of these guidelines.

As CPOA's Small Law Enforcement Agency Committee Chair, which represents over 65 percent of the state's law enforcement agencies, I would have hoped for a copy of the policy. That notwithstanding, I'm requesting a copy of the policy and urge a continuation on adopting these guidelines. I'd like to see the matter continued until after the June CPOA training conference; giving us all the opportunity to discuss the issue in committee.

As you know, often seemingly innocent guidelines can become law. I understand that the pursuit guidelines, which were supposed to be minimum guidelines, number over 40 pages. Such a mammoth set of guidelines will in all likelihood create a burden on small agencies.

Thank you for your consideration of this request. I hope to see you at the conference in June.

Very truly yours,

D.E. Braunton
Chief of Police

cc: Maurice Hannigan
CHP Commissioner

CITY OF EL MONTE

POLICE DEPARTMENT • 11333 VALLEY BLVD.
EL MONTE, CALIFORNIA 91731-3292
(818) 580-2100 • FAX (818) 444-2206

WAYNE C. CLAYTON
CHIEF

BILL ANKENY
ASST. CHIEF

MARK GIBBONEY
CAPTAIN

JACK COLEMAN
CAPTAIN

February 27, 1995

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Boehm:

Although our legislation passed Penal Code Section 13519.8, which deals with setting up "guidelines" for pursuit policy, I feel POST is going beyond legislative intent in producing a statewide pursuit policy.

I find I must notify you of some doubts I have over the adoption of this guideline. Some of my concerns are:

1. It leaves no room for law enforcement agencies to adopt a policy tailored to the needs of their particular jurisdiction.

2. The document, which is in excess of 40 pages, is too factor specific. As it is currently written, if an agency doesn't adopt all the specific "factors," serious legal and liability problems for police agencies will result.

3. Officers are required and trained to make split-second decisions. To expect them to consider 40 pages of factor specific information is unreasonable and unduly cumbersome.

I would ask you to reconsider the POST guideline. I'm sure you can appreciate and understand the tremendous problems police departments will face in relation to these guidelines in their present form.

Sincerely,

WAYNE C. CLAYTON
Chief of Police

WCC/rjp

[rjp3]<wp>L.Boehm

CORONA POLICE DEPARTMENT

849 WEST SIXTH STREET (P.O BOX 940) CORONA, CALIFORNIA 91718-0090

March 6, 1995

Norman C. Boehm
Executive Director
Commission on Peace Officer Standards & Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Norm:

It has come to my attention that POST has completed its legislative directive to develop minimum guidelines for police pursuits by law enforcement agencies. I have reviewed information from the California Peace Officers' Association regarding the adoption of these guidelines and desire to advise POST of the Corona Police Department's concerns in this matter.

In May, 1993, the Corona Police Department revised its emergency vehicle operation policy to ensure protection against civil liability as provided under California Vehicle Code 17004.7. Department staff went through great efforts to ensure that the revised policy met the standard for the safe conduct of vehicular pursuits by our officers and was legally sound. Since that time, the policy has been tested in court. The policy has withstood court challenges and has been judicially determined to contain sufficient guidelines to enjoy the immunity of California Vehicle Code 17004.7. The legal sufficiency of the policy has been relied on by many other law enforcement agencies who have contacted the department for copies of its emergency vehicle operation policy.

I am concerned that in future litigation the Corona Police Department and all California agencies, will be in the position of defending pursuit policies against the POST "standard", as well as against the current legal and court mandates. Agencies already have sufficient legal guidelines to enable them to develop an effective pursuit policy. It seems unnecessary and counterproductive for POST to provide guidelines that could make the police departments, which are already acting in accordance with the law, more vulnerable to lawsuits and damages.

I am aware that POST has set the public hearing date for these guidelines on April 29, 1995. On behalf of the City of Corona and the Corona Police Department, I am requesting that this public hearing be postponed until such time as sufficient study into the impact of these guidelines on law enforcement agencies can be completed. If this is not possible, I would request that a member of this department be allowed to speak to this issue at the hearing.

The Corona Police Department shares concern, along with the people of the State of California, the California legislature, POST, and law enforcement agencies, for the conduct of safe vehicle pursuits by peace officers. Please do not hesitate to call upon me if the Corona Police Department can assist POST in this matter.

Very truly yours,

John H. Cleghorn
Chief of Police

JHC:db

cc: Lt. Ray Cota
Riverside County Law Enforcement Administrators' Association (RCLEAA)

BARSTOW

POLICE DEPARTMENT
Robert A. Sessions, Chief of Police

March 7, 1995

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer Standards
and Training
1601 Alhambra Blvd.
Sacramento CA 95816-7083

Dear Mr. Boehm:

I am writing to inform you that I am adamantly opposed to POST establishing a state-wide procedure for police vehicle pursuits. It is my opinion that you have far exceeded your legislative mandate, per 13519.8 CVC, in developing minimal standards and training in this area.

All jurisdictions are unique based on population, topography and roadway conditions. Police agencies must retain the right to tailor pursuit policies to fit their particular needs. Should you continue with this pursuit guideline, you will make it legally impossible for law enforcement agencies to deal effectively with their own pursuit problems.

The Sheriff of San Bernardino County, the California Highway Patrol Inland Division Commander, and all police chiefs in San Bernardino County have agreed on a pursuit policy that is both reasonable and effective for our jurisdictions. Specific language from the Gardena and Perris cases was incorporated to insure proper protection for our citizens; yet allow our officers sufficient latitude to do their jobs properly.

You must understand that an overly inclusive policy recommended by any state agency would literally put a hammer over our heads. Any variation from your particular guidelines would be an open invitation to unwarranted litigation.

POST has always maintained the enthusiastic support of local law enforcement for your training and assistance. Historically POST has designed that training to fit the needs of the individual agencies. Please maintain that posture, and do not attempt to act as "big brother".

Sincerely,

Robert A. Sessions
Chief of Police

RAS:bb

220 East Mountain View Street • Barstow, California 92311-2888
Phone (619) 256-3531 • Facsimile (619) 256-2215

City of Alhambra
Police Department

March 6, 1995

Gateway to the San Gabriel Valley

Russell K. Siverling
Chief of Police

211 South First Street Alhambra California 91801

818 570-5131

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Boehm:

I have become aware that P.O.S.T. is holding public hearings in San Diego on April 20 of this year to consider proposed minimum guidelines for pursuit policies. I agree that this is a critical subject and needs to be carefully addressed.

I must request, however, that I be allowed to review your proposed guidelines as I am sure whatever is passed as a P.O.S.T. standard will undoubtedly have a direct effect on my department. I would sincerely appreciate P.O.S.T. considering the postponement of the April 20 hearings. The hearings could be rescheduled after effected departments have an opportunity to review the proposed guidelines and offer pertinent input.

Thank you for your attention and efforts in this very important area, and I look forward to working with you towards a successful resolution.

Respectfully,

Russell K. Siverling
Chief of Police

RKS/LB/la

CITY OF ANAHEIM, CALIFORNIA

200 South Anaheim Boulevard, Suite 356
Anaheim, California 92805

Office of
CITY ATTORNEY

Telephone:
714/254-5169
FAX:
714/254-5123

March 6, 1995

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Re: POST Guidelines

Dear Mr. Boehm:

It is our information that a public hearing has been set for April 20, 1995, regarding the adoption and implementation of the "minimum" guidelines for vehicle pursuit policies.

The City of Anaheim, is requesting a copy of the guidelines for our review. Since there is a public hearing set, we will assume the guidelines are available.

If you have any questions, please do not hesitate to call our office. Thank you for your courtesy and cooperation.

Very truly yours,

JACK L. WHITE, CITY ATTORNEY

BY Mark S. Gordon
MARK S. GORDON
Deputy City Attorney

MSG:dm

DRUG USE IS LIFE ABUSE

CITY OF SANTA BARBARA

CHIEF OF POLICE

Richard A. Breza

POLICE DEPARTMENT

215 EAST FIGUEROA
MAIL: POST OFFICE BOX 539
SANTA BARBARA, CA 93102

TELEPHONE (805) 897-2300
FAX (805) 897-2405

March 7, 1995

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer's Standards & Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Mr. Boehm:

On Friday, March 3rd, I had occasion to speak with Anna Del Porto of your office regarding POST recommended minimum guidelines for police pursuits. I had called to obtain a copy to allow our agency to prepare to make recommendations at the April 20th hearing. Ms. Del Porto advised me that the guidelines were awaiting review prior to release. However, it is my understanding that they were released for review in October 1994 to approximately 80 individuals in law enforcement.

As I'm sure you'll agree, it is imperative that our agency and all other law enforcement agencies who will be subject to these guidelines are given sufficient time to review and to make recommendations. Therefore, I implore you to ensure that the guidelines are released as soon as possible to facilitate this review, or failing that, the April 20th and all other hearings regarding these reviews be postponed until such time as release and review can be made.

While I recognize the requirements of the legislature for POST to develop these guidelines, I also believe that documents offered as "recommendations" by an agency the stature of POST often take on a life of their own and may become at the very least quasi-regulatory in nature.

I continue to be greatly concerned that these guidelines will have an adverse affect on our ability to effectively deal with pursuits.

Sincerely,

Gregory J. Stock, Captain
Administrative Services Division

cc: Commissioner Maurice Hannigan, California Highway Patrol

Diana L. Field, Esq.
State Chair - CPOA Legal Advisors Committee

Area Code 209
Business 532-8143
Records 532-1215
Investigation 532-1216
Administration 532-9674

Sonora Police Department
Tuolumne County
542 West Stockton Road
Sonora, California 95370

March 6, 1995

State of California
Commission on Peace Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, California 95816-7083

To the Commission:

I received a letter from Mr. Maurice Hannigan, President of the California Peace Officers Association and Commander of the California Highway Patrol dated, 02-21-95 regarding guidelines from POST about vehicle pursuits.

I have not yet seen the guidelines that POST is submitting, but if the guidelines are as restrictive as Mr. Hannigan states in his letter I am concerned how it will affect my agency. Having one policy for the entire State has some inherent conflicts. The City of Los Angeles, for example, has concerns unique to their particular environment. Requiring Los Angeles to follow guidelines that more adequately address the City of Sonora's concerns would not be equitable. The pursuit policy should have basic guidelines so that individual agencies may taylor them to their needs. I feel that the guidelines as I understand them will result in significant liability concerns in subsequent litigation arising out of an agency's pursuit of criminal suspects.

As a result of this communication, I hope your awareness of this matter has been heightened and that you will support the efforts of the CPOA, CHP and all law enforcement agencies within the State to review the POST guidelines for the betterment of law enforcement and the protection of the citizens of our State.

Sincerely,

Michael R. Efford
Chief of Police

California Peace Officers' Association

1455 Response Road, Suite 190, Sacramento, CA 95[illegible]
(916) 923-1825 FAX (916) 263-6[illegible]

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. . .

Executive Director
RODNEY PIERINI

February 27, 1995

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Boehm:

I am writing to you in my capacity as Bay Area Chairman of the California Peace Officers Association Legal Advisors Committee. The proposed POST Guidelines regarding police pursuits pose serious legal issues for agencies statewide.

The complexity and scope of the over 40 page proposal create very difficult compliance problems. The guidelines exceed those requirements currently mandated in case law and will, in effect, raise pursuit standards to a new level. Should the proposal be adopted, the guidelines will become the standard to which all police departments will be held. An agency's failure to incorporate the guidelines into its own policy and procedure would likely result in a plaintiff's allegation of negligence should litigation arise.

While the work that POST is doing to tackle this difficult area is truly appreciated, the Police Legal Advisors hope that the guidelines can be modified to allow street officers the necessary latitude to operate effectively with minimum legal risk. Thank you for your serious reconsideration.

Yours truly,

Tom Merson

Tom Merson, Bay Area Chair
CPOA Police Legal Advisors

TM:dm

WHITTIER POLICE DEPARTMENT

QUALITY PEOPLE — QUALITY SERVICE

Police Chief
Brad Hoover
310 945-8251

Patrol Commander
310 945-8252

Detective Commander
310 945-8253

Services Commander
Crime Analysis
310 945-8254

Watch Commander
310 945-8255

Communications
310 907-7741

Crime Prevention
310 945-8282

Traffic Bureau
310 945-8256

Narcotics Bureau
310 945-8277

March 2, 1995

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Norm,

Our agency participated in the P.O.S.T. creation of guidelines for police pursuits last summer. I am told that you have now distributed these draft guidelines to approximately 80 Law Enforcement professionals statewide.

From the little information I have at this time, it appears that the document is lengthy and might be more appropriately labeled a training manual.

Our policy's must be clear and concise to direct and guide patrol officers in their daily routines.

I urge you and the Commission to re-think this mandate and restrict your guidelines to training purposes only. Our agency possesses a sound pursuit policy, which our legal counsel feels sufficiently satisfies the requirements of 17004.7 C.V.C., it is our desire to continue with this policy in its present form and not be bound by lengthy statewide guidelines which I feel would not be effective for our city.

Thank you for your consideration.

Brad Hoover

Charles B. Hoover
Chief of Police

cc: Maurice Hannigan, Commissioner
California Highway Patrol

7315 South Painter Avenue, Whittier, California 90602 Tel: (310) 945-8250 Fax: (310) 907-7746

DOWNEY POLICE MANAGEMENT ASSOCIATION

10911 Brookshire Avenue Downey, California 90241

Jim McCulloch
President

Mark Dryer
Vice President

Terry Pruitt
Secretary/Treasurer

Charles Baptista
Roy Campos
Steve Douglass
John Finch
Mike Miller
Rick Nathan
Mike Wheatley

February 27, 1995

Norman C. Boehm, Executive Director
Commission on Peace Officers Standards and Training
1601 Alhambra Blvd.
Sacramento, Ca 95816-7083

Dear Mr. Boehm,

We represent the managers of the Downey Police Department and we want to express our opposition to the Commission's proposed adoption of the minimum pursuit guidelines. As police managers, we are concerned that the guidelines, although purported to be advisory, will in effect, result in a statewide mandated policy.

In addition, the proposed guidelines are far more extensive than necessary. Many law enforcement agencies throughout the state have adopted court approved policies. We see no need to extensively deviate from these previously approved standards that have already proven themselves to be well balanced.

Lastly, the April 20, 1995, hearing date provides insufficient time for thorough review and adequate reflection. Such an extensive and far reaching policy with repercussions well into the next century deserves extensive review and comment. We urge you to postpone the hearing until adequate analysis can be completed and meaningful input provided.

We appreciate your thoughtful consideration in this matter.

Yours very truly,

Jim McCulloch
President
Downey Police Management Association

c: Commisioner Maurice Hannigan

City of Martinez Police Department
525 Henrietta Street, Martinez, CA 94553-2394
(510) 372-3545
FAX (510) 228-3753
JERRY BOYD
CHIEF OF POLICE

. . . COMMITTED TO EXCELLENCE AND SERVICE

March 3, 1995

COMMISSION ON POST
95 MAR -6 AM 11:52

Norman C. Boehm
Executive Director
Commission on P.O.S.T.
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Mr. Boehm:

The purpose of this letter is to bring to your attention the fact that this agency does not support the efforts of the Commission on Peace Officers Standards and Training as they relate to the development of "Vehicle Pursuit Guidelines." While I understand that you have a legislative mandate under Section 13519.8 CPC, to develop "minimum pursuit guidelines for use by law enforcement agencies in the generation of individual agency pursuit policies" what your agency has done far exceeds both its mandate and that which it should reasonably be involved in.

I am extremely concerned that what P.O.S.T. has developed will negate the many outstanding pursuit policies which have been developed throughout the state of California. I am concerned that what P.O.S.T. has created goes beyond that which was contemplated by the Legislature. I am concerned that if your present project is adopted, my agency and others will be deprived of the flexibility we need to develop, modify, and update pursuit policies that conform to the requirements of Vehicle Code Section 17004.7 and are reflective of the unique needs of our communities. Finally, and perhaps of greatest importance, I am concerned that the policy (and that's what it is!) developed by P.O.S.T. will place all law enforcement agencies in the state in a difficult position in terms of civil liability.

In conclusion, I believe that P.O.S.T. has gone beyond its role and has, regrettably, entered into the realm of policy maker for the agencies it is intended to serve, but not dictate to.

Thank you for your consideration of these remarks.

Sincerely,

Jerry Boyd
Chief of Police

JB:mer

cc: Commissioner Maurice Hannigan
Assemblyman Robert Campbell
Assemblyman Richard Rainey

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Office of the
CHIEF OF POLICE

March 2, 1995

Mr. Norman Boehm
Executive Director, POST
1601 Alhambra Blvd.
Sacramento, CA 98516-7083

Dear Mr. Boehm:

I have reviewed your proposed guidelines for vehicle pursuits. Although I appreciate your efforts to draft statewide guidelines to provide some consistency throughout California for vehicle pursuits, I feel that the guidelines you propose do not provide enough flexibility for individual departments to customize to the needs of each community. The pursuit guidelines for a rural community could be very different from those of a large metropolitan area.

I cannot at this time support your draft on vehicle pursuits as presently constituted as I feel that they are too restrictive.

Sincerely,

William M. Lansdowne
Chief of Police

WML:lr

cc: Maurice Hannigan
Commissioner, C.H.P.

401 - 27th Street Richmond California 94804 telephone: 510 620-6655

POLICE SERVICES
CITY OF ATASCADERO

February 28, 1995

Norman C. Boehm, Executive Director
Commission on Peace Officers Standards & Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Re: **Proposed POST Minimum Guidelines for Police Pursuits**

Dear Dr. Boehm,

I learned today that POST, in response to recent legislation, developed "minimum" guidelines regarding police pursuits and to my surprise, this document is more than forty pages in length. While I've not read this policy as yet, the length does seem quite excessive! (Our present county-wide policy is ten pages in length.)

I have two requests:

1. Please have a copy of the proposed document sent to me.

2. Please postpone the scheduled hearing of this item at least until June, 1995 as the current schedule (April 20th) does not allow for sufficient time for study, input or consideration.

Thank you for your consideration.

Sincerely,

Richard H. McHale

RICHARD H. McHALE
CHIEF OF POLICE

cc: Commissioner Maurice Hannigan, CHP

R.H. "BUD" McHALE
Chief of Police

5505 EL CAMINO REAL • POST OFFICE BOX 911 • ATASCADERO, CA 93423

General Business: 805/461-5051 • *Administrative Services:* 461-5053 • *Watch Commander:* 461-5055 • *Investigations:* 461-5058 • *FAX:* 461-3702

CITY of La Habra

POLICE DEPARTMENT
150 N. EUCLID STREET
LA HABRA, CALIFORNIA 90631
(310) 905-9750 (714) 526-2227
FAX (310) 905-9779

3/13/95

Alan Deal, Senior Consultant
Commission on POST
Management Counseling Services
1601 Alhambra Blvd.
Sacramento, Ca 95816-7083

Dear Mr. Deal;

I am responding to Bulletin 95-8. I understand that the Commission was directed to create guidelines on pursuits by the legislature. I also understand that these guidelines are not mandatory as they are currently structured.

Still after careful review of the documents I have a couple of suggestions.

1) Do not issue guidelines. If you issue them, they will be used as a " model " policy somewhere along the line. You can call them what you want, they will be viewed by those who make their living suing police departments as food for their purpose.

2) If you must (and based upon the action of the legislature I think you must) do something, then I would suggest POST issue a mandate to teach guidelines in the academy, Supervisors course etc. and leave the development of policy and guidelines to those of us in the field.

I would remind you Mr. Deal, that in Orange County we have had a coordinated pursuit policy for 20 years or more. We were the first to require only two units (plus a supervisor) follow up reports by supervisors, preventing rolling road blocks, shooting at cars etc. and that has all been in place 10 years or more.

If POST needs to take a more active role, then I would suggest collecting policies on the subject from the field that have withstood challenges in court and developing a library or package of such items that could be shared. I personally believe it is not appropriate for POST to begin developing policy for agencies outside of the training environment. I see this as a very slippery slope, and

wonder what might be next. Will POST provide policy on issuing CCW's? It could go on and on. If we elect, not to start down the slope, then we won't fall.

Sincerely,

Steve Staveley
Chief of Police

cc Chief Ortega
Chief Lowenberg
Chief Brobeck
Capts.
file

OFFICE OF CHIEF OF POLICE
ON M. REITHER

(408) 648-3143
FAX (408) 373-4060

PACIFIC GROVE POLICE DEPARTMENT

580 PINE AVENUE
PACIFIC GROVE, CALIFORNIA 93950

March 13, 1995

Mr Alan Deal
POST Management Counseling Services Bureau
1601 Alhambra Blvd
Sacramento CA 95816-7083

ALAN
Dear Mr Deal:

It has come to my attention that POST is presently in the process of formulating vehicle pursuit guidelines pursuant to Penal Code Section 13519.8. As I understand that section POST is to develop "uniform, minimum guidelines" for California law enforcement agencies. The guidelines as proposed, in my opinion, contain an excess of detail which, among other things, deprives local law enforcement agencies of the opportunity to fashion pursuit policies to local conditions.

We in Pacific Grove are especially concerned about your proposal's appropriateness in addressing Vehicle Code Section 17004.7. The immunity provided to an individual public agency per Section 17004.7 is predicated on satisfying certain "minimum standards" each of which implicate local conditions -- supervisory control (if available), number of vehicles allowed to participate, coordination with other jurisdictions, interests of public safety and effective law enforcement. Each of the stated (required) standards is subject to varied, legitimate responses in a pursuit policy. An immutable standard applicable to each and every jurisdiction denies a local agency the opportunity to craft a policy commensurate with local conditions, and consequently diminishes the immunity protection provided by Section 17004.7.

The courts have been quite fickle in their determinations regarding the adequacy of Section 17004.7 policies. We in Pacific Grove prefer to be in a position to adopt a pursuit policy responsive to our manpower, street and traffic conditions and availability of help from other jurisdictions -- in short, a policy addressing with some precision those items identified in Section 17004.7.

In your understandable pursuit of uniformity and consistency of law enforcement policies and services, you have, unfortunately, ignored local conditions. While we all strive to provide the best service possible, we sometimes must do so with varying methods -- so dictated

by what and who we have available, and sometimes by nothing more complicated than topography, geography and general street conditions.

Your present approach is flawed. We request that your policy provide what the law intends -- minimum guidelines which we can work from, and add to, given our individual needs.

Sincerely,

Jon

Jon M. Reither
Chief of Police

cc: Commissioner Maurice Hannigan, CHP
Chief Floyd Sanderson, President, Monterey Co. Chief Law Enforcement Ofcr's Assn.

OCEANSIDE
POLICE
DEPARTMENT

March 13, 1995

Mr. Alan Deal
POST Management Counseling Service Bureau
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Deal:

I have reviewed the Proposed P.O.S.T. Guidelines on police pursuits, created as a result of Penal Code Section 13519.8. The authors of this document obviously spent a great deal of time and effort in its creation. It is my understanding that these guidelines will be submitted in the next few months to comply with the Penal Code mandate.

After reviewing this lengthy document, I must express concern over several issues. I am concerned that the guidelines are overly specific, far too voluminous and in excess of the mandate's intent. I am also aware that, should an agency fail to adopt and practice these "guidelines", as a P.O.S.T. recommendation, that agency will be placed in an unfavorable position should a pursuit be litigated.

I have evaluated the "guidelines" with my legal staff and with attorneys who have personally litigated pursuit cases. It is our collective conclusion that P.O.S.T. should restrict their mandated guidelines to a minimum and to general guidelines. Each agency can then adopt a more specific policy that meets their individual needs.

Sincerely,

M. Poehlman

Michael Poehlman
Chief of Police

CITY OF OCEANSIDE 1617 MISSION AVENUE OCEANSIDE, CA 92054 TELEPHONE 619-966-4900

City of Downey

FUTURE UNLIMITED

February 23, 1995

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Norm:

I cannot think of many circumstances where I would overtly challenge P.O.S.T. However, your position on presenting the "minimum" pursuit guidelines on April 20 in San Diego is absolutely wrong.

I am sure there is no need for me to go into great detail in voicing my opposition. However, I feel it is important to challenge what seems to be P.O.S.T.'s anchor--that anchor being that these "minimum" guidelines are only **advisory**.

In the face of already solid and court-tested pursuit policies, the proposed P.O.S.T. "minimum" guidelines will set a new standard. There is no way the P.O.S.T. "minimum" guidelines will be viewed as advisory by the plaintiff's bar or the court. Again, the P.O.S.T. "minimum" guidelines will be the new standard for all of law enforcement in California.

As we are both veterans of many issues and various battles, there are many roads we have had to travel. I would strongly ask you not to take the P.O.S.T. "minimum" pursuit guidelines, in their current form, to the public hearing in San Diego on April 20, 1995. P.O.S.T.'s proposed "minimum" guidelines, if presented in their current form, are going to pit a friend against many friends. That position seems contrary to all that P.O.S.T. stands for.

Yours for professional law enforcement,

GREGORY C. CALDWELL
Chief of Police

GCC:mj
cc:Commissioner Maurice Hannigan, CHP

POLICE DEPARTMENT 10911 BROOKSHIRE AVENUE POST OFFICE BOX 7016 DOWNEY, CALIFORNIA 90241-7016 (310) 861-0771

City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

POLICE DEPARTMENT
1030 E. HILLSDALE BLVD.
FOSTER CITY, CA 94404
(415) 574-5555 • FAX (415) 573-9080

April 3, 1995

Alan Deal, Senior Consultant
Commission on POST
Management Counseling Services Bureau
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Mr. Deal:

I wish to express my serious reservations about the Draft Report on "High Speed Vehicle Pursuits", to be considered by the Commission on POST at the meeting of April 20, 1995.

I wholeheartedly concur with the sentiments of Maurice Hannigan, President of the California Peace Officers Association and Commissioner of the California Highway Patrol, that the "draft" guidelines far exceed the "minimum" guidelines that the legislature set forth in Section 13519.8 of the California Penal Code. Although POST bulletin 95-8 indicates the proposed guidelines are *optional* for local jurisdictions, subsection (e) of the new law clearly states: *"It is the intent of the Legislature that all local law enforcement agencies adopt the minimum guidelines on high-speed vehicle pursuit developed by the commission."*

In light of this legislative intent, the specific and comprehensive nature of the guidelines could cause serious liability concerns for agencies who deviate from them in any fashion, regardless of bona fide local needs. Additionally, the issue of the use of deadly force is not among the legislative requirements for pursuit guidelines, and should more appropriately be left to the policies of individual jurisdictions.

It is my belief that POST pursuit guidelines should be descriptive enough to satisfy the intent of the legislature in protecting the public at large, while being succinct enough to afford necessary flexibility and liability protection for individual law enforcement agencies and their governmental bodies. In this light, I request that POST reconsider the content of the proposed guidelines to more appropriately address these concerns.

Sincerely,

ROBERT G. NORMAN
CHIEF OF POLICE

MONTCLAIR

April 4, 1995

Senior Consultant Alan Deal, P.O.S.T.
Management Counseling Services Bureau
1601 Alhambra Boulevard
Sacramento, Ca 95816-7083

Re: *Comment Relative to Adoption of Vehicle Pursuit Guidelines*

Dear Mr. Deal:

As a law enforcement executive intimately involved in legal issues resulting from law enforcement actions, I am very uncomfortable with the proposed "guidelines" as set forth in the March 1995 High-Speed Vehicle Pursuit Manual. My concerns are numerous and I believe well founded based upon my experience and review of this document. Rather than going over the document line-by-line, this letter will instead discuss overall issues and save the detail for public comment if it is not already addressed.

There are three issues that are blatantly clear from these proposed guidelines. First, the Legislative mandate was to present **minimum** guidelines for the handling of high-speed vehicle pursuits. It is obvious, even to the casual reader, that the detail to which this document delves into is not at a minimum level and thus exceeds P.O.S.T.'s mandate. Should that not have the broad implications of subjecting all of us to this "industry standard," I would have no problem. However, when it is the explicit Legislative intent that this be the minimum level to be adopted by all agencies, it does away with any small deviation potential. We are thus set up for the inevitability of continual litigation brought by non-mandated detail set forth in the guidelines and unnecessary editorial comment.

This is my second issue with the document. While I can sympathize with the need for sufficient detail to teach by, you can significantly reduce that domain by cutting back on detail that is not specifically required by existing case decisions or legislative mandate, leaving the rest to the agency they will be working for. Even then, there needs to be a more judicious use of terminology and clarifying information (all the less to be litigated later). P.O.S.T. should adhere to common editorial recommendations to cut unnecessary fluff so that important information

CITY OF MONTCLAIR
5111 Benito Street, P.O. Box 2308, Montclair, CA 91763 (909) 626-8571 FAX (909) 621-1584

Mayor Larry L. Rhinehart • Mayor Pro Tem Paul M. Eaton • Council Members: Leonard Paulitz, Elouise (Dolly) Lewman, Carolyn Raft • City Administrator Lee C. McDougal

becomes more evident. An example of this is contained in the section dealing with "non-emergency vehicles," Page I-3. Does the author(s) really believe that we would authorize the use of non-emergency equipped vehicles for "pursuit style" driving? For that matter, as this is an area not required to be discussed or included in the minimum guidelines, should that not then be left for local agency training?

Lastly, as I reviewed this document, I was dismayed by the seemingly haphazard use of terminology, agency-specific requirements, and non-exact repetition that made it difficult to follow. More importantly, such formatting will prove to be a "cherry patch" for litigants eager to pick apart different portions of the policy that may seem to modify or even contradict one another. Such examples can be found in discussions about the roles of the various units, tactics used for ending pursuit, and supervisory control. In most instances, these topics should be covered only once and just referred to in other topical areas - not repeated or reworded.

There are many examples of such problems. I and the Chiefs of San Bernardino County wish you to consider this input and our public comment on April 20, 1995.

For the Montclair Police Department,

GUY E. EISENBREY
Chief of Police

GEE:sm

cc: M.J. Hannigan, President
California Peace Officers Association
1455 Response Road, Suite 190
Sacramento, Ca 95815

Chief Robert Gardner, President
San Bernardino County Chiefs and Sheriff's Association
Post Office Box 10
Adelanto, Ca 92301

CITY OF SANTA MONICA CALIFORNIA

Department of Police
James T. Butts, Jr.
Chief of Police

1685 Main Street
P.O. Box 2200
Santa Monica, CA 90407-2200
(310) 394-5411

March 29, 1995

Mr. Norman Boehm, Executive Director
Commission on Peace Officer Standards & Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Boehm:

I received and read with interest the letter written by California Highway Patrol Commissioner and California Peace Officers' Association President, Maurice Hannigan, regarding the degree of involvement the Commission on Peace Officer Standards and Training (POST) has undertaken relative to the developing of minimum guidelines for high-speed vehicle pursuits.

Penal Code Section 13519.8 was enacted with the intent that local law enforcement agencies adopt the minimum guidelines established by POST regarding high-speed pursuits absent the existence of a more comprehensive agency policy which would exceed the minimum guidelines.

I concur with the concerns voiced by Commissioner Hannigan. POST's interpretation of the statute, as manifested in its guidelines, appears to go well beyond the scope of the original legislation. POST's efforts, in their present form, are over-inclusive and appear to remove agency discretion from the process of developing high-speed vehicle pursuit policies, a factor which increases the potential for liability. There is no shortage of examples of pursuit policies which have successfully withstood legal challenges. While recent court decisions relative to individual agency policies have varied, adequate information regarding legally sufficient pursuit policies is readily available. Even as the courts have weighed the propriety of various agencies' policies, there certainly has been no requirement that law enforcement agencies adopt or revise their policies in an attempt to address every possible condition. Nevertheless, POST has undertaken to do just that. In my opinion, it is far more preferable that POST develop guidelines which are simple,

brief, and do no more than provide law enforcement agencies with the flexibility to choose those elements necessary for inclusion in their policy development or revision.

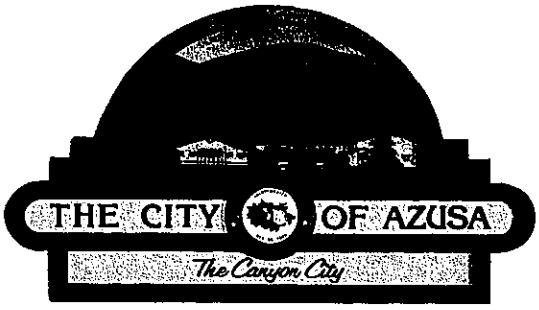
It is for the reasons noted above that I must support any endeavors undertaken by the California Highway Patrol, the California Peace Officers' Association, and other law enforcement agencies to denounce the over-reaching aspects of POST's high-speed vehicle pursuit guidelines.

Sincerely,

JAMES T. BUTTS, JR.
Chief of Police

cc: Maurice Hannigan, CPOA President

Police Department



(818) 334-2943

March 27, 1995

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Boehm:

The Azusa Police Department has reviewed the draft copy of the Vehicle Pursuit Guidelines developed by the Commission on Peace Officer Standards and Training. After reviewing the guidelines we have grave concerns about the potential negative effects of statewide dissemination of the guidelines in their current form.

The guidelines, as currently written, constitute 40 pages of text. The sheer size reduces the probability that line officers will be able to read and retain all the information presented. The guidelines are overly specific in mandating and limiting the options of peace officers in a dynamic situation. We believe that the guidelines should provide a skeleton model and that each agency should tailor its policy to its specific needs.

We believe that POST has exceeded its mandate when it included a section on deadly force and/or firearms. Deadly force and firearms are entirely distinct from vehicle pursuits. Every department has a deadly force policy, and it should be incorporated by reference in the pursuit policy.

Our greatest fear is that dissemination of the guidelines would create significant legal and liability issues for our public agencies. The over-broadness and specificity of the guidelines virtually ensure that they will not be fully adhered to in a real life situation.

725 North Alameda Avenue, Azusa, California 91702-2504

Administrators are left in the unenviable position of choosing not to adopt an impractical policy to protect their officers and risking substantial liability from the courts for failing to include every POST recommended "Factors to be Considered." It creates a no win situation for public agencies.

The Azusa Police Department urges you to reconsider POST's position on the guidelines. We are all professionals dedicated to providing the best police service to the public. I am confident that a reasonable pursuit policy framework can be developed. If I, or my staff, can provide any assistance or clarification, please do not hesitate to call.

Sincerely,

Byron Nelson
Chief of Police

cc: Commissioner Maurice Hannigan, CHP

CITY of
BAKERSFIELD
OFFICE OF THE CHIEF OF POLICE

S. E. BRUMMER
Chief of Police

(805) 326-3821

March 31, 1995

Norman C. Boehm, Executive Director
Commission on P.O.S.T.
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Boehm:

As president of the Kern County Association of Chiefs of Police, I am writing with regard to the draft document prepared by P.O.S.T. relative to Vehicle Pursuit guidelines. Association members have expressed a variety of concerns about the limited scope and "factor specific" language contained in the draft.

The proposed guidelines do not appear to be drafted in a manner that allows any margin of flexibility, nor do they consider needs unique to individual jurisdictions. I will not re-iterate issues presented by Commissioner Hannigan on behalf of C.P.O.A., however, I would submit that his concerns are shared by our chief's association.

In particular, our members are very concerned with those sections of the draft that deal with blocking barricading, etc. and use of deadly force (firearms). The sections are not only narrowly defined, but pose serious implications for related policy issues. Section XI, Use of Deadly Force (Firearms) extends beyond high speed vehicle pursuits. Issues concerning use of firearms should be contained in an agency's firearms policy.

We recognize that many law enforcement agencies have established policies that incorporate the proposed guidelines established by P.O.S.T. yet, we remain concerned that some provisions are overly restrictive and may create undue liability exposure.

1601 TRUXTUN AVENUE • P.O. BOX 59 • BAKERSFIELD, CA 93302

Norman C. Boehn, Executive Director
Commission on P.O.S.T.
Pursuit guidelines
March 31, 1995

The Association of Kern County Chiefs continues to support the efforts of P.O.S.T. to formulate responsible training standards and policy guidelines. However, we cannot endorse recommendations that inhibit the discretion necessary to ensure policy implementation that best serves individual jurisdictions.

Sincerely,

S. E. Brummer

S. E. Brummer,
Chief of Police

SEB/vrf

VENTURA COUNTY SHERIFF'S DEPARTMENT

- LARRY CARPENTER, SHERIFF
- RICHARD S. BRYCE, UNDERSHERIFF

800 SOUTH VICTORIA AVENUE, VENTURA, CA 93009 PHONE (805) 654-2380 FAX (805) 645-1391

March 27, 1995

Norman C. Boehm, Executive Director
Commission on POST
1601 Alhambra Blvd.
Sacramento, California 95816-7083

Dear Mr. ~~Boehm~~ Norm:

I wanted to send a short letter and share my feelings regarding the proposed pursuit policy guidelines being considered under the mandate of Penal Code section 13519.8.

After receiving a letter from Commissioner Hannigan of the CHP, I requested information from Martin J. Mayer, one of the legal consultants I have placed my trust with in the past. Mr. Mayer faxed my office a copy of the letter, directed to you and dated March 21st.

Please consider Mr. Mayer's comments to be an accurate reflection of my feelings regarding the proposed pursuit guidelines under consideration. I could not support overly broad regulation which may open this department to litigation, nor deprive me the flexibility necessary to incorporate local concerns within the policy.

In addition, I should tell you that we, in this County, have invested much time and legal expertise in the development of an effective pursuit policy.

I have sent Commissioner Hannigan a brief note expressing my thoughts.

Sincerely,

LARRY CARPENTER, Sheriff

☐ WEST COUNTY POLICE SERVICES
Kenneth Kipp, Chief Deputy
800 South Victoria Avenue
Ventura, CA 93009
(805) 654-2315 FAX (805) 650-4039

☐ EAST COUNTY POLICE SERVICES
Robert Brooks, Chief Deputy
2101 East Olsen Road
Thousand Oaks, CA 91360

☐ DETENTION SERVICES
Donald R. Lanquist, Chief Deputy
800 South Victoria Avenue
Ventura, CA 93009

☐ SUPPORT SERVICES
Richard Rodriguez, Chief Deputy
800 South Victoria Avenue
Ventura, CA 93009

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March 29, 1995

Norm Boehm
Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

RE: Proposed Guidelines on High Speed Vehicle Pursuit

Dear Sir:

I am strongly opposed to the adoption by POST of the proposed High Speed Vehicle Pursuit Guidelines. POST has been mandated to develop minimum guidelines. These guidelines, as written, are so detailed and complex as to greatly exceed any reasonable definition of the term.

It is the reality of the situation that whatever "guidelines" are ultimately adopted by POST will become the de facto standard to which all California police agencies will be held. The published document would bind all agencies to a set of rules so intricate that they would be unworkable in practice. Failure of an agency to implement even one of the guidelines could be seen as failing to meet the "minimum" standards of the Vehicle Code and expose the agency to costly civil liability.

I support the adoption of a minimum standard that provides each agency with the flexibility to create a policy that meets the unique needs of that department. I sincerely hope that POST will follow this philosophy in the development of its guidelines.

Feel free to contact me at (213) 887-1287 if I can be of any further assistance.

Sincerely,

G. S. Simonian
Chief of Police

cc: Commissioner Maurice Hannigan, California Highway Patrol
Senior Consultant Alan Deal, POST Management Consulting Service

Sonoma County Law Enforcement Chiefs Association

Chief of Police
City of Cloverdale

Chief of Police
City of Cotati

Chief of Police
City of Healdsburg

Chief of Police
City of Petaluma

Chief of Police
City of Rohnert Park

Chief of Police
City of Santa Rosa

Chief of Police
Santa Rosa Junior College

Chief of Police
City of Sebastopol

Chief of Police
City of Sonoma

Chief of Police
Sonoma State University

Chief of Police
Town of Windsor

Sheriff
County of Sonoma

District Attorney
County of Sonoma

Chief Probation Officer
County of Sonoma

Commander
California Highway Patrol

District Administrator
Department of Alcoholic
Beverage Control Santa Rosa

Senior Resident Agent
Federal Bureau of Investigation
Santa Rosa

March 27, 1995

Alan Deal, Senior Consultant
POST Management Counseling Services Bureau
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Deal:

Thank you for the opportunity to comment on the proposed guidelines that POST has proposed relative to vehicle pursuits. The Law Enforcement Chiefs have reviewed the proposal as well as the comments written by Maurice Hannigan, President of the California Peace Officer's Association and Commissioner of the California Highway Patrol.

On behalf of the Sonoma County Law Enforcement Chief's Association, we want you to know that we agree with the position of Maurice Hannigan. We believe that POST has developed a very comprehensive proposal that exceeds the "minimum" guidelines intended by the Legislature. We are particularly concerned that the proposed guidelines will deprive jurisdictions of the ability to tailor the policies to meet the needs of their organizations.

At the hearings, scheduled for April 20, 1995 in San Diego, we urge you to listen to these concerns and modify your proposal to more appropriately address the requirements of Penal Code Section 13519.8.

Sincerely,

John P. Gurney
Chief of Police, City of Sonoma
President

cc: Maurice Hannigan, CPOA President
✓ Norman Boehm, POST Executive Director

NEWPORT BEACH POLICE DEPARTMENT
P.O. BOX 7000, NEWPORT BEACH, CA 92658-7000

BOB McDONELL
Chief of Police

February 22, 1995

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear ~~Mr. Boehm,~~ Norm

I want to briefly express my concerns with the proposed Vehicle Pursuit Guidelines developed by the Commission on Peace Officer Standards and Training. I have read the response written by CHP Commissioner Hannigan and will not belabor his points, other than to say I agree with his position.

The POST draft proposal, if enacted, will establish a statewide policy that will become the benchmark for any civil litigation resulting from a police pursuit. Plaintiff's lawyers will bring the POST pursuit guidelines into court any time the local agency policy differs. The POST guidelines, as written, remove the ability for a local agency to tailor a policy to their specific needs. I believe POST has taken Penal Code §13519.8 well beyond the legislative intent of establishing minimum guidelines. I don't believe it is the responsibility of POST to draft a "blueprint" on pursuit policy that limits decisions by the local agency.

Sincerely,

Bob McDonell

Bob McDonell
CHIEF OF POLICE

cc: CHP Commissioner Hannigan

San Diego County

POLICE CHIEFS' & SHERIFF'S

Association . . .

578 ORANGE
CORONADO, CALIFORNIA 92118
TELEPHONE (619) 522-7355

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March 21, 1995

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards
and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Norm:

As President of the San Diego County Police Chiefs' and Sheriff's Association, I am writing to inform you of the organization's concerns with the minimum pursuit guidelines developed by POST as directed by legislative enactment of Section 13519.8. We feel that these guidelines are too restrictive and will create a far higher standard for pursuits than the courts have set or the law requires.

In October, 1993, the Chiefs' and Sheriff's Association convened a Police Pursuit Committee with the intent of developing a Countywide Pursuit Policy. After many hours of discussion, debate and review, the Committee presented to the Chiefs' and Sheriff's group a very thorough policy which meets all the criteria presently required by law and the courts.

The POST guidelines contain far more information, factors and requirements, than is necessary or has been required by the courts. These guidelines are destined to become statewide mandated policy, and if put into effect, they will be too restrictive

and subject local law enforcement agencies to additional liability.

The San Diego County Chief's and Sheriff's Association sincerely urges you to reconsider adopting these guidelines.

Sincerely,

RICHARD EMERSON
President

RE/amh
cc: Lt. Strickland
POSTPurs

CITY OF SAN BUENAVENTURA

COMMISSION ON POST

95 MAR 24 PM 1:50

CITY COUNCIL

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Todd J. Collart, Deputy Mayor
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Tom Buford
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Jack Tingstrom
Gary R. Tuttle

March 16, 1995

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Re: Guidelines For Police Pursuits

Dear Mr. Boehm:

I am writing this letter on behalf of the City of San Buenaventura to express our dismay about the recently drafted Post guidelines for police vehicle pursuits. As an Assistant City Attorney one of my duties is to advise the City's Police Department, and specifically I worked with the Department on its newly adopted pursuit policy.

Unfortunately, this new policy does not conform to the draft guidelines issued by POST, although our policy is legally sufficient and functional. Our City Police department in conjunction with other departments in the County developed a model vehicle pursuit policy. This model policy was written with the assistance of an attorney, and then reviewed by the individual department's legal advisors. This collaboration has resulted in a workable policy and better cooperative relations between departments.

After discussions with the Department's Lieutenant, who helped developed our current policy, it is clear that the guidelines are not practical, and therefore are not useful. Although police agencies went through a period where the court's were not upholding pursuit policies the tide has changed. There are now court opinion's giving adequate guidance on the matter and finding legally sufficient policies such as the City of San Diego's and the City and County of Los Angeles' policies. Given these court tested policies, I am urging POST to reconsider the draft guidelines, and to develop guidelines more in line with the recent court cases.

501 Poli Street • P.O. Box 99 • Ventura, California • 93002-0099 • (805) 654-7800 • FAX (805) 652-0865

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It is the City's hope and expectation that POST will redraft the minimum guidelines and take to heart the word "minimum" in redrafting. As agencies around the state have shown , you can have a legally defensible and functional policy that is only a few pages long.

Thank you for your attention to this matter.

Sincerely,

Amelia Ann Albano
Assistant City Attorney

cc: Rich Thomas, Chief of Police

THE CITY OF
SAN DIEGO
POLICE DEPARTMENT • 1401 BROADWAY
SAN DIEGO, CALIFORNIA 92101 - 5729 • TELEPHONE (619) 531-2000

OFFICE OF
JERRY SANDERS
CHIEF OF POLICE

IN REPLYING
PLEASE GIVE
OUR REF. NO.
385

March 15, 1995

Norman C. Boehm, Executive Director
Commission on P.O.S.T.
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Norm:

The San Diego Police Department has completed an indepth review of the "High Speed Vehicle Pursuit - Proposed Guidelines and Commentary" recently produced by The Commission on Peace Officer Standards and Training.

It is recognized that Senate Bill 601 generated Section 13519.8 of the California Penal Code, which directed the Commission to "develop uniform, minimum guidelines" with respect to high speed pursuits conducted by California law enforcement agencies. This unquestionably difficult project thrust upon the Commission is fraught with numerous complexities; many which are regional in nature and vary from one agency to another. For this reason, I am sure, the state legislature requested that "minimum guidelines", (as opposed to a state-wide policy), be developed by the Commission.

The City of San Diego enjoys an excellent civil litigation success record, largely due to the significant efforts of the Police Department in developing a comprehensive pursuit policy.

In the key note case of Weiner vs. City of San Diego, (229 Cal. App. 3rd 1203, Cal. Rpts. 818, 1991), the Fourth Appellate District Court held that the San Diego Police Department's written procedures fulfilled the "minimum standards" requirement of Section 17004.7 of the California Vehicle Code. This section provides that the public entity shall be immune from civil liability for the results of a vehicular accident caused by pursued violators colliding with third parties, if the public entity has adopted a written policy which meets the "minimum standards" parameters set by the legislature.

DIVERSITY

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Under current law, each public entity's pursuit policy is subject to judicial scrutiny before the CVC 17004.7 immunity is applied in a case before the court. Therefore, it is imperative that each law enforcement agency retain the ability to design a pursuit policy which complements it's specific needs while considering limitations such as access to resources and training capabilities. Further, local political and legal implications surrounding pursuits will influence policy development and cannot be ignored.

According to the California League of Cities, which lobbied for enactment of CVC 17004.7 as part of the Tort Reform Act of 1987, the intent was to adopt pursuit guidelines which would reduce accident frequency while leaving the fundamental law enforcement decisions surrounding pursuits to local agencies.

Unfortunately, the "High Speed Vehicle Pursuit" guidelines proposed by the Commission infringes upon local agency prerogative and would seem to recommend specific remedies to issues already addressed and/or resolved by legal experts and the command staff of the San Diego Police Department. This "guideline" recommends procedures which will ferment legal arguments by civil attorneys in court actions when those procedures were not or could not be employed by this department.

The stolen vehicle volume, smuggling related crimes (drugs, etc.), and crimes of violence in this area clearly contribute to a high potential for vehicular pursuits. The Mexican Border contributes a dimension to the pursuit control scenario which is not a significant problem elsewhere in California. This is an important component in our pursuit policy and a designed control methodology is appropriately incorporated. Conversely, it would not be in the best interests (legal, political, or tactical), of the police department, nor the City of San Diego, to have this concern "remedied" by the Commission on P.O.S.T.

Perhaps there are law enforcement agencies with little experience in pursuit matters operating without a viable pursuit policy or with one which has not stood the test of litigation in the courts. That is certainly not the case in San Diego.

Should the Commission desire further input in the development of viable pursuit guidelines which meet the requirements of 13519.8 P.C., this department is eager to be of assistance.

Sincerely,

Jerry Sanders
Chief of Police

JS:BJ:df

CITY OF
CHULA VISTA
POLICE DEPARTMENT

March 21, 1995

Norman C. Boehm, Executive Director
P.O.S.T.
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Mr. ~~Boehm~~: Norm

I have reviewed the minimum pursuit guidelines developed by P.O.S.T. as directed by legislative enactment of Section 13519.8 and have some concerns about the restrictions it places on individual agencies in tailoring their pursuit policies to fit the needs of their jurisdictions.

There is nothing minimal about these guidelines and they go far beyond what is actually intended by the legislature, removing any flexibility we may need to fit the requirements of our jurisdiction. A number of agencies' pursuit policies, which are much less restrictive, have already been successfully tested in court. However, under the POST minimum guidelines, none of these court validated policies would have been sufficient. As such, the POST minimum guidelines will create a far higher standard for pursuits than the courts have set or the law requires.

While POST has obviously spent a great deal of time, and is well intended in establishing these guidelines, I feel that they are too restrictive and will hamper our ability to develop and maintain an effective pursuit policy. All San Diego County law enforcement agencies have recently spent several hundred hours developing a Countywide Pursuit Policy which has been reviewed and approved by legal representatives of each jurisdiction.

While I support the need for uniform guidelines, I certainly hope that you will consider a review of the pursuit policy developed by POST as it places too many restrictions on the agencies and subjects us to additional liability.

Sincerely,

RICHARD EMERSON
Chief of Police

Boehm/PDLtr
cc: Lt. Strickland

276 FOURTH AVENUE • CHULA VISTA • CALIFORNIA 91910

Emeryville Police Department
2449 POWELL STREET
EMERYVILLE, CALIFORNIA 94608
PHONE: (510) 596-3700

March 22, 1995

Mr. Norman C. Boehm,
Executive Director
Commission on Peace Officer Standards and Training
State of California, Department of Justice
1601 Alhambra Boulevard
Sacramento, California 94516-7083

Re: Proposed Guidelines on High Speed Pursuits

Dear Director Boehm:

The purpose of this letter is to comment on the Adoption of Vehicle Pursuit Guidelines, as defined in POST Bulletin 95-8, and the publication dated March 1995.

I believe the proposed Guidelines exceed the legislative intent set forth in Penal Code Section 13519.8. The draft material serves to confuse, rather than clarify because it includes subject matter not specific to the immunity requirements set forth in Vehicle Code Section 17004.7. As you may know, recent decisional law has clearly addressed what is required in a policy statement in order to satisfy the immunity requirements of the Vehicle Code.

Additionally, because of the prestige of POST, no doubt a plaintiff's attorney will use in a lawsuit the proposed POST pursuit guidelines as a yardstick with which to measure the adequacy of a pursuit policy issued by a police agency.

The issues are myriad, and only two points have been raised above. The scheduled hearing for April 20, 1995 does not allow adequate time to study the matter, and I recommend that the hearing be postponed.

Sincerely,

Joseph L. Colletti
Chief of Police

San Bernardino County Police Chiefs and Sheriff Association

March 20, 1995

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards & Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Boehm:

I am writing to inform you that the San Bernardino County Police Chiefs and Sheriff Association is adamantly opposed to POST establishing a state-wide procedure for police vehicle pursuits. It is our opinion that POST has far exceeded your legislative mandate, per 13519.8 CVC, in developing minimal standards and training in this area.

All jurisdictions are unique based on population, topography and roadway conditions. Police agencies must retain the right to tailor pursuit policies to fit their particular needs. Should you continue with this pursuit guideline, you will make it legally impossible for law enforcement agencies to deal effectively with their own pursuit problems.

The Police Chiefs in San Bernardino County, the Sheriff of San Bernardino County, and the California Highway Patrol Inland Division Commander have agreed on a pursuit policy that is both reasonable and effective for our jurisdictions. In the policy, specific language from the Gardena and Perris cases were incorporated to insure proper protection for our citizens while allowing our officers sufficient latitude to do their jobs properly.

We are sure you are aware that an overly inclusive policy recommended by any state agency would literally put a hammer over our heads. Any variation from your particular guidelines would be an open invitation to unwarranted litigation.

POST has always maintained the enthusiastic support of local law enforcement for your training and assistance. Historically POST has designed training to fit the needs of the individual agencies. Please maintain that posture and do not attempt to act as "big brother".

Sincerely,

LEWIS W. NELSON, Chief of Police
Redlands Police Department
Secretary

Adelanto
Barstow
Chino
Colton
Fontana
Montclair
Ontario
Redlands
Rialto
San Bernardino
Upland
San Bernardino County Sheriff

Honorary Members
San Bernardino County District Attorney
California Highway Patrol, Inland Division Chief

DEPARTMENTS OF THE ARMY AND AIR FORCE
OFFICE OF THE ADJUTANT GENERAL
CALIFORNIA NATIONAL GUARD
9800 GOETHE ROAD - P.O. BOX 269101
SACRAMENTO, CALIFORNIA 95826-9101

March 16, 1995

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Boehm:

Please accept my apologies for this late response. Major General Tandy Bozeman, the Adjutant General, was out of the country when we received your correspondence on vehicle pursuit guidelines. He is currently still in a travel status, and has asked me to respond to your request.

The Military Department does not wish to take a position on this issue. This Department does respond to requests for support to law enforcement agencies when directed; however, because the California National Guard does not normally take part in vehicle pursuits, we do not feel qualified to comment.

Sincerely,

Robert J. Brandt
Brigadier General
The Adjutant General

CITY OF
San Bernardino

POLICE DEPARTMENT
DANIEL A. ROBBINS
CHIEF OF POLICE

March 15, 1995

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, Ca 95816-7083

Dear Mr. Boehm:

I have received the draft copy of the Vehicle Pursuit Guidelines developed by the Commission on Peace Officer Standards and Training (POST). After reviewing these guidelines, and appreciating the time and effort which went into the preparation of them, I have concluded that the San Bernardino Police Department cannot offer its support for them.

I believe the legislative intent of PC 13519.8 was to provide for a guideline which would aid departments statewide in drafting an appropriate pursuit policy. POST has produced a document which seems, on its face, a blueprint for a statewide policy which will be cumbersome and restrictive beyond practicality. It is far from the minimum pursuit guidelines the legislation indicates.

Any product generated by POST in response to PC 13519.8 will reasonably be construed as a mandate to which all law enforcement agencies in the state must adhere. The fact that the guidelines are not adaptable to the particular needs of different jurisdictions makes them unacceptable. The guidelines as presented are not consistent with the needs of my department.

Above all, I believe the pursuit policy which ultimately will result from these guidelines will leave us open to significant liability if we dare allow our officers to engage in a pursuit. The flexibility and discretion traditionally allowed in modern police work has been removed. If our department were to be summoned to civil court to defend our actions during a pursuit, it would be virtually impossible to convince a jury or the court that officers had, in the space of a few seconds, considered all that POST has included in the "factors to be considered."

POST OFFICE BOX 1559, SAN BERNARDINO,
CALIFORNIA 92401-1559 (909) 384-5742

PRIDE IN PROGRESS

The guidelines make mention of deadly force/firearms in several sections. This is a completely separate issue dealt with by our own departmental policies and should not be included in a state document such as this.

There are many departments which have constructed pursuit policies which have been held by the courts to be sufficient. The courts have also recognized that pursuit policies may differ from jurisdiction to jurisdiction and remain satisfactory. Neither the courts nor the current legislation have required the comprehensiveness POST is proposing. I believe POST is acting far beyond what was expected by the Legislature and do not support its efforts in this endeavor.

Yours Truly,
Daniel A. Robbins, Chief of Police
By:

Wayne Harp
Assistant Chief of Police

SAN JACINTO

March 16, 1995

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Norm:

It has come to my attention that POST has completed its legislative directive to develop minimum guidelines for police pursuits by law enforcement agencies. I have reviewed information from the California Peace Officers' Association regarding the adoption of these guidelines and desire to advise POST of the San Jacinto Police Department's concerns in this matter.

In 1993, the San Jacinto Police Department revised its emergency vehicle operation policy to ensure protection against civil liability as provided under California Vehicle Code 17004.7. Department staff went through great efforts to ensure that the revised policy met the standard for the safe conduct of vehicular pursuits by our officers and was legally sound. The legal sufficiency of the Corona Police Department policy has been relied upon by many other law enforcement agencies who have contacted the department for copies of their emergency vehicle operation policy, as has the Perris Police Department policy.

I am concerned that in future litigation the San Jacinto Police Department and all California agencies will be in the position of defending pursuit policies against the POST "standard," as well as against the current legal and court mandates. Agencies already have sufficient legal guidelines to enable them to develop an effective pursuit policy. It seems unnecessary and counterproductive for POST to provide guidelines that could make the police departments, which are already acting in accordance with the law, more vulnerable to lawsuits and damages.

City of San Jacinto • 201 East Main Street • San Jacinto, California 92583
909/487-7330 • FAX 909/487-7320
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I am aware that POST has set the public hearing date for these guidelines on April 29, 1995. On behalf of the City of San Jacinto and the San Jacinto Police Department, I am requesting that this public hearing be postponed until such time as sufficient study into the impact of these guidelines on law enforcement agencies can be completed.

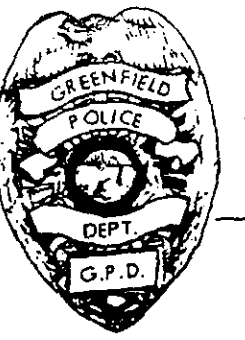
The San Jacinto Police Department shares concern, along with the people of the State of California, the California legislature, POST, and law enforcement agencies, for the conduct of safe vehicle pursuits by peace officers. Please do not hesitate to call upon me if the San Jacinto Police Department can assist POST in this matter.

Sincerely,

Nathaniel Holmes III
Chief of Police

NH:dc

Greenfield Police Department



March 10, 1995

Commission on Peace Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Executive Director:

I am writing to you regarding the "vehicle pursuit guidelines" developed by POST. I believe POST has far exceeded the legislative intent of Sec 13519.8, and instead has drafted a "blue print" for what it hopes to be a State wide pursuit policy. For this reason, I must inform you (POST) neither my Department nor the Greenfield Police Officer Association can offer it support for the guideline as presently constituted.

Legislative enactment of section 13519.8 directed POST to develop minimum pursuit guide lines for use by law enforcement agency in the generation of individual agency pursuit policies. POST has advanced a different understanding of its mandate under the statue, understanding with which many law enforcement agencies, including the Greenfield Police Department, strongly disagree. There is nothing "minimal" about the POST produced product: I my opinion, the POST developed guidelines will deprive individual law enforcement agencies from adopting a pursuit policy tailored to the specific need of their jurisdictions. The guidelines' detailed enumeration of what pursuit policy should contain nothing more than a comprehensive blue print with legal and political implication of which POST apparently is unaware or, more disquietingly, has simply chosen to disregard.

The efforts undertaken by POST pursuant to Section 13519.8-however packaged- will be construed as a mandate to which all law enforcement agencies will be required to adhere. As an effort in excess of the statutory mandate, Post's proposal should be rejected. The fact such an effort will deprive our Department of developing a pursuit policy tailored to the particular needs of your jurisdiction is reason enough to object to the POST proposal. Additionally, a significant liability issue is posited by the POST proposal.

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However packaged, the over-inclusiveness of POST's efforts, characterized by the guidelines' "factor specific" language, will create a Pandora's box of a legal and liability problems for all California law enforcement agencies. The over inclusiveness removes flexibility and discretion my Department may wish to incorporate in an existing or revised pursuit policy. Even more significantly, these guidelines will most certainly be reviewed by the courts as mandates. The corollary liability risk potential is obvious. I urge you to NOT enact these guidelines.

Sincerely Yours,

J. M. Ro

J.M. Romo
Chief of Police

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO
THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103

ANTHONY D. RIBERA, Ph.D.
CHIEF OF POLICE

March 14, 1995

Norman Bohem
Executive Director
Commission on POST
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Subject: Vehicle Pursuit Guidelines

Dear Mr. Bohem:

Thank you for an opportunity to share our view with you and the Commission regarding proposed guidelines for vehicle pursuits. This is an issue of significant statewide concern and worthy of careful deliberation before final action is taken.

We have struggled with this issue as I am sure most other law enforcement agencies have also done. In developing our current pursuit guidelines, which have been recognized by the courts as complying with existing Vehicle Code provisions, we considered several factors which are unique to San Francisco. As other agencies seek to draft guidelines for their agencies they must consider the specifics for them as well.

While the guidelines and attendant material you have developed to date may be suited for some agencies, it will clearly be beyond the ability of other agencies to adopt or comply. This will leave those agencies, particularly the smaller departments, vulnerable to civil lawsuits.

It is our view the guidelines you list in Section I of your proposal should be the sum total of what the Commission approves. The remaining material should be part of a training program that POST could either give, or identify a presenter to give, as options to agencies seeking to improve their existing procedures and still comply with the law.

While the material your staff developed may be invaluable in the establishment of pursuit procedures in an agency, not all of it will be usable by every agency statewide. If the POST Commission adopts the entire package your staff has developed, many agencies will likely face increased civil liability.

We hope these comments are of help to you and the Commission as public debate continues on this subject.

Sincerely yours,

ANTHONY D. RIBERA
Chief of Police

REF: LEGAL/EWP/gb
W94-0470
Copy to: Maurice Hannigan
President, CPOA

3026L

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Public Hearing to Consider Modifications of Training Specification Related to Vehicle Pursuits.		Meeting Date: April 20, 1995
Bureau: Management Counseling Services Bureau	Reviewed By: Glen Fine	Researched By: Michael DiMiceli
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-4-95	Date of Report: March 22, 1995

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, subject to the results of the public hearing, changes to Procedure D-1, and Regulations 1005 and 1081, regarding minimum training standards related to vehicle pursuits for all law enforcement officers employed by a local police or sheriff's department and the California Highway Patrol?

BACKGROUND

At its January 12, 1995 meeting the Commission reviewed proposed changes to Commission Procedure D-1 and Commission Regulations 1005 and 1081. The Commission scheduled a public hearing for April 20, 1995 to receive testimony on these proposed changes.

Penal Code Section 13519.8 (SB 601, Marks), effective January 1, 1994, requires the Commission to prepare "...courses of instruction...for law enforcement officers...in the handling of high-speed vehicle pursuits..."

The law requires instruction related to vehicle pursuits to be included in the Basic Course and supplemental training to be provided to "All law enforcement officers who have received their basic training before January 1, 1995..." The law defines law enforcement officers, for the purpose of this instruction, as those officers employed by a local police or sheriff's department and the California Highway Patrol.

Penal Code Section 13519.8 is Attachment A.

ANALYSIS

The law requires the courses of instruction to "include adequate consideration" of fifteen specified topics, and to be prepared in consultation with "law enforcement agencies, police academy instructors, subject matter experts and members of the public."

Draft vehicle pursuit guidelines have been prepared by staff after extensive consultation with representatives of the groups specified in the law. The training is not required to be based on the guidelines, although the guidelines and supplementary material provides pointers for training topics.

In November 1994, law enforcement driving instructors met with staff to review the statute and formulate training specifications. Based in part on information received at that meeting, revised specification for Basic Course instruction have been prepared. The specific content adds to existing curriculum on this topic. Minimum hours for the added content is not specified since the new content is included in a larger body of instruction.

The law also requires supplementary training for law enforcement officer who received basic training before January 1, 1995. No mention is made in the law of the ranks of law enforcement officers for whom this training is required. The Commission's legal counsel advises that it is prudent to assume the supplemental training requirement applies to officers of all ranks. This view is supported by language of the statute that requires training to address "regular assessment of law enforcement's vehicle pursuit policies, practices, and training..." This requirement appears to be directed at law enforcement management.

Because the law provides latitude for the Commission to develop a course or courses, a two-hour supplemental course (paralleling the proposed Basic Course curriculum) is proposed for officers and supervisors, and a one-hour course is proposed for managers and executives (lieutenants and above).

It should be noted that the law imposes no deadline for completion of the supplemental training.

It should also be observed that imposition of the supplemental training requirement only on those who received basic training prior to January 1, 1995 assumed the new curriculum would be in place at that time. Delays in the development of the training courses has occurred and the adoption of curricula through the processes required by the Administrative Procedures Action may further delay adoption until after July 1, 1995. Therefore, officers who received basic training between January 1, 1995 and the date of actual implementation of the new curricula would not be subject to either the basic or supplemental training requirement. Proposed remedy is to require by regulation that supplemental training is required for those whose basic training was received prior to July 15, 1995.

Proposed regulatory changes including supplemental training, basic training specification, notice of public hearing and

statement of reasons are included in Attachment B.

The Basic Course instructor Unit Guide on vehicle pursuits has been updated to reflect the new curriculum. The instructor guide is for optional use. The guide is included, for information, in Attachment C.

Recommendation

Subject to the results of the public hearing, it is recommended the Commission amend Procedure D-1, and Regulations 1005 and 1081 as proposed to be effective July 15, 1995 subject to approval by the Office of Administrative Law.

§ 13519.8. High speed vehicle pursuits; training courses and guidelines

(a) The commission shall implement, on or before November 1, 1994, a course or courses of instruction for the training of law enforcement officers in the handling of high-speed vehicle pursuits and shall also develop uniform, minimum guidelines for adoption by California law enforcement agencies for response to high-speed vehicle pursuits. The guidelines and course of instruction shall stress the importance of vehicle safety and protecting the public at all times, include a regular assessment of law enforcement's vehicle pursuit policies, practices, and training, and recognize the need to balance the known offense and the need for immediate capture against the risks to officers and other citizens of a high-speed pursuit.

As used in this section, "law enforcement officer" includes any officer or employee of a local police or sheriff's department or the California Highway Patrol.

(b) The course or courses of basic training for law enforcement officers and the guidelines shall include adequate consideration of each of the following subjects:

(1) When to initiate a pursuit.

(2) The number of involved law enforcement units permitted.

(3) Responsibilities of primary and secondary law enforcement units.

(4) Driving tactics.

(5) Helicopter assistance.

(6) Communications.

(7) Capture of suspects.

(8) Termination of a pursuit.

(9) Supervisory responsibilities.

(10) Blocking, ramming, boxing, and roadblock procedures.

(11) Speed limits.

(12) Interjurisdictional considerations.

(13) Conditions of the vehicle, driver, roadway, weather, and traffic.

(14) Hazards to uninvolved bystanders or motorists.

(15) Reporting and postpursuit analysis.

(c) All law enforcement officers who have received their basic training before January 1, 1995, shall participate in supplementary training on high-speed vehicle pursuits, as prescribed and certified by the commission.

Local law enforcement agencies are encouraged to include, as part of their advanced officer training program, periodic updates and training on high-speed vehicle pursuit. The commission shall assist where possible.

(d) The course or courses of instruction, the learning and performance objectives, the standards for the training, and the guidelines shall be developed by the commission in consultation with appropriate groups and individuals having an interest and expertise in the field of high-speed vehicle pursuits. The groups and individuals shall include, but not be limited to, law enforcement agencies, police academy instructors, subject matter experts, and members of the public.

The commission, in consultation with these groups and individuals, shall review existing training programs to determine the ways in which high-speed pursuit training may be included as part of ongoing programs.

(e) It is the intent of the Legislature that all local law enforcement agencies adopt the minimum guidelines on high-speed vehicle pursuit developed by the commission. *(Added by Stats.1993, c. 340 (S.B.601), § 1.)*

ATTACHMENT B

February 24, 1995

SUBJECT: PUBLIC COMMENT PERIOD EXTENDED

Due to some problems we encountered with our mail, you did not receive copies of Bulletins 95-3, 95-4, and 95-5 when they were mailed on February 17, 1995. Therefore, we are enclosing copies of these bulletins and notifying you that the public comment period ending date, April 4, 1995 at 4:30 p.m., as described in all three notices, is extended to April 14, 1995.

NORMAN C. BOEHM
EXECUTIVE DIRECTOR

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

REGULATORY ACTION: AMENDMENT THE DOCUMENT *TRAINING SPECIFICATIONS FOR THE REGULAR BASIC COURSE - JULY 1993*, INCORPORATED BY REFERENCE INTO REGULATION 1005, AND ADOPTION OF REGULATIONS 1081(a)(22) AND (23) TO ESTABLISH MINIMUM STANDARDS FOR TRAINING PEACE OFFICERS IN THE HANDLING OF HIGH-SPEED VEHICLE PURSUITS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13503 of the Penal Code (authority for Commission to develop and implement programs to increase effectiveness of law enforcement), Section 13506 of the Penal Code (authority for Commission on POST to adopt regulations) and Section 13519.8 of the Penal Code (mandates the Commission to implement courses of instruction in the handling of high-speed vehicle pursuits), and in order to interpret, implement and make specific Penal Code Section 13519.8 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 Commission on:

Date: April 20, 1995
Time: 10:00 a.m.
Place: Holiday Inn On the Bay
1355 North Harbor Drive
San Diego, CA 92101

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

INFORMATIVE DIGEST

Penal Code Section 13519.8 (Chapter 340), enacted January 1, 1994, requires the Commission on POST to prepare a course or courses of instruction for the training of officers, of a local police or sheriff's department or the California Highway Patrol, in the handling of high-speed vehicle pursuits. A minimal amount of instruction on vehicle pursuit policies currently exists in Basic Course training specifications, Domain #19 -Vehicle Operations. Currently there is no supplemental training required by regulation.

As directed by this legislation, the Commission on POST consulted with law enforcement agency representatives, basic academy instructors, and subject matter experts to obtain input for the development of training curricula. The Commission is proposing amendments to Domain #19, Vehicle Operations, included in the document, *Training Specifications for the Regular Basic Course - July 1993*. This document specifies, in detail, the training, testing, and minimum hourly requirements for the Regular Basic Course. The proposed amendments add instructional goals and required topics resulting in training specifications which conform to the provisions of Penal Code Section 13519.8. Other amendments proposed to Domain #19 include language that provides for instruction on legal considerations for pursuit driving tactics and minor clarity changes.

The Commission is also proposing to adopt two new Regulations, 1081(a)(22) and (23), which specify minimum standards for instruction on the handling of high-speed vehicle pursuits for certain officers (of agencies defined above) who have completed the basic training requirement (Reg. 1005) prior to July 15, 1995*. The supplemental training is proposed as a 2-hour course for officers below middle-management rank, and as a 1-hour course of instruction for middle managers and above.

*The regulation date, July 15, 1995, is different from the date specified in P.C. 13519.8,

January 1, 1995, because the training will not be taught in the Basic Course until July 15, 1995.

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 April 4, 1995. 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

Following the close of the public comment period, the Commission may adopt the proposal substantially as set forth without further notice or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or non-substantive in nature, the full text of the resulting regulation will be made available at least 15 days before adoption to 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 of 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 by submitting a request in writing 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

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

Declaration Relating to Impact on All California Businesses Including Small Businesses: The Commission on Peace Officers Standards and Training, in the development of the proposed regulation, has assessed the potential for adverse economic impact on businesses in California and has found that the proposed amendment of Regulation 1005 and adoption of 1081(a)(22) and (23) will have no effect. This finding was based on the determination that the proposed amendments to Regulation 1005 and adoption of 1081(a)(22) and (23) in no way apply to businesses including the ability of California businesses to compete with businesses in other states.

Costs Impact on Private Persons or Entities: None

Housing Costs: None

ASSESSMENT

The adoption of the proposed amendments to this regulation will neither create nor eliminate jobs in the

state of California, nor result in the elimination of existing businesses or create or expand businesses in the state of California.

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 Anna Del Porto, Associate Governmental Program Analyst, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, or by telephone at (916) 227-4854.

Commission on Peace Officer Standards and Training

REGULATORY ACTION: AMENDMENT THE DOCUMENT *TRAINING SPECIFICATIONS FOR THE REGULAR BASIC COURSE - JULY 1993,* INCORPORATED BY REFERENCE INTO REGULATION 1005, AND ADOPTION OF REGULATIONS 1081(a)(22) AND (23) TO ESTABLISH MINIMUM STANDARDS FOR TRAINING PEACE OFFICERS IN THE HANDLING OF HIGH-SPEED VEHICLE PURSUITS

INITIAL STATEMENT OF REASONS

Penal Code Section 13519.8 (Chapter 340), enacted January 1, 1994, directs the Commission on Peace Officer Standards and Training (POST) to establish minimum standards for training peace officers in the handling of high-speed vehicle pursuits. Pursuant to the legislative mandate, POST staff and a committee of law enforcement agency representatives, basic academy instructors, and subject matter experts met to evaluate existing Basic Course specifications, specifically Domain #19 - Vehicle Operations, included in the document, *Training Specifications for the Regular Basic Course - July 1993*, incorporated by reference in Regulation 1005. The proposed amendments to Domain #19 were derived from the meeting which was conducted by using an LCD projection system. This projection system enabled participants to view, as a group, the existing language for Domain #19, enabled them to compare the existing language with the requirements for instruction described in P.C. 13519.8(a) and (b), enabled them to put recommended changes up for view by the group (through use of a computer), and participants were then able to continue amending the text until there was group approval for final text.

Although the supplementary training proposed for adoption in Regulation 1081(a)(22) and (23) was not a subject of discussion with this group, POST staff was able to use their recommendations as a basis for developing the text in Regulation 1081(a)(22). The proposed text for Regulation 1081(a)(23) and proposed minimum hours were the recommendations of POST staff subject matter experts.

JUSTIFICATIONS:

***Training Specifications for the Regular Basic Course - July 1993,* Domain #19 - Vehicle Operations**

Instructional Goals:

I. C. In order to include relevant provisions in other codes, subject matter experts, SMEs, recommend that text be broadened from "knowledge of Vehicle Code provisions" to "knowledge of "legal provisions". The amendment to change text from "an emergency vehicle" to "law enforcement vehicle" is proposed because subject matter experts believe that basic training should only cover instruction on law enforcement vehicles.

D. The amendments are proposed to more accurately describe the condition under which the student will be tested, "while responding to a simulated emergency." Deleted text is proposed to eliminate language that adds nothing to the specified goal.

E. Non-substantial punctuation change

F. Addition of this language was recommended by SMEs to satisfy the requirements of P.C. 13519.8(a) and (b).

G. Addition of this language was recommended by SMEs to satisfy the requirements of P.C. 13519.8(a) and (b).

Topics:

II. G. Added language was recommended by SMEs to more accurately describe the topics under this item. The text, "Vehicle pursuit policies" is proposed for deletion because agency policy is not appropriate instruction for the Basic Course because many students are not affiliated with an agency. Subject matter experts recommend that agency vehicle pursuit policy training is more appropriate and beneficial for supplemental training attended by agency officers.

G. 1-16 Addition of this language was recommended by SMEs to satisfy the requirements of P.C. 13519.8(a) and (b). (Does not apply to G.4.b., see reason under L.2.)

I. The amendment to change text from "an emergency vehicle" to "law enforcement vehicle" is proposed because subject matter experts believe that basic training should only cover instruction on law enforcement vehicles.

L. 1, 3, 4 Addition of this language was recommended by SMEs to satisfy the requirements of P.C. 13519.8(a) and (b).

L. 2. and G.4.b. Addition of this language was recommended by SMEs to include instruction determined by SMEs to be essential in the performance of a peace officer's duties.

Revision Dates:

The revision date on the first page of Learning Domain #19, and again under Item VII, has been changed to July 15, 1995 to reflect the implementation date of revisions. This implementation date is necessary so that academy classes starting on or after that date will follow the revised curricula and so that available on-line tests will reflect the updated curricula. A delay to a later date would create inconsistencies in student evaluation.

Proposed Revision to Regulation 1005

The incorporation by reference statement for the document *Training Specifications for the Regular Basic Course - July 1993* has been amended to reflect the date the proposed amendments will be adopted by the Secretary of State.

Adoption of Commission Regulations 1081(a)(22) and (23)

(a)(22) For clarity, language is added to indentify a course title for the training specified in this subsection of Regulation 1081.

The definition of law enforcement officers is provided in P.C. 13519.8 and is a much narrower definition than defined in PAM, therefore, for clarity this subsection adds language, "of a local police department, sheriff's department or the California Highway Patrol" that describes which peace officers are required to complete this mandated training. Although the definition in P.C. 13519.8 includes "employees" of the agencies named, "employees" are not included in this Regulation because POST does not establish training standards for civilian employees (with the exception of dispatchers). However, the law did not specify dispatchers.

The text that reads, "who are below middle-management rank" was recommended by POST

staff subject matter experts because they believe that middle managers only need an overview of the topics specified in P.C. 13519.8, which are the same topics in Regulation 1081(a)(22 A-D).

The text that reads, "as defined in Regulation 1001(p)" is added as a reference for clarity.

The text that reads, "who have completed the basic training requirement (Reg. 1005) prior to July 15, 1995" is added to comply with P.C. 13519.8(c), with the exception that the date in the proposed language differs from date in the Penal Code. The Penal Code requires the Commission to implement the course or courses on or before November 1, 1994. However, the Commission did not have the training developed and approved by that date. If the training had been approved by that date than officers who attended their basic training after January 1, 1995 would receive the high-speed vehicle pursuit training in the Regular Basic Course and it would not be necessary for these officers to complete the supplemental training described in 1081(a)(22). With the anticipation that training will be approved for the Regular Basic Course by July 15, 1995, it is necessary to state that officers who complete basic training prior to July 15,1995 must take the supplemental training. This is reasonable because officers whose basic training is completed before that date would not receive training that complies with P.C. 13519.8.

The addition of Regulation 1005 is to provide reference for clarity.

The text that adds the minimum hourly requirement of two hours was the recommendation of POST subject matter experts.

(22)
(A-D) The proposed text is added to comply with the requirements for course instruction specified in P.C. 13518.9 (a) and (b).

(23) For clarity, language is added to indentify a course title for the training specified in this subsection of Regulation 1081. The text, "For middle-management officers and above" was recommended by POST staff subject matter experts because they believe that middle managers only need an overview of the topics specified in P.C. 13519.8, which are the same topics in Regulation 1081(a)(22). The text, "of a local police department, sheriff's department, or the California Highway Patrol is added to this regulation for the same reasons as stated in the justification for (a)(22) above. The text, "who have completed the basic training requirement (Reg. 1005) prior to July 15, 1995" is added to this regulation for the same reasons as stated in the justification for (a)(22) above. The addition of Regulation 1005 is to provide reference for clarity. The text that adds the minimum hourly requirement of one hour was the recommendation of POST staff subject matter experts.

(23)(A) The publication, *California Law Enforcement Vehicle Pursuit Guidelines - 1995*, is the guidelines document specified in P.C. 13519.8. The proposed text refers to an overview of these guidelines so that middle managers and above will become familiar with these guidelines, which the Commission believes is the intent of the legislation. Since the guidelines include information on the training topics specified in Regulation 1081(a)(22) the overview of this publication will include consideration of the training topics that are specified in P.C. 13519.8 (a) and (b).

(23)(B) The text added in this section complies with the requirements for course instruction as specified in P.C. 13519.8 (a). POST staff and subject matter experts recommend that such training is appropriate only for mid-managers and above because officers at lower levels are not responsible for the assessment of law enforcment vehicle pursuit policies.

(23)(C) The text added in this section complies with the requirements for course instruction as specified in P.C. 13519.8 (a). Although it is one of the topics that would be covered in the overview specified in subsection (23) (A), it is specified here to provide more emphasis for instruction coverage.

optional
statement - POST staff subject matter experts recommend the optional method of compliance because some chief executives, especially in large agencies, may prefer that some levels of management receive the same training as supervisors. These managers are less apt to be involved in policy setting. In smaller departments the middle managers are more involved with policy. Also, those officers who are below the middle-management rank today are required to complete the training specified in subsection (A) (22). Describing subsection (A)(23) as an option makes it clear that they are not required to complete additional training if they are promoted to a middle-management position in the future.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PROPOSED REGULATION

1081. Minimum Standards for Legislatively Mandated Courses.

(a)(1) - (21) continued

(22) High-Speed Vehicle Pursuit Training I --For law enforcement officers of a local police department, sheriff's department or the California Highway Patrol who are below middle-management rank as defined in Regulation 1001(p) and who have completed the basic training requirement (Reg. 1005) prior to July 15, 1995 - 2 Hours [Penal Code Section 13519.8 (a) and (b)]

- (A) Vehicle Safety, Operation and Tactics
- (B) Agency Vehicle Pursuit Policy
- (C) Assessing Risk, Dangers and Conditions
  - (1) Public Safety
  - (2) Officer Safety
  - (3) Importance of Balancing the Known Offense and Need for Apprehension Against the Risks to Officers and the Public
- (D) Consideration of Law Enforcement Vehicle Pursuit Issues
  - (1) When to Initiate a Pursuit
  - (2) The Number of Involved Law Enforcement Units Permitted
  - (3) Responsibilities of Primary and Secondary Law Enforcement Units
  - (4) Driving Tactics
  - (5) Helicopter Assistance
  - (6) Communications
  - (7) Capture of Suspects
  - (8) Termination of a Pursuit
  - (9) Supervisory Responsibilities
  - (10) Blocking, Ramming, Boxing and Roadblock Procedures
  - (11) Speed Limits
  - (12) Interjurisdictional Considerations
  - (13) Conditions of the Vehicle, Driver, Roadway, Weather and Traffic
  - (14) Hazards to Uninvolved Bystanders or Motorists
  - (15) Reporting and Postpursuit Analysis

(23) High Speed Vehicle Pursuit Training II --For middle-management officers and above of a local police department, sheriff's department or the California Highway Patrol who have completed the basic training requirement (Reg. 1005) prior to July 15, 1995 - 1 Hour (optional*)

- (A) Overview of the publication, *California Law Enforcement Vehicle Pursuit Guidelines - 1995,* [includes consideration of training topics in Reg. 1081(a)(22)]
- (B) Need to Regularly Assess Agency Policy, Practices, Training and Legal Issues Related to Pursuit
- (C) Importance of Balancing the Known Offense and Need for Apprehension Against the Risks to Officers and the Public

*Middle-management officers and above may satisfy the P.C. 13519.8(c) requirement by completion of either the course described in sub(22) or sub(23).

Note: Authority cited: Sections 13503, 13506, 13510, ~~and~~ 13511.3~~,~~ and 13519.8, Penal Code. Reference: Sections 629.44(a) 832, 832.1, 832.2, 832.3, 832.6, 872(b), 12403, 12403.5, 13503(e), 13510, 13510.5, 13511.3, 13516, 13517, 13519, 13519.1, 13519.2, 13519.3, and 13519.8, Penal Code; Section 607f, Civil Code; and Section 40600, Vehicle Code; Section 25755, Business & Professions Code; and Section 1797.187, Health and Safety Code.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PROPOSED REGULATION

1005. Minimum Standards for Training

(a)(1) through (j)(2) continued.

Continued - All incorporation by reference statements in between (j)(2) and the following:

The document *Training Specifications For the Regular Basic Course -July 1993* adopted effective January 14, 1994, and amended July 16, 1984, December 16, 1994, * , * and * is herein incorporated by reference.

******continued.

NOTE: Authority cited: Sections 13503, 13506, ~~and~~ 13510, and 13519.8, Penal Code. Reference: Sections 832, 832.3, 832.6, 13506, 13510.5, 13511, 13513, 13514, 13516, 13517, 13519.8, 13520, and 13523, Penal Code.

*Dates to be filled in by OAL.

SPECIFICATIONS FOR LEARNING DOMAIN #19:
VEHICLE OPERATIONS

July 15, 199~~3~~5

I. INSTRUCTIONAL GOALS

The goals of instruction on **Vehicle Operations** are to provide students with:

A. an understanding of the factors that contribute to traffic collisions and the principles of defensive driving;

B. knowledge of the effect that speed has on stopping distance and turning radius;

C. knowledge of ~~the Vehicle Code~~legal provisions relating to the operation of a~~n~~ law enforcement ~~emergency~~vehicle;

D. the ability to safely operate a patrol vehicle ~~under~~while responding to a simulated emergency ~~conditions~~ (i.e., with red light and siren ~~while responding to a bona fide emergency~~); ~~and~~

E. the ability to conduct a thorough preshift vehicle inspection~~.~~;

F. a basic understanding of considerations regarding high-speed vehicle pursuits; and

G. the ability to safely and effectively operate a patrol vehicle during a simulated pursuit of a vehicle.

II. REQUIRED TOPICS

The following topics shall be covered:

A. Defensive driving

B. Factors contributing to traffic collisions

C. High-risk driving maneuvers

D. Effects of fatigue on driving ability

E. Use of seat belts

F. Vehicle dynamics (e.g., stopping distance, turning radius, weight shift, etc.)

G. ~~Vehicle pursuit policies~~ Considerations regarding high-speed vehicle pursuits (Penal Code Section 13519.8)

1. When to initiate a pursuit

2. The number of involved law enforcement units permitted

3. Responsibilities of primary and secondary units

4. Pursuit driving tactics to include:

   a. Safety considerations

   b. Legal considerations

   c. Vehicle control considerations

   d. Use of communications equipment

5. Helicopter assistance

6. Communications

7. Capture of suspects

8. Termination of a pursuit

9. Supervisory responsibilities

10. Blocking, ramming, boxing and roadblock procedures

11. Speed limits

12. Interjurisdictional considerations

13. Conditions of the vehicle, driver, roadway, weather and traffic

14. Hazards to uninvolved bystanders or motorists

15. Reporting and postpursuit analysis

16. Balancing the risk to officer/public safety against the need to apprehend

H. Use of emergency warning devices (i.e., red lights and siren)

I. Vehicle code sections pertaining to the operation of a~~n~~ ~~emergency~~law enforcement vehicle

J. Liability issues

K. Preshift vehicle inspections

L. "Code 3" driving to include:

1. safety considerations

2. legal considerations

3. vehicle control considerations

4. use of communications equipment

III. REQUIRED TESTS

The following tests shall be administered:

A. The POST-constructed knowledge test for Domain #19

B. An exercise test that requires the student to regain control of a patrol vehicle experiencing a front-wheel skid and a rear-wheel skid

C. An exercise test that requires the student to regain control of a patrol vehicle experiencing an all-wheel, locked-brake skid

D. An exercise test that requires the student to demonstrate positioning, weight transfer, throttle control, braking, and steering while putting a patrol vehicle through a series of maneuvers at the direction of an instructor

E. An exercise test that requires the student to rapidly displace a patrol vehicle to the right, left, and stop

F. An exercise test that requires the student to demonstrate threshold braking while entering a turn and while bringing a patrol vehicle to a complete stop

G. An exercise test that requires the student to operate a patrol vehicle under simulated emergency conditions

H. An exercise test that requires the student to operate a patrol vehicle in the simulated pursuit of another vehicle

IV. REQUIRED LEARNING ACTIVITIES

~~None~~

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of 24 hours of instruction on vehicle operations.

VI. ORIGINATION DATE

July 1, 1993

VII. REVISION DATES

~~None~~
July 15, 1995

POST BASIC COURSE CURRICULA FOR LAW ENFORCEMENT VEHICLE PURSUITS

CONTENTS

I. Introduction to Law Enforcement Vehicle Pursuits

II. Legal Aspects of Law Enforcement Vehicle Pursuits and the Operation of Emergency Vehicles

III. Pursuit Policy Development and Training Standards

IV. General Considerations Regarding Law Enforcement Vehicle Pursuits

V. Pursuit Driving Tactics

VI. Management of Law Enforcement Vehicle Pursuits

Presentation of this curricula satisfies the training requirements mandated by Penal Code Section 13519.8

I. INTRODUCTION TO LAW ENFORCEMENT VEHICLE PURSUITS

A. Primary considerations

1. The immediate apprehension of the offender is never more important than the safety of the public or the officer.

2. When it becomes apparent that the immediacy of apprehension is outweighed by clear and unreasonable danger to the officer or others, the pursuit must be abandoned.

2. The operation of a law enforcement vehicle in a pursuit situation is a highly stressful and demanding experience. Any pursuit will tax:

   a. Judgement and decisionmaking ability

   b. Knowledge of law and policy, and

   c. Driving ability

B. Objectives, intent and goal

1. The **objective** of a vehicle pursuit is to apprehend a offender who, though fully aware of an order to stop, refuses to voluntarily comply with the law requiring a stop and resists apprehension by maintaining or increasing speed or by ignoring warnings to stop.

2. The **intent** of a pursuit is to apprehend and bring the offender to trial for the offense(s) committed.

3. The **goal** of a pursuit is to protect life and property.

C. General factors which impact the management of a pursuit are:

1. The safety of the public

2. The seriousness of the law enforcement incident and subsequent need to apprehend the offender

3. The fact that the peace officer often does not know why the offender is fleeing

4. The fact that the offender determines the route with no regard to safety

5. The fact that the offender may be irrational and out of control, motivated entirely by a desire to escape apprehension

6. The fact that the offender may deliberately lead the officer into a dangerous situation hoping to escape or cause injury to the pursuing officer(s)

7. The fact that the offender will enter intersections at unsafe speeds with no warning devices, creating a dangerous environment for the pursuing officer and the public

D. Physiological and psychological aspects of pursuits

1. The nature of a pursuit inherently increases physiological and psychological tension and adrenalin flow. This, in turn, may lead to:

   a. Overconfidence and impatience

   b. Preoccupation

   c. Changes to senses, including vision, hearing, and touch

2. During a pursuit, a peace officer must suppress the natural tendency to feel personally challenged by the offender's failure to yield.

3. In a pursuit, the offender is deliberately and overtly defying the authority of the peace officer.

4. Stress endured during a pursuit may affect an officer's judgement.

5. The officer must suppress the emotional desire to "catch at all costs."

6. The officer's ability to control emotions is crucial to the effective management of a pursuit.

II. LEGAL ASPECTS OF LAW ENFORCEMENT VEHICLE PURSUITS AND THE OPERATION OF EMERGENCY VEHICLES

A. Designation of emergency vehicles

1. All motor vehicles provided for city and county law enforcement are "authorized emergency vehicles" within the meaning of this term as used in Vehicle Code Section 165.

2. This fact alone does not relieve the driver of the duty of complying with all the "rules of the road" (Vehicle Code Section 21052).

NOTE: Not all "authorized emergency vehicles" are equipped with a red light and siren (e.g., a rented undercover vehicle, a vehicle obtained as an asset seizure, etc.). Instructors may wish to emphasize that these vehicles should not be utilized in a pursuit situation as there is no liability or "rules of the road" exemption.

B. Exemption of authorized emergency vehicles

1. Vehicle Code Section 21055(a)(b) states that the driver of an authorized emergency vehicle is exempt from various sections of the California Vehicle Code (i.e., Rules of the Road) under the following conditions:

   a. If the vehicle is being driven in response to an emergency call, or

   b. while engaged in rescue operations, or

   c. **is being used in the immediate pursuit of an actual or suspected violator of the law**, or

   d. is responding to, but not returning from, a fire alarm.

2. The driver of the vehicle must sound a siren as may be reasonably necessary and the vehicle must display a lighted red lamp visible from the front as a warning to other drivers and pedestrians.

C. Related statues

1. California Vehicle Code Section 21055 - Code 3 authorization

2. California Vehicle Code Section 21056 - Due regard for safety

3. California Vehicle Code Section 21806 - Mandated use of emergency equipment

D. Liability exemptions

1. Peace Officer Immunity (Vehicle Code Section 17004)

a. Vehicle Code Section 17004 relieves an officer from civil liability for personal injury to or death of any person, or damage to property resulting from the operation, in the line of duty, of an authorized emergency vehicle:

(1) While responding to an emergency call.

(2) **When in the immediate pursuit of an actual or suspected law violator.**

(3) When responding to, but not returning from, a fire alarm.

NOTE: The employee will be protected when the red light is displayed and the siren is sounded as reasonably necessary and the vehicle is operated under conditions and in the manner prescribed by Section 21055 of the Vehicle Code.

This section does NOT, however, relieve an officer from possible criminal liability, such as manslaughter.

This section also does not relieve the public entity from civil liability.

2. Public Agency Immunity (Vehicle Code Section 17004.7)

a. A public agency employing peace officers which adopts a written policy on vehicular pursuits complying with subdivision (c) of Vehicle Code Section 17004.7 is:

(1) immune from liability from such damages for personal injury to or death of any person,

(2) or damage to property,

(3) resulting from the collision of a vehicle,

(4) being operated by an actual or suspected violator of the law,

(5) who is being, has been or believes he or she is being or has been,

(6) pursued by a peace officer employed by a public entity in a motor vehicle.

b. If the public entity has adopted a policy for the safe conduct of vehicular pursuits by peace officers, it shall meet all of the following minimum standards:

(1) It provides that, if available, there be supervisory control of a pursuit.

(2) It provides procedures for designating the primary pursuit vehicle and for determining the total number of vehicles to be permitted to participate at one time in the pursuit.

(3) It provides procedures for coordinating operations with other jurisdictions.

(4) It provides guidelines for determining when the interest of public safety and effective law enforcement justify a vehicular pursuit and when a vehicular pursuit should not be initiated or should be terminated.

(5) A determination of whether a policy adopted pursuant to subdivision (c) complies with that subdivision is a question of law for the court.

III. PURSUIT POLICY DEVELOPMENT AND TRAINING STANDARDS

A. Penal Code Section 13519.8 directed the California Commission on Peace Officer Standards and Training to:

1. Identify minimum guidelines for the development of agency policies related to vehicle pursuits.

2. Develop courses of instruction for peace officers regarding the conduct and management of law enforcement vehicle pursuits.

B. The spirit of this legal requirement is to:

1. Stress the importance of public safety with regard to law enforcement pursuits.

2. Emphasize the obligation of law enforcement to **balance the known offense and the need for immediate capture against the risks to officers and the public which is created by the pursuit.**

C. The legislative intent contained in Penal Code Section 13519.8 is:

1. For all local law enforcement agencies within the state to adopt the minimum guidelines developed by the Commission on POST related to high-speed law enforcement vehicle pursuits.

2. If necessary, for existing policies to be revised or updated if they do not sufficiently address each of the pertinent elements contained in the law.

D. According to Penal Code Section 13519.8, policy guidelines and training courses must adequately address each of the following issues:

1. When to initiate a pursuit

2. The number of involved law enforcement units permitted

3. Responsibilities of primary and secondary units

4. Driving tactics

5. Helicopter assistance

6. Communications

7. Capture of suspects

8. Termination of a pursuit

9. Supervisory responsibilities

10. Blocking, ramming, boxing, and roadblock procedures

11. Speed limits

12. Interjurisdictional considerations

13. Conditions of the vehicle, driver, roadway, weather, and traffic

14. Hazards to uninvolved bystanders or motorists

15. Reporting and postpursuit analysis

NOTE: A summary of the minimum guidelines for the development of law enforcement agency pursuit policies is contained in the supporting materials section of this Instructor Unit Guide. A definition of terms is also included.

E. Policy differences among agencies

1. Although there are likely to be many similarities among agency pursuit policies, there may also be substantive differences.

2. Agencies without access to air support, for example, would not reference specific procedures for the coordination of air and ground units during a pursuit.

3. There may also be substantive differences among agencies regarding the application pursuit termination tactics (e.g., blocking, ramming, boxing or other specific operational tactics intended to disable or otherwise prevent further flight or escape).

4. It is essential that officers become thoroughly familiar with the pursuit policy of their respective agencies.

IV. GENERAL CONSIDERATIONS REGARDING LAW ENFORCEMENT VEHICLE PURSUITS

A. Public safety considerations

1. Although peace officers and their agencies want to see law violators captured, immediate apprehension is never more important than the safety of the public or the officer.

2. When it becomes apparent that the immediacy of apprehension is outweighed **by clear and unreasonable danger to the officer and others**, the pursuit must be abandoned.

3. A pursuit will tax an officer's individual skill, decisionmaking ability and knowledge of law, policy and technique.

B. Tactical judgement and risk assessment

1. The most important single factor in a pursuit is the officer's application of common sense and good judgement. Common sense, however, must be augmented by the officer's knowledge of:

   a. Legal and agency policy provisions

   b. The nature of the event necessitating the pursuit

   c. Traffic, environmental, and public safety concerns

2. Officers should also consider factors related to the condition of the patrol vehicle, driver, roadway, weather and traffic.

   a. Environmental factors which should be considered include, but are not necessarily limited to:

      (1) Weather conditions

      (2) Time of day and day of week

      (3) Road design and surface conditions

      (4) Visibility

   b. Vehicular factors which should be considered include, but are not necessarily limited to:

(1) Emergency warning devices

(2) Markings of vehicles

(3) Mechanical integrity (brakes, tires, suspension, windows, radio, etc.)

c. Public safety factors which should be considered include, but are not necessarily limited to risks associated with:

(1) The presence of uninvolved bystanders and pedestrians

(2) The presence of uninvolved motorists

(3) Prevailing traffic conditions

C. When to initiate a pursuit

1. The guidelines recommend that individual agency pursuit policies:

a. define a "pursuit,"

b. articulate the reasons for which a pursuit is authorized, and

c. identify the issues that must be considered in reaching the decision to pursue.

2. The purpose of this guideline is to encourage individual agencies to identify when an officer is legally and procedurally authorized to become involved in a vehicle pursuit.

3. It is essential that officers become absolutely conversant with their agency's pursuit policy.

4. Individual agency policies should define when following a vehicle changes from a "failure to yield" into a "pursuit".

NOTE: The terms applied to the guidelines are included in supporting materials section of this Instructor Unit Guide. These terms are only suggestions, however, and may not agree with the specific language incorporated into individual agency pursuit policies.

5. The officer must be able to articulate a lawful reason for attempting to initiate a vehicle pullover (e.g., the officer observed a crime

committed, the vehicle was reported stolen, etc.).

NOTE: Some agency policies may specifically prohibit the officer from initiating a pursuit under certain circumstances (e.g., a prohibition against pursuing for an infraction, etc.)

6. Initiating a pursuit in a vehicle that is not properly equipped (e.g, a rental car or undercover car which does not have a red light and siren) is inadvisable.

7. Other considerations which may impact whether or not to initiate a pursuit include, are not necessarily limited to:

   a. Whether supervisory approval is required by the prevailing agency policy

   b. The presence of non-peace officers in the patrol vehicle (e.g., a civilian ride-along)

   c. Quality of radio communications (e.g., range, "blind" areas, etc.)

D. Communications during a pursuit

1. To the extent possible, the radio should be used to its fullest to inform communications personnel and other units of the details of the pursuit.

NOTE: Instructors should emphasize that safe driving comes first and radio contact is secondary. Tactically, emphasis should placed on utilization of the radio on straightaways, if possible.

   a. Initial Broadcast Information

      (1) Unit identification

      (2) The fact that the officer is engaged in a pursuit and the reason for pursuit

      (3) Location, direction of travel and speed

NOTE: In most instances, this is the minimum essential information that a supervisor will need to know in order to make a discretionary decision as to whether or not to permit the pursuit to continue.

b. Supplemental Broadcast Information

(1) Description of vehicle being pursued

(2) License number of vehicle, if known

(3) Number of occupants

(4) Update location, direction of travel and speed

(5) Pursuit conditions (traffic and weather conditions)

(6) Other pertinent information

NOTE: This information should be broadcast as soon as practical. These items are not, however, listed in any order of importance. Emphasis should be placed on broadcasting location and direction of travel of the suspect's vehicle, not the law enforcement unit.

2. Transfer of broadcast responsibility

a. Once a secondary unit has joined the pursuit, it may be desirable to transfer broadcast responsibility to that unit.

b. If air support is available, it generally provides a ideal platform to observe the pursuit and to relay direction of travel and other details to communications personnel.

3. Requesting assistance and pre-incident planning

a. Officers should consider requesting additional assistance/back-up anytime there is a perceived risk associated with a vehicle pullover.

b. Certain types of events (e.g., following a suspected armed felon, following a reported stolen vehicle, etc.) increase the likelihood that the offender will fail to yield and attempt to evade arrest.

4. Communications personnel should be updated periodically as the pursuit continues. Pertinent information would include, but are not limited to:

a. Changes in direction of travel

b. Hazards encountered (e.g., relevant road/traffic conditions, traffic collisions, shots fired, etc.)

c. Objects thrown from the offender's vehicle or persons leaving the offender's vehicle

d. Relinquishing the pursuit to another unit or agency

e. Reporting the pursued vehicle lost or reporting the discontinuance of the pursuit

E. Number of units engaged in a pursuit

1. The purpose of this guideline is for individual agency policies to address the "authorized number" of law enforcement units and supervisors who may be involved in a pursuit and to describe their specific responsibilities.

2. The spirit of the guideline is to encourage agencies to **limit the number of units involved in a pursuit to the minimum number necessary to apprehend the suspect while providing for the safety of involved persons and the public.**

3. Factors which can impact the number of units in a pursuit include, but are not necessarily limited to:

a. Nature of the crime

b. Number of suspects involved

c. Whether participating units are one-person or two-person cars

d. Other clear and articulated facts that would warrant additional units

4. Responsibilities of supporting (secondary) law enforcement units in a pursuit

a. Individual agency policies should address the specific responsibilities of supporting (secondary) units involved in a pursuit.

b. The responsibilities of supporting (secondary) units may include, but are not necessarily limited to:

(1) Assumption of communications responsibilities

(2) Assumption of command and control responsibilities at the conclusion of the pursuit

(3) Reporting conclusion of the pursuit and the apprehension of the offender(s)

F. Supervisory responsibilities

1. The guidelines encourage agencies to address the specific roles and responsibilities of a supervisor in managing and controlling a vehicle pursuit.

2. Supervisory responsibilities may include, but are not limited to:

a. Assumption of management/control of the pursuit

b. Deciding whether or not the pursuit should continue based upon the available facts

c. Authorizing specific operational tactics to disable a fleeing vehicle or otherwise prevent further flight or escape (e.g., boxing, ramming, spike strips, etc.)

V. PURSUIT DRIVING TACTICS

A. Number of law enforcement units in a pursuit

1. The greater the number of units engaged in a pursuit, the greater the potential risk of a collision or other incident.

   a. Motorists may become confused by multiple law enforcement vehicles operating under "Code 3" (red lights and siren) conditions.

   b. A driver who yielded to one emergency vehicle in a pursuit may pull into the path of another, erroneously assuming that the emergency vehicle has passed.

2. The number of units engaged in the pursuit should be the minimum number necessary to apprehend the suspect(s) and provide for the safety of involved officers and the public. A variety of factors (e.g., the nature of the crime) will impact the number of units which should be involved in the pursuit.

3. Individual agency policies should establish a specific number of units to be involved in a pursuit.

B. Exercise of due caution

1. When engaged in a pursuit, officers must exercise due caution with regard to the safety of all persons using the highway.

2. Officers are not relieved or protected from the consequences of an arbitrary exercise of the privileges granted and duties required under Vehicle Code Sections 21055 and 21056.

3. As vehicle speed increases, the time for decision making decreases and the risk of a collision can increase.

C. Driving practices

1. A critical factor in a pursuit situation is the individual driver's application of common sense and good judgement to their driving practices.

   a. Tension resulting from the pursuit will increase adrenalin flow.

b. A driver officer must be aware of the increased adrenalin flow and attempt to remain calm and controlled despite the circumstances.

c. Thought processes can be affected as respiration, heart rate and adrenalin flow increases.

2. Considerations for driving tactics

a. Enter intersections at a safe speed

b. Look in all directions prior to entering an intersection, clearing intersections lane by lane, while prepared to stop, if necessary.

(1) Other motorists approaching intersections will not always see or hear the emergency vehicle.

(2) Effective control of the vehicle permits the officer to react appropriately to uninvolved motorists or pedestrians who fail to yield to the emergency vehicle.

c. Begin observation of cross streets before entering intersections.

d. Maintain an adequate space cushion around the patrol vehicle.

e. Attempt to anticipate the unpredictable actions/reactions of other drivers such as:

(1) Making a panic stop in a lane of traffic

(2) Suddenly pulling to the left or right

(3) Pulling directly into the path of the patrol vehicle

f. Passing traffic

(1) Pass on the left, not on the right.

(2) Other vehicles in the area are required to pull over to the right when they can hear or see emergency vehicles.

(3) No unit involved in a pursuit should attempt to pass any other involved unit

unless circumstances dictate such action and it is permissible under the provisions of the prevailing local policy.

g. Officers should not drive beyond the capabilities of their vehicle or their driving skills.

h. Awareness of the patrol vehicle's condition is essential during a pursuit.

(1) Brakes often overheat and become less effective (e.g., brake fade).

(2) Vehicle overheating may occur. Turn air conditioning off.

3. Use of assisting units

a. Assisting units can take positions at strategic points along the pursuit path.

b. This may assist in stopping the offender's vehicle or it may place the assisting unit in the position of taking over the pursuit in the event the original unit loses sight of the offender or is otherwise forced to discontinue (e.g., due to mechanical problems).

VI. MANAGEMENT OF LAW ENFORCEMENT VEHICLE PURSUITS

NOTE: This section references a variety of issues which should be addressed by individual agency pursuit policies. Because individual policies may vary, the curricula is deliberately general.

A. Discontinuing or terminating a vehicle pursuit

1. As used in the pursuit policy guidelines "discontinuing" a pursuit refers to the decision and action of the pursuing law enforcement driver to stop chasing the fleeing vehicle.

2. The pursuit policy guidelines describe "terminating" a pursuit as the application of specific operational tactics (e.g., blocking, ramming, etc.) to disable a fleeing vehicle or otherwise prevent flight or escape of the offender(s).

3. The decision to discontinue or terminate a pursuit should be based upon the need to balance the known offense and the need for immediate capture against the risks to officers and the public created by the pursuit.

4. General considerations for discontinuing a pursuit

   a. Once the vehicle and offender(s) are identified, and they are no longer considered an immediate risk to the public, it may be possible to discontinue the pursuit.

   b. This may be an option where apprehension and prosecution is possible by follow-up investigation and the subsequent acquisition of an arrest warrant.

   c. Individual agency policies may identify specific circumstances when an officer is obligated to discontinue a pursuit.

2. Roadblocks, barricades or other pursuit termination tactics

   a. Deliberately barricading a roadway to stop a pursuit may be viewed as the use of deadly force if an offender (or other person) is injured or killed as a result.

b. Use of roadblocks, barricades or other pursuit termination techniques should be employed only if permitted by the prevailing agency policy, in conformance with the provisions of law.

NOTE: Instructors may wish to cover Brower vs. County of Inyo (1989), a pursuit case which discusses a barricaded roadway as a seizure issue.

B. Air Support

1. If an agency has access to air support, their pursuit policies should address procedures and considerations for the coordination of air and ground units during a pursuit.

2. Uses of aircraft include, but are not necessarily limited to:

   a. Maintaining visual contact with the pursued vehicle

   b. Providing information to help officers and supervisors in evaluating whether to continue or terminate the pursuit

   c. Reporting actions of the offenders or other persons in the pursued vehicle

   d. Illuminating the offender's vehicle during hours of darkness

   e. Assuming broadcast responsibilities

   f. Identifying and recording all law enforcement vehicles involved in the pursuit

   g. Coordinating ground units to apprehend the offender(s) at the conclusion of the pursuit

   h. Maintaining air surveillance of the offender's vehicle after the pursuit is concluded and directing ground units to the offender's ultimate location

   i. Directing non-law enforcement aircraft away from the emergency operation scene

3. Aircraft can also provide direct assistance to ground units by

a. Further identifying the pursued vehicle and occupants

b. Reporting changes to the offender vehicle's direction of travel

c. Reporting pedestrian and vehicular traffic patterns ahead of the pursuit

d. Reporting any potential hazards in the pursuit path

e. Reporting dangerous or erratic driving by the offender

f. Reporting any traffic collisions which occur during the pursuit

g. Following the offender if ground units elect to discontinue the pursuit

h. Assisting in post-pursuit direction and control

C. Capture of offender(s)

1. Individual agency pursuit policies should also address specific tactics/considerations for taking persons into custody following a pursuit.

2. Specific issues can include, but are not necessarily limited to:

a. Management and control of post-pursuit activity

b. Responsibility for scene command

c. Authorized tactics

d. Required communications

e. Resource needs

f. Public, officer and offender safety

g. Procedures for obtaining medical treatment

h. Interjurisdictional considerations

NOTE: Individual agency policies may simply reference other pertinent pre-exiting policies (e.g., use of force, arrest and control tactics, use of special equipment, etc.), rather than including redundant detail within their vehicular pursuit policy.

D. Use of deadly force/firearms

1. It is recommended that individual agency policies address the use of deadly force/firearms in relation to a vehicular pursuit.

2. Specific issues can include, but are not necessarily limited to:

   a. Factors associated with discharging a firearm at or from a moving vehicle

   b. Circumstances under which deadly force may be used during a pursuit

   c. Informing others involved in the pursuit of the decision to use deadly force/firearms

NOTE: Individual agencies may elect to simply reference their shooting policy within their pursuit policy. The spirit of the recommendation, however, is to ensure that agency policies provide peace officers with guidance concerning the use of deadly force/ firearms within the specific context of a vehicular pursuit.

E. Interjurisdictional considerations

1. Law enforcement vehicle pursuits frequently result in:

   a. Peace officers from a variety of agencies becoming involved in the pursuit

   b. The pursuit leaving one geographical jurisdiction and entering one or more others

2. Throughout the state, many agencies have identified difficulties related to interjurisdictional pursuits and the attendant problems of effective management and control.

   a. As a result, the pursuit guidelines suggest that individual agency policies identify protocols for interjurisdictional pursuits.

b. The spirit of this guideline is to promote the development of local, countywide or regional agreements.

3. Specific factors addressed by these agreements may include, but are not necessarily limited to:

a. Supervisory control

b. Communications and notifications

c. When an officer may assist an outside agency

d. Limits an agency may establish to not become involved in the pursuit

e. Relinquishing a pursuit to another jurisdiction

f. Coordination and control at the conclusion of the pursuit

g. Responsibility for arrestees

h. Post-pursuit administrative activities

i. Addressing conflict among agency policies and interjurisdictional agreements

F. Reporting and post-incident evaluation

1. It is recommended that individual agency policies address pursuit reporting and post-pursuit analysis.

2. Specific issues can include, but are not necessarily limited to:

a. Recording minimum information related to every pursuit

b. Completion of the California Highway Patrol Form 187 (as required by Vehicle Code Section 14602.1)

c. Analyzing pursuit data for any trend information

d. Providing feedback to managers, supervisors and officers

e. Using data to:

(1) Assess training needs

(2) Establish employee accountability

(3) Identify the need for policy revision

f. Establishing a formal review process for all vehicle pursuits.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Changes to the Regular Basic Course Performance Objectives		Meeting Date November 7, 1996
Bureau Standards and Evaluation	Reviewed By John Berner	Researched By Jim Norborg
Executive Director Approval Norman C. Boehm	Date of Approval 10 - 21 - 96	Date of Report September 30, 1996
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 changes to the Regular Basic Course performance objectives as described in this report?

BACKGROUND

Performance objectives serve as blueprints for constructing the tests administered to Regular Basic Course students. Commission Policy C13 requires that major changes to the objectives (i.e., additions or deletions) be approved by the Commission in advance of their adoption. As a matter of practice, virtually all changes are reported to the Commission before adoption.

The proposed changes to the performance objectives are the result of ongoing review of the Regular Basic Course curriculum. The intent is to keep the Regular Basic Course curriculum and the corresponding tests up to date and technically sound. The proposed changes have been approved by the consortium of basic academy directors and are consistent with the *Training Specifications for the Regular Basic Course - 1995*.

ANALYSIS

This report describes proposed changes to the performance objectives in four learning domains: Domain 19, Vehicle Operations; Domain 34, First Aid; Domain 36, Information Systems; and Domain 38, Gang Awareness.

Domain 19

The proposed change to Domain 19, Vehicle Operations, would delete exercise objective 6.5.2. This objective requires students to perform a pre-shift vehicle inspection. The procedure for conducting a pre-shift vehicle inspection varies from agency to agency, and the knowledge required to perform a pre-shift vehicle inspection can best be acquired during a brief on-the-job orientation. Although this objective has existed since 1993, there has never been a corresponding exercise test requirement in the *Training Specifications for the Regular Basic Course - 1995*. The proposed change would align the performance objective document with the training specifications. It is shown in underline-strikeout format in Attachment 1.

Domain 34

The proposed change to Domain 34, First Aid, would delete objective 8.45.27, which calls for the student to define the emergency medical services (EMS) system as "the system of resources that guide a person from the onset of illness or injury through care in a medical facility". At the November 1995 Commission meeting, the Basic Training Bureau submitted an agenda item recommending the deletion of the exercise test corresponding to this objective. The recommendation was approved by the Commission and the exercise test was deleted from the *Training Specifications for the Regular Basic Course - 1995*. However, due to an oversight, performance objective 8.45.27 was not deleted from *Performance Objectives for the Regular Basic Course*. The proposed change would align the performance objective document with the training specifications. It is shown in underline-strikeout format in Attachment 2.

Domain 36

The proposed changes to Domain 36, Information Systems, would add two objectives, delete one objective and incorporate its requirements into another existing objective, and modify one learning activity.

New objectives 8.13.8 and 8.13.9 would require students to identify which law enforcement information systems contain particular kinds of information (Objective 8.13.8), and under what circumstances an officer is authorized to use Department of Justice and Department of Motor Vehicles information systems (Objective 8.13.9).

Objective 8.13.5 would be deleted and incorporated into modified objective 8.13.6. As modified, objective 8.13.6 would require students to identify unlawful uses of two kinds of criminal offender information: Criminal offender information compiled and maintained by local criminal justice agencies and summary criminal history information compiled and maintained by the state's attorney general.

Learning Activity 13.36.1 would be modified to mirror a revision to the *Training Specifications for the Regular Basic Course - 1995* that is explained in another agenda item.

The proposed changes would also modify objectives 8.13.4 and 8.13.7 to increase clarity. All proposed changes are shown in underline-strike format in Attachment 3.

Domain 38

The proposed changes to Domain 38, Gang Awareness, would delete objective 8.50.10, delete learning activity 13.38.2, and modify learning activity 13.38.1. These changes also mirror revisions to the *Training Specifications for the Regular Basic Course - 1995* that are explained in another agenda item.

RECOMMENDATION

Approve the proposed changes to the regular basic course performance objectives effective for all academy classes that start on or after January 1, 1997.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Public Hearing - Level I Reserve Officer Training Standards		April 20, 1995
Bureau Executive Office	**Reviewed By** Glen Fine	**Researched By** Hal Snow
Executive Director Approval Norman C. Boehm	**Date of Approval** 4-5-95	**Date of Report** April 4, 1995

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 adopt regulations to implement Senate Bill 1874 that would:

1. Set the regular Basic Course as the training requirement for non-designated Level I reserves appointed after January 1, 1997;

2. Adopt requirements for POST exempting non-designated Level I reserves from the Basic Course;

3. Set Reserve Training Modules A, B, & C as the training required for exempted Level I's;

4. Establish the Continuing Professional Training (CPT) requirement for all Level I's; and

5. Require recognition of service as Level I reserve as peace officer service for purposes of the three-year break in service requirement.

BACKGROUND

Senate Bill 1874, effective January 1, 1995, requires: (1) Level I reserve officers appointed after 1-1-97 to complete the Basic Course; and (2) all Level I reserves to satisfy the continuing professional training requirement prescribed by POST. This legislation, Attachment A, further provides for Level I's to be exempted from the Basic Course requirement if the employing law enforcement agency has policies approved by POST that limit their duties and they satisfy other training requirements prescribed by the Commission. The criteria for approving exemptions are entirely within the discretion of the Commission.

SB 1874 also requires POST to develop an optional bridging or supplemental course for existing Level I's who have completed Reserve Training Modules A, B, & C and who wish to satisfy the Basic Course training requirement. POST is also required to ensure there is no unnecessary redundancy of training between required reserve courses and the Basic Course.

In implementing SB 1874, this report concerns policy issues for which input has been received from a broad based group representative of law enforcement and trainers. Other aspects of implementing SB 1874 will be presented to the Commission at this meeting under a Tab J and at future Commission meetings.

ANALYSIS

Establishing the Regular Basic Course as Required Training for Non-Designated Level I Reserves

Senate Bill 1874 amends Penal Code Section 832.6 to require the regular Basic Course for non-designated Level I reserve officers appointed after 1-1-97. Prior to this amendment, this training requirement was determined by the Commission and was established as completion of the Reserve Training Modules A,B & C (totaling 222 hours) plus 200 hours of structured field training approved by POST. It is recommended that regulation 1007(b) be amended to substitute the regular Basic Course for this required training for non-designated Level I reserves appointed after 1-1-97 in order to bring POST's requirements into conformity with statutory law.

The purpose for this increase in training requirements for non-designated Level I's is best explained by the legislative intent language of Senate Bill 1874 - "To recognize that all Level I reserve officers and regular officers or deputy sheriffs have identical authority and responsibilities while on duty, and that it is necessary that these officers have the same minimum training requirements....".

Attachment B specifies the proposed regulatory language to implement this report's proposed changes for implementation of SB 1874.

Exempting Level I's From the Basic Course

SB 1874 allows Level I's to be exempted from the Basic Course requirement if the employing law enforcement agency has policies approved by POST that limit their duties and they satisfy other training requirements prescribed by POST. To approve or disapprove such requests, POST must have some objective basis that meets legislative intent. The Legislature has specified its intent in this regard by indicating that it expects reserve

officers who perform general enforcement duties should satisfy the same training requirements as required for regular officers.

Accordingly, the following criteria is recommended for approval of such exemption requests:

> *Agency policy or other documentation exists that specifies its Level I's are deployed to assignment/duties that do not include the "prevention and detection of crime and the general enforcement of laws" as defined by POST or are under the continuous and immediate supervision of a POST certificated regular officer while performing general law enforcement duties. Examples of lesser or limited duties include prisoner transportation, report taking, crowd control, vacation home checks, etc. The policy or other documentation must specify what assignments or duties are performed, rather than what they cannot perform.*

Training Requirement for Exempted Level I's

Consistent with the existing training requirement for non-designated Level I reserve officers, it is recommended that exempted Level I's be required to complete Reserve Training Modules A, B, & C (totaling 222 hours) as well as a 200 hour field training program approved by POST. This level of training appears to be consistent with the limited nature of duties and assignments performed by exempted Level I's and is the current training requirement for non-designated Level I reserve officers.

Continuing Professional Training (CPT) Requirement for Level I's

It is recommended all Level I reserves, regardless of rank or assignment, satisfy the same CPT requirement that exists for regular officers (24 hours every two years). This not only reflects legislative intent, it also generally reflects the ongoing training currently being provided to these reserves. The reason the requirement is recommended for Level I's without regard to rank or assignment is that reserve rank generally refers to a status within the reserves and not to some supervisory or management status while working as a reserve.

Three Year Rule and Level I Reserve Service

POST's current requirements for the three-year break in service rule, regulation 1008, specifies that any peace officer who has a three year or longer break in service must requalify by one of three alternatives. Also, those who have completed the Basic Course have three years in which to become appointed to a peace officer position before he or she must requalify. Service as a reserve does not currently qualify as service as a peace officer.

Although not required by SB 1874, it is recommended that regulation 1008 be modified to allow service as a Level I to be considered peace officer service for purposes of the three-year break in service rule. However, it is recommended that only Level I's whose agency requires monthly service of 16 hours or more qualify as peace officer service. Most law enforcement agencies have this or higher service requirement. In addition, agencies generally require periodic requalification in firearms, first aid, CPR, and others. The required CPT training, combined with these service and requalifications, serve to help assure Level I reserves maintain Basic Course proficiency, which is the purpose of the three year rule.

Other substantive but related changes are proposed regulation changes including:

1. Regulation 1006 concerning Extension of Time Limit for Course Completion is proposed to be amended to allow the Commission authority to grant time extensions for required reserve training similar to that for regular officers.

2. Proposed amendments to Procedure H-1, add language defining a "limited, non-designated Level I reserve," and amends the definitions for "Field training program approved by POST," and "Immediate Supervision."

SUMMARY

These recommendations represent the collective thought of law enforcement representatives who have provided input. Attachment C is Bulletin 95-3 and Notice of Public Hearing, which announces this public hearing.

RECOMMENDATION

Subject to the results of the public hearing, it is recommended that the Commission amend Regulations 1005(d),1007 (b), 1008, and Commission Procedures H-1 and H-3 concerning implementation of Senate Bill 1874 and Level I reserve training requirements, as proposed, to be effective July 1, 1995, and upon approval by the Office of Administrative Law as to conformance with California rulemaking law.

Senate Bill No. 1874

CHAPTER 676

An act to amend Section 832.6 of the Penal Code, relating to peace officers.

[Approved by Governor September 19, 1994. Filed with Secretary of State September 20, 1994.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1874, Ayala. Peace officers: reserve officers: training.

Existing law provides that every person deputized or appointed as a reserve peace officer shall have the powers of a peace officer only when the person has completed specified training and is (1) deputized or appointed and assigned to the prevention and detection of crime and the general enforcement of the laws of this state, whether or not working alone, (2) assigned to the prevention and detection of crime and the general enforcement of the laws of the state while under the immediate supervision of a specified peace officer, and engaged in a certain field training program, or (3) deployed and authorized only to carry out limited duties not requiring general law enforcement powers in their routine performance under the direct supervision of a specified peace officer.

This bill would provide that the basic training of a level I reserve officer appointed pursuant to (1) above after January 1, 1997, shall meet the minimum requirements established by the commission for deputy sheriffs and police officers. The bill would provide a specified exemption from this training requirement for certain level I reserve officers who have limited duties. The bill would provide that all level I reserve officers appointed pursuant to (1) above shall be required to satisfy the continuing professional training requirement prescribed by the commission.

This bill also would require the commission in carrying out these provisions to facilitate the voluntary transition of reserve officers to regular officers with no unnecessary redundancy between the training required for level I and level II reserve officers and to develop a supplemental course for existing level I reserve officers desiring to satisfy the basic training course for deputy sheriffs and police officers. The bill also would express the intent of the Legislature with regard to the changes made by this bill.

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

SECTION 1. Section 832.6 of the Penal Code is amended to read:

832.6. (a) Every person deputized or appointed, as described in subdivision (a) of Section 830.6, shall have the powers of a peace

officer only when the person is any of the following:

(1) (A) Deputized or appointed pursuant to paragraph (1) of subdivision (a) of Section 830.6 and is assigned to the prevention and detection of crime and the general enforcement of the laws of this state, whether or not working alone, and the person has completed the basic training prescribed by the Commission on Peace Officer Standards and Training. For the level I reserve officers appointed pursuant to this subparagraph after January 1, 1997, the basic training shall meet the minimum requirements established by the commission for deputy sheriffs and police officers. A law enforcement agency may request an exemption from this training requirement if the agency has policies approved by the commission limiting duties of level I reserve officers and these level I reserve officers satisfy other training requirements established by the commission. All level I reserve officers appointed pursuant to this subparagraph shall satisfy the continuing professional training requirement prescribed by the commission.

(B) A person deputized or appointed pursuant to paragraph (2) of subdivision (a) of Section 830.6 shall have the powers of a peace officer when assigned to the prevention and detection of crime and the general enforcement of the laws of this state, whether or not working alone, and the person has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training. Level I reserve officers appointed pursuant to this subparagraph shall satisfy the continuing professional training requirement prescribed by the commission.

(2) Assigned to the prevention and detection of crime and the general enforcement of the laws of this state while under the immediate supervision of a peace officer possessing a basic certificate issued by the Commission on Peace Officer Standards and Training, the person is engaged in a field training program approved by the Commission on Peace Officer Standards and Training, and the person has completed the course required by Section 832 and any other training prescribed by the commission.

(3) Deployed and authorized only to carry out limited duties not requiring general law enforcement powers in their routine performance. Those persons shall be permitted to perform these duties only under the direct supervision of a peace officer possessing a basic certificate issued by the commission, and shall have completed the training required under Section 832 and any other training prescribed by the commission for those persons. Notwithstanding the provisions of this paragraph, a level III reserve officer may perform search and rescue, personnel administration support, community public information services, communications technician services, and scientific services, which do not involve direct law enforcement without supervision.

(4) Assigned to the prevention and detection of a particular crime

ATTACHMENT A

or crimes or to the detection or apprehension of a particular individual or individuals while working under the supervision of a California peace officer in a county adjacent to the state border who possesses a basic certificate issued by the Commission on Peace Officer Standards and Training, and the person is a law enforcement officer who is regularly employed by a local or state law enforcement agency in an adjoining state and has completed the basic training required for peace officers in his or her state.

This training shall fully satisfy any other training requirements required by law, including those specified in Section 832.

In no case shall a peace officer of an adjoining state provide services within a California jurisdiction during any period in which the regular law enforcement agency of the jurisdiction is involved in a labor dispute.

(b) Notwithstanding subdivision (a), a person who is issued a level I reserve officer certificate before January 1, 1981, shall have the full powers and duties of a peace officer as provided by Section 830.1 if so designated by local ordinance or, if the local agency is not authorized to act by ordinance, by resolution, either individually or by class, if the appointing authority determines the person is qualified to perform general law enforcement duties by reason of the person's training and experience. Persons who were qualified to be issued the level I reserve officer certificate before January 1, 1981, and who state in writing under penalty of perjury that they applied for but were not issued the certificate before January 1, 1981, may be issued the certificate before July 1, 1984. For purposes of this section, certificates so issued shall be deemed to have the full force and effect of any level I reserve officer certificate issued prior to January 1, 1981.

(c) In carrying out this section, the commission:

(1) May use proficiency testing to satisfy reserve training standards.

(2) Shall provide for convenient training to remote areas in the state.

(3) Shall establish a professional certificate for reserve officers as defined in paragraph (1) of subdivision (a) and may establish a professional certificate for reserve officers as defined in paragraphs (2) and (3) of subdivision (a).

(4) Shall facilitate the voluntary transition of reserve officers to regular officers with no unnecessary redundancy between the training required for level I and level II reserve officers.

(5) Shall develop a supplemental course for existing level I reserve officers desiring to satisfy the basic training course for deputy sheriffs and police officers.

(d) In carrying out paragraphs (1) and (3) of subdivision (c), the commission may establish and levy appropriate fees, provided the fees do not exceed the cost for administering the respective services. These fees shall be deposited in the Peace Officers' Training Fund established by Section 13520.

(e) The commission shall include an amount in its annual budget request to carry out this section.

SEC. 2. The Legislature has the following intent with regard to the changes made by this bill to Section 832.6 of the Penal Code during the 1993-94 Regular Session:

(a) To make the training requirements of level I reserve officers consistent with those of regular police officers or deputy sheriffs.

(b) To recognize that all level I reserve officers and regular police officers or deputy sheriffs have identical authority and responsibilities while on duty, and that it is necessary that these officers have the same minimum training requirements consisting of the POST basic course for entry level training and a continuing professional training requirement as determined by the commission.

(c) To ensure the smooth and voluntary transition of reserve officers to regular officers without unnecessary redundancy in the training.

(d) To encourage the Commission on Peace Officer Standards and Training to develop a supplemental course for existing level I reserve officers with the advice and assistance of reserve officer associations, reserve coordinators, local law enforcement agencies, and training providers.

(e) To ensure that the Commission on Peace Officer Standards and Training will make every possible attempt to certify or approve additional extended format academy providers and convenient locations, and approve other modularized training formats for level I reserve officers to satisfy the basic training requirements for regular deputy sheriffs and police officers.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PROPOSED AMENDMENTS TO POST REGULATIONS AND COMMISSION PROCEDURES

Regulations:

1005. Minimum Standards for Training.

(a) through (c) (5) continued.

(d) Continuing Professional Training (Required).

(1) Every peace officer below the rank of a middle management position as defined in Section 1001(p) and every designated and non-designated Level I Reserve Officer as defined in Commission Procedure H-1-2 (a) shall satisfactorily complete the Advanced Officer Course of 24 or more hours at least once every two years after ~~completion of the Basic Course~~ meeting the basic training requirement.

(2) The above requirement may be met by satisfactory completion of one or more certified Technical Courses totaling 24 or more hours, or satisfactory completion of an alternative method of compliance as determined by the Commission. In addition to the above methods of compliance, supervisors may also satisfy the requirement by completing POST-certified Supervisory or Management Training Courses.

(3) Every regular officer, regardless of rank, may attend a certified Advanced Officer Course and the jurisdiction may be reimbursed.

(4) Requirements for the Advanced Officer Course are set forth in the POST Administrative Manual, Section D-2.

NOTE: Authority cited: Sections 832.6, 13503, 13506, and 13510, Penal Code.
Reference: Sections 832, 832.3, 832.6, 13506, 13510, 13510.5, 13511, 13513, 13514, 13516, 13517, 13520, and 13523, Penal Code.

1006. Extension of Time Limit for Course Completion.

(a) The Commission will grant an extension of time for completion of any course required by Sections 1005, 1007, or 1018 of the Regulations upon presentation of satisfactory evidence by a department that a peace officer, reserve officer, or dispatcher is unable to complete the required course within the time limit prescribed because of illness, injury, military service, or special duty assignment required and made in the public interest of the concerned jurisdiction; or upon presentation of evidence by a department that a peace officer, reserve officer, or dispatcher is unable to complete the required course within the time prescribed. Time extensions granted under this subsection shall not exceed that which is reasonable, bearing in mind each individual circumstance.

(b) continued.

Note: Authority cited: Section 13506, Penal Code.
Reference: Sections 13510 and 13510.5, Penal Code.

1007. Reserve Officer Minimum Standards

(a)(1) through (a)(8) continued.

(b) Every reserve peace officer shall be trained in conformance with the following requirements:

(1) Every designated Level I reserve peace officer (~~see~~ defined in PAM, s~~S~~ection H-1-2(a)), before being assigned to duties which include the exercise of peace officer power, shall satisfactorily meet the training requirements of the Regular Basic Course ~~for regular officers~~ (~~see~~ PAM, section D-1-3). ~~Every non-designated Level I reserve peace officer (see PAM, section H-1), before being assigned duties which include the exercise of peace officer power, shall satisfactorily complete POST-certified Reserve Peace Officer Courses, Modules A,B, and C, and complete 200 hours of structured field training (see PAM, Section H-3), or shall satisfactorily meet the training requirements of the Basic Course for regular officers (see PAM, section D-1).~~

Every designated Level I reserve peace officer shall also satisfy the Continuing Professional Training requirement set forth in Regulation 1005(d).

(2) Every non-designated Level I reserve peace officer (defined in PAM, section H-1-2(a)) and appointed after January 1, 1997, before being assigned to duties which include the exercise of peace officer power, shall satisfactorily complete the training requirements of the Regular Basic Course set forth in PAM, section D-1-3). A law enforcement agency head may request an exemption [as described in Regulation 1007(b)(2)(A)] from this training requirement.

Every non-designated Level I reserve peace officer appointed on or prior to 1-1-97, before being assigned duties which include the exercise of peace officer powers, shall satisfactorily complete the POST-certified Reserve Training Modules A, B, and C, and complete 200 hours of POST-certified field training (see PAM, sections D-13 and H-3-8), or shall satisfactorily meet the training requirements of the Regular Basic Course (see PAM, section D-1-3).

Every non-designated Level I reserve peace officer shall also satisfy the Continuing Professional Training requirement set forth in Regulation 1005(d)).

(A) Requests for exemption for non-designated Level I reserves performing limited duties.

1. All requests for an exemption of the Regular Basic Course training requirement, specified in Regulation 1007(b)(2), shall be submitted to the Commission in writing, signed by the agency head and shall include a copy of the agency policy which specifies that the duties performed by the agency's non-designated Level I reserves do not include "prevention and detection of crime and the general enforcement of laws" (as defined in Procedure H-1-2(h), or the policy shall state that the non-designated Level I reserves are under the continuous and immediate supervision of a POST-certificated regular officer while performing general law enforcement duties. When the policy states that the reserves duties do not include general enforcement of laws, then the policy shall also specify the duties that are performed by the non-designated Level I reserves, e.g., traffic control, prisoner transportation, jail, crime prevention, vacation home checks, and crowd control.

2. The Commission shall respond in writing to all requests for exemptions within 30 days from the date of receipt of the request.

3. The training requirements for limited, non-designated level I reserves [defined in PAM, section H-1-2(e)] shall be the same training requirements as the non-designated Level I reserve employed on or prior to 1-1-97, as described in Regulation 1007(b)(2).

4. Exemptions from the Regular Basic Course training requirement are granted to the agency and not the individual reserve

officers. If a limited, non-designated Level I Reserve Officer employed by an agency granted an exemption transfers to an agency that has not been granted an exemption, that reserve officer must meet the Regular Basic Course training requirement specified in Regulation 1007 (b) (2), in order to perform the duties of a Level I reserve.

(~~2~~3) Every Level II reserve peace officer (~~see~~ defined in PAM, section H-1-2(b)), before being assigned to duties which include the exercise of peace officer power, shall satisfactorily complete the POST-certified Reserve ~~Peace Officer~~ Training ~~Courses,~~ Modules A and B (see PAM, Section H-3-3).

(~~3~~4) Every Level III reserve peace officer (see PAM, Section H-1-2 (c), before being assigned to duties which include the exercise of peace officer power, shall satisfactorily complete the POST-certified Reserve ~~Peace Officer~~ Training ~~Course,~~ Module A (see PAM, Section H-3-3).

(c) To be eligible for the award of the Reserve Officer Certificate, a reserve peace officer shall be selected in conformance with the provisions of paragraph (a), be currently appointed or deputized as a reserve peace officer as described in Penal Code Section 830.6(a), meet the selection requirements for Level I reserve peace officer assignment, and have completed the training and general law enforcement experience as described in paragraph (b(1) and in PAM, Section H-4.

PAM Section H-1 adopted effective July 15, 1982 and amended June 15, 1990 and * is herein incorporated by reference.

PAM Section H-3 adopted effective July 15, 1982, and amended January 16, 1987, June 15, 1990, ~~and~~ July 1, 1992, and * is herein incorporated by reference.

PAM section H-4 adopted effective July 15, 1982 and amended October 10, 1990 and * is herein incorporated by reference.

PAM Section H-5 adopted effective July 15, 1982, and amended January 16, 1987, ~~and~~ July 1, 1992, and * is herein incorporated by reference.

Note: Authority cited: Sections 832.6, 13503, 13506 and 13510, Penal Code. Reference: Sections 832.3, 832.6, 13503, 13506, 13510, 13510.5, and 13512, Penal Code; and Section 1031(d), Government Code.

1008. Waiver of Attendance of a POST-Certified Basic Course and Basic Course Requalification Requirements.

(a) The Commission may waive attendance of a POST-certified basic course required by Section 1005(a) or 1007(b) of the Regulations for an individual who has completed training equivalent to a certified basic course. This waiver shall be determined by an evaluation and examination process as specified in PAM, Section D-11, Waiver of Attendance of a POST-Certified Basic Course.

(b) The Commission requires that each individual who has previously completed a POST-certified basic course, or has previously been deemed to have completed equivalent training, or has been awarded a POST certificate, but has a three-year or longer break in service* as a California peace officer/Level I reserve officer must requalify, unless a waiver is obtained pursuant to guidelines set forth in PAM, Section D-11-12, 13 or 14. The means for requalification are repeating the appropriate basic course, satisfactory completion of a POST-certified basic training requalification course, or satisfactory completion of the Basic Course Waiver Process (PAM, Section D-11).

These provisions apply to all individuals who seek appointment or reappointment to positions for which completion of a basic course is required in these regulations. The three-year rule described will be determined from the last date of service in a California peace officer/reserve officer position for which a basic course (as listed in PAM, Section D-1) is required, or from the date of last completion of a basic course, or from the date of last issuance of a basic course waiver by POST; whichever date is most recent. ~~Appointment to any reserve peace officer position listed in Penal Code Section 830.6 shall not [except as expressed in PAM, Section D-11-12(c)] be considered service for purposes of this regulation.~~

**For purposes of this regulation, service for a Level I reserve officer will be considered only for a Level I reserve who serves an average monthly minimum of 16 hours.*

PAM Section D-11 adopted effective January 28, 1982, and amended August 17, 1986, November 2, 1986, ~~and~~ January 29, 1988, and * is herein incorporated by referece.

Note: Authority cited: Sections 13503, 13506, and 13510, Penal Code. Reference: Sections 13505, 13506, 13510, 13510.5 and 13511, Penal Code.

Commission Procedure D-11

WAIVER OF ATTENDANCE OF A POST-CERTIFIED BASIC COURSE

Purpose

11-1. Establishes Guidelines: This Commission procedure establishes the guidelines for determining whether or not an individual's prior law enforcement training is sufficient for a waiver of attendance of a POST-certified basic course. The prescribed course of training appropriate to the individual's assignment is determined by the Commission and is specified in Section 1005(a) or 1007(b) of the Regulations. The requirements for the basic courses are specified in POST Administrative Manual (PAM), Section D-1. A waiver of attendance of a POST-certified basic course is authorized by Section 1008 of the Regulations.

A waiver of attendance of a POST-certified basic course shall be determined through an assessment process, including evaluation and examination. The assessment process assists an agency in determining whether or not an individual should be required to attend a POST-certified basic course, and does not propose to determine whether or not the individual should be hired.

11-2 through 11-14 continued.

Historical Note:

Procedure D-11 was adopted and incorporated by reference into Commission Regulation 1008 on January 28, 1982, and amended on August 17, 1986, ~~and~~ January 29, 1988, and *.

COMMISSION PROCEDURE D-13

APPROVAL OF AFTER-ACADEMY FIELD TRAINING PROGRAM

Purpose

13-1. Purpose: This Commission procedure implements requirements for the POST-approval of field training programs established by law enforcement agencies pursuant to Section 1005(j), After-Academy Field Training Program Approval (Optional). This field training is designed for peace officers who have completed basic training described in Regulation 1005(a) or ~~Procedure H-3~~ 1007 (b)(1) and (b)(2). POST recognizes the importance of such training, encourages the establishment of these field training programs, and promotes the voluntary adoption of the described minimum requirements.

13-2. General Program Description: This program is based upon a law enforcement agency voluntarily requesting POST approval of its field training program as described in a field training plan and the ~~attached~~ application form. The agency must initially and continuously adhere to the established minimum requirements.

Field Training plans approved by POST under this program are restricted to supervised field training provided to peace officers regardless of assignment or status (regular or reserve) after they have completed the applicable basic training course. This field training does not extend to persons serving in ride-along, observer capacities.

A field training plan and application, POST 2-229 (Rev. 3/89), need be submitted only one time, and if not modified, once approved by POST, will remain in full force.

13-3. Specific Approval Requirements:

(a) A trainee must have satisfied the basic training requirements specified in Regulation 1005(a) or 1007(b)(1) and (2).

(b) A field training officer must have: (1) been awarded a POST Basic Certificate; (2) completed the POST-certified Field Training Officer Course; and (3) been selected based upon a supervisor's nomination.

(c) Trainees must be supervised depending upon their assignment:

(1) A trainee assigned to general law enforcement duties must be under the direct and immediate supervision (physical presence) of a qualified "field training officer."

(2) A trainee assigned to non-peace officer, specialized functions (i.e., complaint/dispatcher, records, jail) is not required to be in the immediate presence of a field training officer. A trainee so assigned shall be considered engaged in an "approved field training program" while under normal supervision in the agency.

(d) The field training plan must be based upon structured learning content as specified in the ~~POST Model~~ *Field Training Guide (A Model POST Field Training Program) (1988)*, Section II, pages II-1 through II-39, herein incorporated by reference, or upon a locally developed field training guide which includes the same subject matter.

(e) Each field training officer shall be evaluated by the trainee and supervisor.

(f) Each trainee shall be evaluated at least weekly with written summaries of performance prepared and reviewed with the trainee. For a reserve trainee, evaluations shall be conducted at least every third month.

(g) The field training plan's emphasis must be on both training and evaluation of trainees.

(h) Documentation of trainee performance must be maintained.

13-4. Agency Head Signature Required: Signature of the agency head is required attesting to continued adherence to the field training plan which is submitted for approval. Requests for approval of changes in previously approved plans shall be submitted to POST in writing.

Application Procedures

13-5. Application Procedures for POST Approval of a Field Training Plan:

(a) Evaluate the agency's present (formal or informal) field training plan or develop a proposed field training plan. Compare present policies and practices with POST standards for an Approved Field Training Program.

(b) Make changes or develop internal policies, if needed, to comply with POST minimum standards for an Approved Field Training Program.

(c) Confer with the POST Training Delivery and Compliance Services Bureau area consultant if assistance is needed in designing and establishing a field training plan.

(d) Submit to POST an Application for POST-Approved Field Training Program, POST form 2-229 (3/89), describing the agency's field training plan. Application forms are available from POST.

(e) Submit supporting documentation (i.e., Field Training Guides, Policies and Procedures, or and Evaluation Forms) with the application.

(f) Submit the application along with supporting materials to be evaluated by POST for conformity with the minimum standards for approval of field training plans. Prompt written notification of approval or other disposition will be forwarded to the applying agency.

Historical Note:
Procedure D-13 was adopted and incorporated by reference into Commission Regulation 1005 on June 15, 1990 and *.

Commission Procedure H-1 (Definitions)

1-1. (continued)

1-2. Definitions. For purposes of clarifying Penal Code Section 832.6, and establishing uniformity in implementing and conducting the POST Reserve Officer Program, the following definitions apply:

(a) through (c) continued.

(d) "Exempted reserve" means a reserve peace officer appointed prior to January 1, 1979 for whom training requirements of Penal Code Section 832.6 have been waived by the appointing authority by reason of the reserve officer's prior training and experience.

(e) "Limited, non-designated Level I reserve" means a non-designated Level I reserve employed by a law enforcement agency that has received a Commission-approved exemption [see PAM, section 1007(b)(2)(A)] from the Regular Basic Course training requirements specified in 1007(b)(2).

(~~e~~f) "Level II Reserve Field training program approved by POST" means a formalized on-the-job training program with instruction presented by experienced officers who are deemed qualified to instruct by the department head. ~~The program shall be consistent with guidelines developed by POST for such programs in Commission Procedure D-13. (Applies only to Level II reserve officers.)~~

(~~f~~g) "Immediate supervision for Level II reserves" means the reserve officer acts under the direction of a peace officer, possessing a basic certificate, who is routinely in the physical proximity of and available to the reserve officer; however, allowance is permitted for necessary temporary separations. ~~(Applies only to Level II reserve officers.)~~

(~~g~~h) continued.

(~~h~~i) continued.

(~~i~~j) continued.

Historical Note:
Procedure H-1 was adopted and incorporated by reference into Commission Regulation 1007 on July 15, 1982, and susequently amended June 15, 1990, and *.

COMMISSION PROCEDURE H-3

RESERVE OFFICER TRAINING

Purpose

3-1. continued ***.

3-2. **Minimum Training Standard:** Minimum training relates to the training requirements for the level of assignment and duties being performed by reserve peace officers. The level of assignments are defined in Penal Code Section 832.6. The minimum training standards for Reserve Levels I, II and III are outlined Regulation 1007.

~~(a) Each person seeking to be a Level III reserve peace officer shall satisfactorily complete a Module A (POST certified Penal Code Section 832 Arrest and Firearms and Communications and Arrest Methods Course).~~

~~b) Each person prior to exercise of duties as a Level II reserve peace officer shall satisfactorily complete Module A Reserve Peace Officer Training Course (Penal Code Section 832 and Communications and Arrest Methods Course), and a POST certified Module B Reserve Peace Officer Training Course. In addition, a Level II reserve peace officer must be continuously engaged in a field training program approved by POST, pursuant to PAM Section D 13 unless the reserve peace officer was appointed prior to January 1, 1979 and exempted by his or her department head from the provisions of Penal Code Section 832.6 (See PAM, Section H 3 3).~~

~~(c) Each person prior to exercise of duties as a "non-designated" Level I reserve peace officer (See PAM, Section H 1 2(a)) shall: (1) satisfactorily complete a POST certified Reserve Peace Officer Training Course(s) consisting of at least 222 hours, (which includes Modules A,B, and C) and shall satisfactorily complete 200 hours of structured field training approved by POST pursuant to Commission Procedure D 13; or (2) satisfactorily meet the training requirements of the POST certified Basic Course for regular officers, as prescribed in PAM, Section D 1.~~

(a) Between January 1, 1981 and January 1, 1984, the minimum 200 hours of non-designated Level I Reserve Peace Officer Training may also be

fulfilled by satisfactory completion of any POST-certified reserve training course(s) of 200 or more hours and 200 hours of structured field training, provided the reserve peace officer's department head attests that all requirements of Modules A,B and C have been met. (During this period, completion of less than 200 hours of POST-certified Reserve Peace Officer Training, that includes Modules A and B, shall in addition require completion of a POST-certified Module C Course to meet the minimum training standards for non-designated Level I reserves.)

~~(d) Each person prior to exercise of duties as a "designated" Level I reserve peace officer (See PAM, Section H-1-2(a)), shall satisfactorily meet the training requirements of the Basic Course for regular off- icers (See PAM, Section D-1-3).~~

(e~~b~~) To be eligible to exercise full powers and duties of a peace officer as provided by Penal Code Section 830.1 (Reference Penal Code Section 832.6(b)), any reserve peace officer appointed prior to January 1, 1981, who has not satisfactorily met the Commission's training requirements of the regular Basic Course (PAM, Section D-1-3) and has been determined by the appointing authority to be qualified to perform general law enforcement duties by reason of the person's training and experience, must have been issued the Reserve Officer Certificate prior to January 1, 1981.

(c~~f~~) Equivalent training may be established through the Basic Course Waiver Evaluation and Examination Process described in PAM D-11. ~~A department head may request an evaluation (based on the training described in PAM, Section D-1)if an individual is under consideration for appointment as a Level I reserve peace officer.~~

3-3. Reserve Officer ~~Training~~ Minimum Hour Requirements: Reserve Officer ~~T~~training , as required by Regulation 1007, shall be completed prior to assignment of peace officer duties as follows:~~.~~
~~The following minimum training requirements apply to reserve peace officers:~~

~~Level III~~	~~Level II*~~
~~Module A (64 hours)~~	~~Module A (64 hours)~~
~~P.C. 832 Arrest &~~	~~PLUS~~
~~Firearms Course~~	~~Module B (90 hours)~~
~~Minimum~~	~~Minimum~~
~~64 hours~~	~~154 hours~~

~~Level I*~~ ~~(non-designated)~~	~~Level I~~ ~~(designated)~~
~~Module A (64 hours)~~	~~Shall satisfactorily~~
~~PLUS~~	~~meet the training~~
~~Module B (90 hours)~~	~~requirements of the~~
~~PLUS~~	~~Basic Course (PAM,~~
~~Module C (68 hours)~~	~~Section D-1)~~
~~Minimum~~	
~~222 hours~~	

MINIMUM HOUR REQUIREMENTS

Module A - 64 hours	Field Training - 200 hours
Module B - 90 hours	Regular Basic Course* - 560 hours
Module C - 68 hours	*or equivalent (Reg. 1008)

Level III Reserve	Module A
Level II Reserve	Modules A, and B
Non-designated Level I Reserve appointed on or before 1-1-97	Modules A, B, and C plus field training
Non-designated Level I Reserve appointed after 1-1-97	Regular Basic Course*
Limited, non-designated Level I Reserve	Modules A, B, and C plus field training
Designated Level I Reserve	Regular Basic Course*

3-4. through 3-6. continued.

~~3-7. Compliance with Training Standards: Reserve officers appointed prior to January 1, 1979, who were not exempted from training requirements, and reserve officers appointed on or after January 1, 1979, must satisfy minimum training requirements appropriate to their level of assignment. The training requirements may be deemed to be satisfied by one or more of the following means:~~

~~(a) Completion of POST certified reserve officer course(s)Module A, B, C, as appropriate to level of assignment, (PAM, H-3-3); OR~~

~~(b) Possession of a POST Reserve Officer Certificate; OR~~

~~*(c) Completion of the POST certified Basic Course or possession of a regular POST Basic Certificate. (The provisions of Regulation 1008 apply to designated Level I reserve officers.) (Effective 1-1-85) OR~~

~~(d) Satisfactory completion of the basic course waiver process as described in PAM, Section D-11.~~

3-8. Field Training: ~~Field training is required for non-designated Level I reserve officers and Level II reserve officers, except when the reserve has been determined to be: (1) an exempt reserve as provided for in Penal Code Section 832.6(b), Stats. 1977, C.987, effective January 1, 1979; (2) or has satisfactorily completed the training requirements of the regular Basic Course; (3) or possesses a regular POST Basic Certificate.~~

~~(a) Persons prior to exercising duties as non designated Level I reserve officers, who have not satisfactorily completed the training requirements of the Basic Course (PAM, Section D-1), shall complete 200 hours of structured field training, in addition to the required classroom training. The f~~Field training shall be provided by the reserves' respective departments and designed on the concepts and appropriate subject matter included in the ~~"POST~~ *Field Training Guide* *(A Model POST Field Training Program)* and as described in PAM, section D-13.~~"~~ Specific approval of the field training program is required by POST.

~~*Refer to PAM, Section H-3-8 Field Training, for additional training requirements.~~

H-3-8(b) through 3-11 continued.

Historical Note:

Procedure H-3 was adopted and incorporated by reference into Commission Regulation 1007 on July 15, 1982, and subsequently amended February 14, 1987, June 15, 1990, ~~and~~ July 1, 1992, and *.

ATTACHMENT C

STATE OF CALIFORNIA
PETE WILSON, *Governor*
DEPARTMENT OF JUSTICE
DANIEL E. LUNGREN, *Attorney General*
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

February 1, 1995

BULLETIN: 95-3

SUBJECT: PUBLIC HEARING: TO AMEND REGULATIONS AND PROCEDURES CONCERNING LEVEL I RESERVE TRAINING REQUIREMENTS

A public hearing has been scheduled to consider changes to Commission Regulations and Procedures to implement the new amendments to Penal Code section 832.6 which revise Level I training requirements. The hearing will be held at 10:00 a.m., in conjunction with the April 20, 1995 Commission meeting at the Holiday Inn On The Bay, San Diego.

The attached Notice of Public Hearing, provides details concerning the proposed regulation and procedure changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Anna Del Porto, Associate Governmental Program Analyst, 1601 Alhambra Boulevard, Sacramento CA 95816-7083, or by telephone at (916) 227-4854.

Other proposed changes to implement Senate Bill 1874, amending Penal Code section 832.6, are under development and will be considered in future public hearings.

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

Attachment

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

AMENDMENTS TO REGULATIONS 1005 (d), 1006 (a), 1007(b), 1008 AND PROCEDURES D-11, D-13, H-1, H-3, RELATING TO LEVEL I RESERVE OFFICER TRAINING REQUIREMENTS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13503, 13506, and 832.6 of the Penal Code, and in order to interpret, implement and make specific Sections 13510 and 832.6 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:	April 20, 1995
Time:	10:00 a.m.
Place:	Holiday Inn On The Bay 1355 North Harbor Drive San Diego, CA 92101

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

INFORMATIVE DIGEST

Existing Regulation 1007, requires that non-designated Level I reserve officers before being assigned to duties which include the exercise of peace officer power, shall satisfactorily complete POST-certified Reserve Peace Officer Courses, Modules A, B, and C and 200 hours of structured field training; or shall meet the training requirements of the regular Basic Course. Currently there is no Continued Professional Training requirement in place for reserve officers. Also, there is no 3-year break in service retraining requirement in place for reserves.

Senate Bill 1874, passed in 1994 and effective January 1, 1995, amends Penal Code section 832.6 which, in part, provides for the following:

(1) requires non-designated Level I reserve officers appointed after January 1, 1997 to complete the regular Basic Course;

(2) exempts these Level I's from the Basic Course training requirement if the employing agency has policies approved by POST that limit their duties and they satisfy other training requirements prescribed by the Commission; and

(3) requires all Level I reserve officers to satisfy the continuing professional training (CPT) requirement prescribed by the Commission.

To implement these amendments to P.C. 832.6, the Commission is proposing the following amendments to Commission Regulations and Procedures:

- Pursuant to the P.C. 832.6 change described in (1), page 1, the Commission is proposing to amend Regulation 1007 and Procedure H-3 to change the training requirement for non-designated Level I reserves appointed after 1-1-97 to the Regular Basic Course.

- Pursuant to the P.C. 832.6 change described in (2), page 2, the Commission is proposing to amend Regulation 1007 and Procedure H-3 which provides a process and conditions for agencies to request an approved exemption of the Regular Basic Course training requirement for their non-designated Level I reserves with limited duties or non-designated Level I reserves who are under the continuous and immediate supervision of a POST-certificated regular officer while performing general law enforcement duties. The proposal requires the department head, who desires an agency exemption, to submit a policy to POST that demonstrates the agency's non-designated Level I reserves do not perform duties that include "prevention and detection of crime and the general enforcement of laws," or a policy that states the non-designated Level I reserves are under continuous supervision while performing general law enforcement duties. When the request for exemption includes a policy indicating the reserves have limited duties, the proposal states that the agency policy shall also specify the duties performed by their non-designated Level I reserves. The proposed language establishes Reserve Training Modules A, B, and C plus a 200-hour, POST-approved field training program as the training requirement for limited, non-designated Level I reserves.

- Pursuant to the P.C. 832.6 change described in #3 above, the Commission is proposing to amend Regulation 1005 (d) to require all Level I reserves to satisfy the same Continued Professional Training requirements as is now required for regular and specialized officers.

Other changes related to but not mandated by the amendments of P.C. 832.6:

Proposed amendments to Regulation 1006 extend the granting of time extensions for course completion for reserves.

Proposed amendments to Regulation 1007 (b)(2) describe the training requirement for non-designated Level I reserves appointed on or prior to 1-1-97. (No change from the current training requirements.)

Proposed amendments to Regulation 1008 and Procedure D-11 extend the waiver of attendance for a regular basic course to the reserve training requirements now proposed in 1007 (b), and requires reserves to requalify if there is a three-year or longer break in service. It is proposed that service as a Level I reserve will only be considered for those reserves with an average monthly service of 16 hours or more.

Proposed amendments to Procedure H-1, add language defining a "limited, non-designated Level I reserve," and amends the definitions for "Field training program approved by POST," and "Immediate supervision."

Proposed amendments to Procedure H-3 deletes redundant and obsolete language relating to reserve training requirements.

Other related technical changes are proposed to regulations and procedures for consistency with the proposed changes outlined above.

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 April 4, 1995. Written comments should be directed to Norman D. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

Following the close of the public comment period, the Commission may adopt the proposal substantially as set forth without further notice or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or non-substantive in nature, the full text of the resulting regulation will be made available at least 15 days before adoption to 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 of 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 by submitting a request in writing 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

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

Declaration Relating to Impact on All California Businesses Including Small Businesses: The Commission on Peace Officer Standards and Training, in the development of the proposed regulations, has assessed the potential for adverse economic impact on businesses in California and has found that the proposed amendments of Regulations 1005, 1006, 1007, 1008, and Commission Procedures D-11, D-13, H-1, and H-3 will have no effect. This finding was based on the determination that the proposed amendments to these Regulations and Commission Procedures in no way apply to businesses.

Costs Impact on Private Persons or Entities: None

Housing Costs: None

ASSESSMENT

The adoption of the proposed amendments to these regulations will neither create nor eliminate jobs in the state of California, nor result in the elimination of existing businesses or create or expand businesses in the state of California.

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 Anna Del Porto, Associate Governmental Program Analyst, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, or by telephone at (916) 227-4854.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Hearing to consider increasing Regular Basic Course Minimum Hours		Meeting Date April 20, 1995
Bureau Basic Training Bureau	Reviewed By EJ Everitt Johnson	Researched By Lou Madeira
Executive Director Approval Norman C. Boehm	Date of Approval 3-31-95	Date of Report

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, subject to the public review process, approve an increase to the required minimum instructional hours for the Regular Basic Course.

BACKGROUND

At the January 12, 1995 meeting the Commission reviewed a recommendation to increase the minimum required instructional hours in the Regular Basic Course form 560 to 664. The Commission scheduled a public hearing in conjunction with the April meeting to receive testimony on the proposed change.

The minimum hours for the regular basic course were last modified by the Commission in April of 1989. At that time, regular basic course hours were increased from 520 to 560. Since 1989, a significant number of peace officer training mandates have been promulgated by the Legislature which have impacted the regular basic course instruction. Additionally, a variety of other topics have been added to the basic course by the Commission in response to training needs.

Recognizing the need to adjust minimum required hours to reflect the time presenters need to teach the changes in training and testing specifications, a POST Basic Course Instructional Hours Analysis Survey was developed. Staff subsequently surveyed academy directors concerning this issue and obtained consensus regarding a reapportionment of hours. Because nearly all academies significantly exceed 560 hours in order to deliver mandated instruction, academy directors asked staff to conduct a more comprehensive time analysis of the basic course. The objective of the analysis was to determine if currently prescribed minimum hours were sufficient for presenters to meet POST's prevailing instructional requirements. The current

certified hours for regular basic course presenters are detailed for reference in Attachment A.

ANALYSIS

In the Fall of 1993, staff developed a survey instrument which was designed to determine the amount of time required to deliver regular basic course curricula currently prescribed by POST. The survey instrument was distributed to the 33 certified presenters who had delivered at least one regular basic course presentation within the previous 18 months. A sample of the survey instrument is included as Attachment B.

Participant academies were asked to assess training delivery time for each domain. This assessment included evaluation of instructional delivery time to the individual performance objective level. Information was also collected regarding the types of instructional methods used as well as information relative to the average size of classes. Although full responses were received from only 25 academies, these presenters represented approximately 90% of the statewide student population.

Response data validated the fact that the interim minimum hours established for 21 learning domains was adequate. With respect to the remaining 20 domains, the need for modification was:

- 9 Domains - Time should be INCREASED by two hours (Attachment D)
- 4 Domains - Time should be INCREASED by four hours (Attachment D)
- 5 Domains - Time should be INCREASED ranging from eight to 16 hours (described below beginning on page three)
- 1 Domain - Time could be REDUCED by two hours
- - TESTING - 16 hours should be ADDED to the current requirement for scenario testing and one hour should be added to cognitive (POSTRAC) testing

The collective effect of the proposed changes detailed herein would be to increase the overall hours of the regular basic course from 560 to 664 hours.*

* The survey instrument also revealed a need to add a significant amount of time (36 hours) to learning domain #32 (physical fitness). It is recommended, however, that any instructional hours changes to this domain be independently validated by Standards and Evaluations Bureau staff. This bureau was responsible for the initial

research regarding the prevailing basic course conditioning standard as well as implementation and revision of the peace officer physical abilities test. As a result, any proposed changes to this domain will be brought forward independently in the future.

A table showing the 41 domains and reflecting all recommended time changes is included as Attachment C.

Justification for changing prescribed minimum hours

For clarity of presentation, recommendations and supporting justifications to change domain times by four hours or less are described individually in Attachment D. Collectively, proposed additions of time to these 13 domains add up to 34 hours. The following justifications address the five remaining domains as well as the scenario testing block. These proposed time increases collectively amount to an addition of 71 hours.

- Learning Domain #3 (Community Relations) - Currently 4 hours

  It is proposed to increase minimum domain time by **eight hours**. This is necessary to provide adequate time to provide the tactical communication core block which was added by the Commission in January 1994. As was justified at that time, this training met Training Issues Symposia recommendations and its inclusion in the POST basic course was supported by law enforcement executives throughout the state.

- Learning Domain #30 (Preliminary Investigation) - Currently 31 hours

  It is proposed to increase minimum domain time by **11 hours**. This domain is one of the most complex in the basic course. The domain includes instruction relating to general and crime-specific preliminary investigation, crimes scene and physical evidence processing, interviewing and interrogation, and special subjects such as sudden infant death cases. Additional time is needed to adequately address prevailing instructional goals and expand instruction in critical areas such as interviewing and interrogation.

- Learning Domain #33 (Person Searches/Baton) - Currently 44 hours

  It is proposed to increase minimum domain time by **16 hours**. This domain addresses a variety of critical skills areas related to the use of physical force. Academies consistently

indicate that additional time is needed to bring students to minimally acceptable levels of competency, even when the number of physical techniques taught is limited. Instruction in this domain also relates directly to Training Issues Symposia recommendations regarding the use of force. Additionally, competency in this area is directly related to the overall civil liability of law enforcement agencies.

- Learning Domain #35 (Firearms/Chemical Agents) - Currently 60 Hours

  It is proposed to increase minimum domain time by **12 hours**. Many of the points made above are equally applicable to this domain. Academies consistently indicate that additional time is needed to bring students to acceptable levels of competency. This directly impacts the amount of training time needed.

- Learning Domain #42 (Cultural Diversity/Discrimination)- Currently 16 Hours

  It is proposed to increase minimum domain time by **8 hours**. Legislatively-mandated training regarding sexual harassment and hate crimes was added to this domain by the Commission at its April 1994 meeting. An additional four hours will be needed to deliver the sexual harassment material and another four hours will be needed to adequately address the hate crimes.

  With respect to instructional methodology, this domain is completely dependent upon experiential learning activities which are inherently time consuming. In some cases, the enabling legislation specifically prescribes that certain instructional methodologies (e.g. visual examples and discussions) be incorporated into the presentation.

- Additional Time for Scenario Testing - Currently 24 hours

  It is proposed to increase the minimum time required for scenario testing by **16 hours**. Over the last 18 months, four scenario tests have been added to the regular basic course. These scenarios address critical issues such as the provision of effective victim assistance, intervention in a crisis situation, and application of tactical verbal communications skills in a variety of situations. Scenario testing is staff intensive and inherently time-consuming. Minimum hours must also accommodate the need for remediation and retesting, since it is impractical for academies to restage scenarios for a delayed retest.

Time Reductions

- The survey data revealed that the prescribed minimum hours for learning domain #8 (General Criminal Statutes) could be reduced from six hours to four hours.

SUMMARY

Since the adoption of the document, *Training Specifications for the Regular Basic Course*, many of the domains have been amended to add/delete specifications for new legislative mandates, new instruction, and new instructional methodology recommended by subject matter experts. However, with those specification amendments there have been no proposals to amend the minimum hours for learning domain instruction or testing. POST academy directors have requested that the minimum hours for the Basic Course be amended to reflect the time instructors need to teach the Regular Basic Course specifications.

RECOMMENDATION

Subject to the results of the public hearing, it is recommended that the Commission approve the increase of the Regular Basic Course minimum instructional hours from 560 to 664, and amend Regulation 1005 (a)(4) as proposed to be effective upon approval by the Office of Administrative Law (Attachment F).

ATTACHMENT A

Basic Course Certified Hours by Academy

Academy	Format	Hours for POST Core	Total Hours
Alameda County Sheriff	INT	Not Specified	824.0
Allan Hancock College	INT	Not Specified	640.0
Allan Hancock College	EXT	Not Specified	640.0
Bakersfield Police Department	INT	Not Specified	680.0
Butte Center	INT	Not Specified	640.0
California Highway Patrol	INT	560.0	1305.0
Central Coast Counties	INT	684.0	734.0*
Contra Costa CJTC	INT	722.0	810.0
Department of Forestry	INT	560.0	560.0
Evergreen Valley College	INT	747.0	800.0*
Fullerton College	EXT	710.5	750.0
Golden West College	EXT	751.5	966.0*
Golden West College	INT	751.5	966.0*
Long Beach Police Department	INT	736.0	880.0
Los Angeles Police Department	EXT	Not Specified	570.0*
Los Angeles Police Department	INT	677.0	1064.0*
Los Angeles Sheriff	INT	592.0	840.0*
Modesto Regional CJTC	INT	565.0	680.0*
Monterey Peninsula College	EXT	805.5	1051.5
Napa Valley College	EXT	Not Specified	820.0
Napa Valley College	INT	Not Specified	901.0
Oakland Police Department	INT	Not Specified	975.0
Orange County Sheriff	INT	693.0	880.0
Redwoods Center	INT	Not Specified	650.0
Rio Hondo Regional CJTC	INT	647.0	773.0
Riverside Community College	INT	Not Specified	700.0
Sacramento Sheriff	EXT	Not Specified	862.0
Sacramento Sheriff	INT	662.0	816.0
Sacramento Police Department	INT	799.0	800.0
Sacramento Public Safety Ctr.	EXT	786.0	923.0
San Bernardino Valley College	EXT	669.0	726.0
San Bernardino Sheriff	INT	662.0	808.0*
San Diego LE Training Center	INT	721.0	936.0
San Francisco Police	INT	Not Specified	760.0
San Joaquin Delta College	EXT	Not Specified	650.0
Santa Rosa Regional CJTC	EXT	651.0	704.0*
Santa Rosa Regional CJTC	INT	651.0	704.0*
Southwestern College	EXT	Not Specified	624.0
State Center Regional CJTC	EXT	691.0	712.0
State Center Regional CJTC	INT	691.0	712.0
Tulare-Kings Regional CJTC	INT	Not Specified	750.0
Ventura County CJTC	INT	Not Specified	675.0
William Penn Mott TC (Parks)	INT	Not Specified	582.0

* Additional hours increases pending at the time of this report

POST BASIC COURSE INSTRUCTIONAL HOURS ANALYSIS

_____

ACADEMY

This document must be completed by **DECEMBER 1, 1993**. Please bring the completed package with you to the December Consortium meeting in Sacramento.

If you are NOT able to attend the December Consortium, please forward the completed package to:

Lou Madeira, Senior Consultant, Commission on POST, Basic Training Bureau, 1601 Alhambra Boulevard, Sacramento, California 95816

Additional information and requests for assistance in completing the form may be directed to the **BASIC COURSE INSTRUCTIONAL ANALYSIS SUB-COMMITTEE MEMBER** for your area:

For Golden West, Orange County SD, Rio Hondo, and Fullerton College: Hugh Foster (714) 895-8372

For Santa Rosa, Redwoods, Napa, Los Medanos, and Butte Center: Pete Hardy (707) 539-5210

For San Bernardino SD, San Bernardino Valley College, Kern Co, and Tulare/Kings: Greg Kyritsis (909) 880-2695

For Modesto, Delta College, Dept. of Forestry, and State Center: Dick McCullough (209) 575-6490

For Gavilan, Monterey Peninsula College, State Parks, and Allan Hancock: Susan Oliviera (408) 842-9556

For Los Angeles Sheriff, Los Angeles PD, Long Beach PD and Ventura: Steve Selby (310) 946-7803

For Riverside AOJ, San Diego Regional, and Southwestern College: Auston White (909) 275-6630

For Evergreen Valley, San Jose, Alameda County SD, San Francisco PD, and Oakland PD: Bob Ziglar (408) 270-6476

For CHP, Sacramento SD, Sacramento PD, Sac Center: Lou Madeira (916) 227-4259

GENERAL INFORMATION AND ACADEMY PROFILE

1. Academy Name: _____

2. Type of Academy:

   Agency _____ College _____ Agency/College_____

3. Name of Director/Coordinator: _____

4. Person verifying the accuracy of information contained in this document:

   A. Name: _____

   B. Signature: _____

   C. Date: _____

   D. Contact phone number: _____

5. What are your current TOTAL CERTIFIED HOURS for your academy?

   _____

   A. Do you plan to increase your total academy hours within the next 12 months?

      YES _____ NO _____

      If yes, how many hours do you plan to add? _____

   B. If you plan to add hours, please specify which existing areas you will enhance or what new subjects you will be adding to your program: (Feel free to attach additional pages, if needed)

      _____
      _____
      _____
      _____
      _____

6. On the average, how many academies do you present in a fiscal year?

Intensive Format _____ Extended Format _____

7. On the average, what is the typical number of students **starting** each academy?

Intensive Format _____ Extended Format _____

8. Please identify any blocks of instruction you include in your academy beyond POST mandates (e.g. additional traffic accident investigation instruction to meet 40600 V.C., Emergency Medical Technician (EMT 1-A) or First Responder first aid training, a foreign language block, significant agency-specific class etc.) **which may be of interest to POST or other academy directors.**

_____
_____
_____
_____
_____
_____ (Attach additional pages, as needed)

9. Briefly describe how your academy handles scenario testing? (e.g. scheduled 8-hour days, 4-hour sessions, evening schedule, done individually throughout the academy, done collectively at the end of the academy etc.)

_____
_____
_____
_____
_____
_____
_____
_____
_____

a. Do you use academy students as role players?

Yes _____ No _____

b. If not, who do you use as role players?

_____

c. How many total hours does your academy devote to scenario practice?

_____

d. How many total hours does your academy devote to actual scenario testing?

_____

10. How many hours, if any, does your academy **include in your schedule** for student remediation?

a. For POSTRAC tests _____

b. For EXERCISE tests (e.g. ACT, firearms, etc.) _____

c. For SCENARIO tests _____

11. If you remediate on the student's own time, when you schedule it:

Early morning before class _____

During lunchtime _____

End of the day after class _____

Other: (Please describe) _____

_____

_____

_____

_____

_____

ACADEMY DOMAIN HOURS

ACADEMY NAME: _____

DOMAIN NUMBER	POST PRESCRIBED MINIMUM HOURS	CURRENT ACADEMY HOURS	RECOMMENDED HOURS
1	6.0	_____	_____
2	4.0	_____	_____
3	4.0	_____	_____
4	6.0	_____	_____
5	6.0	_____	_____
6	8.0	_____	_____
7	8.0	_____	_____
8	6.0	_____	_____
9	4.0	_____	_____
10	4.0	_____	_____
11	6.0	_____	_____
12	10.0	_____	_____
13	4.0	_____	_____
15	12.0	_____	_____
16	12.0	_____	_____
17	8.0	_____	_____
18	36.0	_____	_____
19	24.0	_____	_____
20	8.0	_____	_____
21	12.0	_____	_____
22	12.0	_____	_____
23	12.0	_____	_____
24	12.0	_____	_____
25	8.0	_____	_____
26	4.0	_____	_____
27	4.0	_____	_____
28	20.0	_____	_____
29	12.0	_____	_____
30	31.0	_____	_____
31	4.0	_____	_____

DOMAIN NUMBER	POST PRESCRIBED MINIMUM HOURS	CURRENT ACADEMY HOURS	RECOMMENDED HOURS
32	40.0	_____	_____
33	44.0	_____	_____
34	21.0	_____	_____
35	60.0	_____	_____
36	4.0	_____	_____
37	4.0	_____	_____
38	4.0	_____	_____
39	4.0	_____	_____
40	4.0	_____	_____
41	4.0	_____	_____
42	16.0	_____	_____
POSTRAC TESTING	24.0	_____	_____
SCENARIO TESTING	24.0	_____	_____

TOTAL MINIMUM HOURS REQUIRED BY POST	560.0	TOTAL HOURS **YOUR ACADEMY** DEVOTES TO DELIVERY OF POST-REQUIRED CURRICULA	_____	TOTAL	_____
		ADDITIONAL ACADEMY-PRESCRIBED HOURS	_____		
		TOTAL HOURS OF YOUR ACADEMY	_____		

LEARNING DOMAIN #1

HISTORY, PROFESSIONALISM, CAREER AND ETHICS

NOTE: The following 5 pages were replicated for each of the 41 Learning Domains of the Regular Basic Course.

ACADEMY: _____

CURRENT TIME APPORTIONMENT FOR DOMAIN#: ___1___

1. ENTER THE TOTAL NUMBER OF MINUTES YOUR ACADEMY DEVOTES TO DELIVERING THE **POST-PRESCRIBED** CURRICULA FOR THIS DOMAIN:

   TOTAL MINUTES: _____

   FOR EXAMPLE: If your academy devotes 8 hours to the delivery of POST-mandated curricula related in domestic violence, you would report 480 minutes when completing this line for Domain 25. The figure **should include regular break time** (e.g. 10 min per hour). This figure SHOULD NOT include time devoted to POSTRAC testing.

2. ENTER THE APPROXIMATE NUMBER OF MINUTES YOU DEVOTE TO **POSTRAC** TESTING FOR THIS DOMAIN, IF APPLICABLE:

   TOTAL MINUTES: _____

   NOTE: The time devoted to demonstrating, practicing, or evaluating exercises or scenarios should be reported under the corresponding related performance objective.

3. ENTER THE TOTAL NUMBER OF MINUTES YOUR ACADEMY DEVOTES TO SCENARIO TESTING FOR THIS DOMAIN, IF APPLICABLE

   TOTAL MINUTES: _____

   NOTE: This should reflect the amount of time your devote on a **per-student basis**

4. RECORD THE EXACT NUMBER OF MINUTES YOUR ACADEMY DEVOTES TO ADDRESSING EACH OF THE FOLLOWING PERFORMANCE OBJECTIVES LISTED BELOW:

   NOTE: These figures should represent the actual number of minutes devoted to instruction, such as lecture, videos, practice, demonstrations, or any other in-class actions. **These figures should exclude break times and POSTRAC testing.** If instruction is handled exclusively by homework and no class time is expended enter "0".

POST OBJECTIVES FOR DOMAIN 1

TOTAL	P.O.#	PERFORMANCE OBJECTIVE DESCRIPTION
_____	1.1.1	History of United States Law Enforcement
_____	1.1.2	History of California Law Enforcement
_____	1.2.1	Characteristics of a Profession
_____	1.3.1	Reasons for High Ethical and Moral Standards
_____	1.3.2	Elements of "Law Enforcement Code of Ethics"
_____	1.3.3	Elements of "Code of Professional Conduct"
_____	1.4.1	Unethical Behavior by a Fellow Officer
_____	1.4.2	Problems Created by Nonenforcement of the Law
_____	1.4.3	Problems Created by Accepting Gratuities
_____	1.4.4	Need for Correcting Unethical Conduct
_____	TOTAL TIME	

ACADEMY: _____

OUT-OF-CLASS ASSIGNMENTS FOR DOMAIN#: 1

1. IS HOMEWORK OR ANY OTHER "OUT-OF-CLASS" ASSIGNMENTS REQUIRED BY YOUR ACADEMY IN ORDER TO SATISFY POST-PRESCRIBED INSTRUCTION FOR THIS DOMAIN?

   Yes _____ No _____

   If yes, how many minutes of out-of-class time do you estimate it takes the average student to complete the assigned work? _____

   Briefly describe the type of out-of-class assigment you require:

   _____

   _____

   Identify, by number, the performance objective numbers which relate to your out-of-class assignment(s)

   _____

   _____

2. IS HOMEWORK OR ANY OTHER "OUT-OF-CLASS" ASSIGNMENTS REQUIRED BY YOUR ACADEMY FOR THE SPECIFIC PURPOSE OF ENHANCING INSTRUCTION FOR THIS DOMAIN?

   Yes _____ No _____

   If yes, how many minutes of out-of-class time do you estimate it takes the average student to complete the assigned work? _____

   Briefly describe the type of out-of-class assigment you require:

   _____

   _____

   Identify, by number, the performance objective numbers which relate to your out-of-class assignment(s)

   _____

   _____

INSTRUCTOR'S NAME: _____

CONTACT PHONE NUMBER: _____

ACADEMY: _____

INSTRUCTIONAL METHODOLOGIES FOR DOMAIN#: 1

1. WHAT SPECIFIC METHODS DO YOU EMPLOY TO DELIVER INSTRUCTION IN THIS LEARNING DOMAIN?

Lecture _____ Video/Film _____

Role Play _____ Small Groups _____

IVD _____ CBT _____

Demonstration _____ Slide/Sound _____

Audio _____ Field Trip _____

Other (Please describe) _____

_____

_____

_____

_____

INSTRUCTOR'S NAME: _____

CONTACT PHONE NUMBER: _____

ACADEMY: _____

INSTRUCTOR'S RECOMMENDATION FOR MODIFYING PRESCRIBED MINIMUM HOURS FOR DOMAIN#: 1

1. BASED ON YOUR PROFESSIONAL EXPERIENCE, IS THE TIME CURRENTLY ALLOCATED BY YOUR ACADEMY ADEQUATE TO COVER THE **POST PRESCRIBED MATERIAL** FOR THIS DOMAIN?

   Time is adequate _____
   Too much time is given _____
   Not enough time _____

   If you feel there is **insufficient** time, how much time should be added for the average student to achieve a minimum level of competency necessary to enter a field training program? _____ MINUTES

   Identify, by PO number, any specific objectives which require **more time**:

   _____
   _____

2. WHAT INFORMATION, IF ANY, SHOULD BE ADDED TO THIS DOMAIN THAT A **BASIC RECRUIT** NEEDS AND WHICH IS NOT PRESENTLY REQUIRED BY POST? (Please describe)

   _____
   _____

3. IF YOU FEEL INSTRUCTIONAL TIME COULD BE REDUCED IN THIS DOMAIN, HOW MANY TOTAL MINUTES COULD BE ELIMINATED?

   Identify, by PO number, any specific objectives which could be taught in less time:

   _____
   _____

4. ARE THERE ANY EXISTING PERFORMANCE OBJECTIVES WHICH SHOULD BE **DELETED** FROM THIS DOMAIN BECAUSE THEY ARE NOT RELEVANT TO THE JOB TASKS PERFORMED BY AN ENTRY-LEVEL OFFICER? if so, please identify by PO number and explain:

   _____
   _____

INSTRUCTOR'S NAME: _____
CONTACT PHONE NUMBER: _____

Attachment C

DOMAIN	CURRENT PRESCRIBED HOURS	PROPOSED PRESCRIBED HOURS	CHANGE	DOMAIN	CURRENT PRESCRIBED HOURS	PROPOSED PRESCRIBED HOURS	CHANGE
1	6	8	+2	24	12	12	NONE
2	4	4	NONE	25	8	8	NONE
3	4	12	+8	26	4	4	NONE
4	6	6	NONE	27	4	4	NONE
5	6	6	NONE	28	20	22	+2
6	8	10	+2	29	12	12	NONE
7	8	10	+2	30	31	42	+11
8	6	4	-2	31	4	4	NONE
9	4	6	+2	32	40	40	NONE
10	4	6	+2	33	44	60	+16
11	6	6	NONE	34	21	21	NONE
12	10	12	+2	35	60	72	+12
13	4	4	NONE	36	4	4	NONE
15	12	12	NONE	37	4	6	+2
16	12	12	NONE	38	4	8	+4
17	8	8	NONE	39	4	4	NONE
18	36	40	+4	40	4	4	NONE
19	24	24	NONE	41	4	4	NONE
20	8	12	+4	42	16	24	+8
21	12	12	NONE	POSTRAC TESTING	24	25	+1
22	12	14	+2	SCENARIO TESTING	24	40	+16
23	12	16	+4	TOTAL	560	664	+104

ATTACHMENT D

Proposed Domain Hour Increases

Domain Number	Domain Name	Proposed Change	Justification
LD 1	Ethics	ADD 2 Hours	Time is needed to incorporate learning activities where students apply critical thinking to job-related ethical dilemmas
LD 6	Crimes Against Property	ADD 2 Hours	Time is needed to cover landlord/ tenant and repossession law which was moved from Learning Domain 24.
LD 7	Crimes Against Persons	ADD 2 Hours	Additional time is needed to address required curricula. New material (e.g., stalking, child abduction) has been added to this domain in the last 12 months to conform to changes in the law.
LD 9	Crimes Against Children	ADD 2 Hours	Additional time is needed to address required curricula. New curricula (e.g., child abuse reporting requirements) has been added to the domain within the past 12 months to conform to changes in the law.
LD 10	Sex Crimes	ADD 2 Hours	Additional time is required to satisfy prevailing instructional goals and to address certain instruction (e.g., assaults with intent to commit specified sex crimes) which was relocated from another domain.
LD 12	Controlled Substances	ADD 2 Hours	Additional time is needed to address increasingly complex law regarding drugs and narcotics. This domain is currently comprised of 24 detailed performance objectives.
LD 18	Report Writing	ADD 4 Hours	This domain has recently been modified to require students to actually write a series of practice reports and pass exercise tests which are based on the job-related incident simulations. Although this approach significantly improves instructional effect, it also requires additional time.

Domain Number	Domain Name	Proposed Change	Justification
LD 20	Use of Force	ADD 4 Hours	Additional time is needed to address new instruction on anger and fear management and the concept of intervention. Both of these subjects are important additions which satisfy Training Issues Symposia recommendations; however, it will take additional time to meet the new instructional goals and cover the required topics.
LD 22	Vehicle Pullovers	ADD 2 Hours	Additional time is needed because instruction in this domain has become increasingly dependent upon experiential activities. The domain currently requires a variety of exercise tests based upon vehicle stop simulations which each student must successfully pass. This type of instruction is extremely effective, but is more time consuming than a strictly cognitive evaluation. Importantly, vehicle stops continue to represent a major officer safety risk where effective training is essential.
LD 23	Crimes-in Progress	ADD 4 Hours	Similar to the domain described above, this domain addresses a variety of critical skills and complex officer safety issues (e.g., building searches, robbery and burglary-in-progress calls, barricaded suspect incidents, etc.) which require appropriate experiential training. Additional time is needed to meet prevailing instructional goals.
LD 28	Traffic Enforcement	ADD 2 Hours	Additional time is needed to meet prevailing instructional goals. This is a complex domain which involves 30 individual performance objectives. Instruction in this domain, particularly in the area of driving under the influence, has become increasingly complex due to substantial changes in law and

procedure which have occurred over the past several years.

Domain Number	Domain Name	Proposed Change	Justification
LD 37	Persons with Disabilities	ADD 2 Hours	Additional time is needed to meet prevailing instructional goals and to address emerging areas such as the recognition of persons with traumatic brain injuries.
LD 38	Gang Awareness	ADD 4 Hours	Additional time is needed to conform instruction in the regular basic course to a previously POST-developed eight-hour curricula block on gang awareness. Because gangs are a pervasive problem throughout the state, instruction regarding recognition of gang members and criminal gang activity is critical. This domain also includes new learning activities regarding gang dynamics and specific gang activity occurring within the geographical area serviced by the academy.

TOTAL ADDITIONAL HOURS FOR THESE 13 LEARNING DOMAINS: ADD 34 Hours

(c) **Content and Hourly Requirements**

The content of the Regular Basic Course is specified by the learning domains listed below. The minimum hours of instruction that must be allocated to each domain is shown to the right of the domain.

DOMAIN NUMBER	DOMAIN DESCRIPTION	MINIMUM HOURS
01	History, Ethics & Professionalism	~~6~~8 hours
02	Criminal Justice System	4 hours
03	Community Relations	~~4~~12 hours
04	Handling Emotional Situations	6 hours
05	Introduction to Criminal Law	6 hours
06	Crimes Against Property	~~8~~10 hours
07	Crimes Against Persons	~~8~~10 hours
08	General Criminal Statutes	~~6~~4 hours
09	Crimes Against Children	~~4~~6 hours
10	Sex Crimes	~~4~~6 hours
11	Juvenile Law and Procedure	6 hours
12	Controlled Substances	~~10~~12 hours
13	ABC Law	4 hours
15	Laws of Arrest	12 hours
16	Search & Seizure	12 hours
17	Evidence	8 hours
18	Report Writing	~~36~~40 hours
19	Vehicle Operations	24 hours
20	Use of Force	~~8~~12 hours
21	Patrol Techniques	12 hours
22	Vehicle Pullovers	~~12~~14 hours
23	Crimes in Progress	~~12~~16 hours
24	Handling Disputes	12 hours
25	Domestic Violence	8 hours
26	Unusual Occurrences	4 hours
27	Missing Persons	4 hours
28	Traffic	~~20~~22 hours
29	Traffic Accident Investigation	12 hours
30	Investigation	~~31~~42 hours
31	Custody	4 hours
32	Physical Fitness/Officer Stress	40 hours
33	Person Searches, Baton, etc.	~~44~~60 hours
34	First Aid & CPR	21 hours
35	Firearms/Tear Gas	~~60~~72 hours
36	Information Systems	4 hours
37	Persons with Disabilities	~~4~~6 hours
38	Gangs	~~4~~8 hours
39	Crimes Against the Justice System	4 hours
40	Weapons Violations	4 hours
41	Hazardous Materials	4 hours
42	Cultural Diversity	~~16~~24 hours

Minimum Instructional Hours	~~512~~664 hours

The minimum number of hours allocated to testing in the Regular Basic Course are shown below.[1]

TEST TYPE	HOURS
Scenario Tests	~~24~~40 hours
POST-Constructed Knowledge Tests	~~24~~25 hours
Total Minimum Required Hours	~~560~~664 hours

[1]Time required for exercise testing, learning activities, and physical abilities testing is included in instructional time.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PROPOSED REGULATION

1005. Minimum Standards for Training.

(a)(1) through (j)(2) continued.

Continued - All incorporation by reference statements in between (j)(2) and the following:

The document *Training Specifications For The Regular Basic Course - July 1993* adopted effective January 14, 1994, and amended July 16, 1994, December 16, 1994, * , * ~~and~~, * and * is herein incorporated by reference.

NOTE: Authority cited: Sections 832.6, 13503, 13506, 13510, and 13519.8 Penal Code. Reference : Sections 832, 832.3, 832.6, 13506, 13510, 13510.5, 13511, 13513, 13514, 13516, 13517, 13519.8, 13520, and 13523, Penal Code.

* Dates to be filled in by OAL.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposal to Increase Reimbursable Hours for the Regular Basic Course, the Marshals' Basic Course, and the District Attorney Investigators' Basic Course		Meeting Date April 20, 1995
Bureau Basic Training Bureau	Reviewed By Everitt Johnson	Researched By Everitt Johnson
Executive Director Approval Norman C. Boehm	Date of Approval 4-4-95	Date of Report April 4, 1995

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 reimbursement adjustments to the Regular Basic Course, and Marshals' and District Attorney Investigators' Basic Courses, based upon the increased minimum length of the Basic Course from 560 to 664 hours?

BACKGROUND

Current maximum reimbursement for the Regular Basic Course is 560 hours. Historically, whenever the Commission increases the length of the course it has correspondingly increased maximum reimbursement hours. District Attorney Investigators and Marshals use the regular basic course plus an 80 hour course tailored to their functions. However, the maximum reimbursable hours for both courses are restricted to the length of their unique basic courses as defined in regulation D-1-4 and D-1-5. The length of those courses is currently 486 hours for marshals and 462 hours for district attorney investigators.

At the November 17, 1994 meeting, the Commission approved proposed increases to Regular Basic Course minimum hours pending the receipt of additional input at a public hearing scheduled for April 20, 1995. This proposed change is designed to have the length of the regular basic course more accurately reflect actual hours currently required to conduct the training. If the proposed changes are formally approved, the Regular Basic Course would increase from 560 to 664 hours effective on or after July 1, 1995.

Whenever reimbursement modifications to the Regular Basic Course has occurred and received Commission approval, a proportional adjustment is made to the Marshal and District Attorney Investigators' Basic Courses as well. The purpose for this is to keep basic course training hours for eligible Marshals and D.A.

classifications to receive increased reimbursement for required additional training hours.

This report addresses commensurate reimbursement adjustments to the Regular Basic, District Attorney Investigators' and Marshals' Basic Courses.

ANALYSIS

FISCAL IMPACT OF PROPOSED CHANGES

Regular Basic Course

As stated above, the proposed changes to minimum hours would add 104 hours to the regular basic course. This amounts to approximately 13 additional training days. If the Commission follows past practice, reimbursement would be extended to the full 664 hours. The projected costs would be:

1. An increase of approximately $598 per reimbursable resident trainee. (Current reimbursement for 560 hours = $3220 + $598 for the added 104 hours = total reimbursement of $3818 for attending the entire basic course.)

2. An increase of approximately $248 per reimbursable commuter trainee who resides within 20 miles of the academy facility. (Current reimbursement for 560 hours = $1337 + $248 for the added 104 hours = total reimbursement of $1585 for attending the entire basic course.)

The vast majority of reimbursable trainees, however, attend the academy as commuter students. Non-affiliated students are not reimbursable, and thus, do not represent any adverse fiscal impact to POST.

It is extremely difficult to project a reliable number of reimbursable trainees since the aggregate number and types of basic course students have shifted markedly from year to year. The percentage of non-affiliated trainees in the basic course, however, has increased steadily. There is every reason to expect this trend will continue. As a result, overall reimbursement figures for regular basic course training have declined steadily

over the past several years. The following is a summary of basic course patronage for the last fiscal years:

Fiscal Year	Reimbursed Trainees	Non-Reimbursed Trainees
1989/90	5079	1171
1990/91	4085	1326
1991/92	2090	1775
1992/93	1160	2261
1993/94	695	1836

Recently, federal monies have become available to fund additional peace officer positions. Assuming that the number of reimbursable trainees will increase significantly, and assuming that reimbursement levels will be extended to the full 664 hours at current rates, the net fiscal impact would be:

400 Reimbursable Resident Trainees x $598	=	$239,200
1100 Reimbursable Commuter Trainees x $248	=	$272,800
POTENTIAL IMPACT PER FISCAL YEAR	=	$512,000

These figures are based on an estimation of 3500 basic course trainees annually with 1500 being eligible for reimbursement. Of the estimated 1500 reimbursable trainees, 67% (1100) are expected to be commuter students attending agency academies. Potential reimbursement for presentation costs is not included. This is, however, deliberately a "worst case" projection. Actual costs are likely to be significantly lower.

The immediate possibility of increasing basic course reimbursable hours should be tempered by staff continuing to aggressively investigate alternatives for reducing instructional time in the regular basic course. It is expected that alternative basic course presentation models (e.g., prerequisites taken in a community college, application of technology, and competency-driven self-paced instruction) may all reveal future potential for reduction of training time when and where available. In addition, the concept of competency based training may, in the future, reduce the pressure to reimburse strictly by student classroom hours. The increase in instructional hours is viewed as necessary for certified presenters to meet existing instructional objectives.

Marshal and District Attorney Investigator's Basic Courses

Training requirements for Marshals and District Attorney Investigators were first established in 1982 following a job task analysis. Their POST mandated training requirements are different from those for municipal police and deputy-sheriff classifications.

The District Attorney Investigator's Basic Course incorporates those portions of Regular Basic Course curricula which are germane to this peace officer position. As a result, certain blocks of instruction required in the Regular Basic Course (e.g., traffic enforcement, collision investigation, etc.) are not required. Another fundamental difference is that the district attorney investigator basic training standard prescribes specialized instruction not required in the Regular Basic Course. This includes training related to:

1. Criminal investigation (beyond the preliminary level)
2. Trial preparation
3. Specialized investigative techniques
4. Civil process

The district attorney investigator basic training standard may alternatively be met by satisfactory completion of a certified Regular Basic Course and completion of a certified Investigation and Trial Preparation Course.

Like the District Attorney investigator's course described above, the Marshal's Basic Course reflects those portions of Regular Basic Course curricula which are pertinent to this peace officer position. Similarly, certain blocks of instruction required in the Regular Basic Course (e.g., traffic enforcement, collision investigation, etc.) are not required. Another difference is that marshal basic training standard prescribes specialized instruction not required in the Regular Basic Course. This includes training related to:

1. Bailiff and court security duties
2. Civil process
3. Custody

The marshal's basic training standard may alternatively be met by satisfactory completion of a certified Regular Basic Course and completion of a certified Bailiff and Civil Process Course or Bailiff and Court Security Course and Civil Process Course.

Virtually all DA Investigators and Deputy Marshals satisfy their basic training standard by attending a Regular Basic Course and complementary technical course(s). D.A.'s and Marshals sending their employees to the Regular Basic Course plus required technical courses, are only eligible for reimbursement up to the number of hours established for satisfaction of the prevailing basic training standard. In other words, a Deputy Marshal who successfully completes a 664 hour (or longer) Regular Basic Course plus an 80 hour marshals course would only be reimbursable up to the existing 486 hours currently approved by the Commission. Likewise, a DA Investigator completing the same Regular Basic Course plus an 80 hour investigation course would be reimbursable only up to a maximum of 462 hours.

If the added 104 hours for the regular basic course are approved, it is proposed the same number of reimbursable hours apply to the marshals and district attorney investigators' basic courses. Training hours required for the current DA investigators and Marshals' basic courses were developed based upon curriculum which contained 12 functional areas. The minimum hourly requirements for the regular basic course are based on the 41 learning domains which comprise the basic course training specifications. Converting functional hours to training specification hours is very complex, making it difficult to assess and recommend specific and proportional hourly increases to DA and Marshals basic courses.

An analysis of basic academy trainees from reimbursable marshal and district attorney agencies for calendar years 1993, 1994, and 1995 to date, show a total of six deputy marshals, and 12 district attorney investigators successfully completing regular basic academy training. The low volume reflects the practice of generally hiring those who have already completed the regular basic course. Extending the full 104 hour increase would result in a projected fiscal impact of only $3590 annually.

RECOMMENDATIONS

Subject to the results of the public hearing on Basic Course hours:

1. Approve reimbursement of the Regular Basic Course to 664 hours effective July 1, 1995.

2. Approve commensurate adjustment increases of 104 hours to the reimbursement levels for District Attorney Investigators' Basic Course from 462 hours to 566 hours, and the Marshal's Basic Course from 486 hours to 590 hours effective July 1, 1995.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Approval of Basic Course Transition Program		Meeting Date April 20, 1995
Bureau Basic Training Bureau	Reviewed By Everitt Johnson	Researched By Jody Buna
Executive Director Approval Norman C. Boehm	Date of Approval 4-6-95	Date of Report April 4, 1995

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, subject to the public review process, the *Basic Course Transition Program* as an alternative delivery model for the Regular Basic Course and authorize the pilot testing of the program.

BACKGROUND

The Basic Training Bureau has been researching an option for delivering law enforcement basic course training. The *Basic Course Transition Program* is an alternative model that utilizes educational programs to deliver some of the knowledge-oriented instruction required in the Regular Basic Course.

In the proposed alternative model, the Basic Course curriculum is integrated with educational subject matter to form a preparatory basic coursework curriculum. Students graduating from these programs require a shorter, reconfigured law enforcement academy. The model does not eliminate the current basic course certified formats, nor does it attempt to change the way academies currently operate. The model is designed to supplement existing basic training programs and possibly lead to a college degree (See Attachment A). It is planned to be easily accessible and readily transferrable without redundant training requirements.

An ad hoc committee of academy directors, law enforcement executives, community college officials, and training managers (See Attachment B) were assembled to provide recommendations for the development of this model. After several developmental workshops, a final meeting was held on February 9, 1995. The committee identified potential benefits of the *Basic Course Transition Program* as follows:

Program Features

- The program eliminates redundancy of instruction between educational programs and law enforcement academies. By encouraging transferability and eliminating duplication there is more efficient use of educational funds.

- The program allows a student to fulfill POST training requirements while receiving educational credit. This system is flexible and is expected to appeal to entry-level college students. A student can satisfy vocational educational requirements while completing coursework toward a degree.

- Basic training presenters will have more flexibility to design training options for regular officers, reserves and students.

- A shorter, reconfigured law enforcement academy will reduce training costs.

- Law enforcement agencies will benefit from an increased pool of pretrained officers. A larger pool of qualified recruits will, over time, result in fewer vacancies.

- The model provides an experimental alternative method to deliver basic training that is beneficial to students.

ANALYSIS

The Basic Course Transition Program divides the Regular Basic Course curriculum into a preparatory phase of instruction which will permit a shorter basic course because recruits are more knowledgeable upon entry. POST minimum instructional hour requirements are attached to both the preparatory instruction and the reconfigured academy for the purposes of the pilot period. Upon completion of the preparatory training phase, the student must pass a State comprehensive examination before admittance into a shorter reconfigured application-oriented law enforcement academy.

Content of Basic Course Transition Program

The content of the program includes 264 hours of subjects currently taught in basic academy curricula that can be effectively taught in college courses as preparatory learning. The reconfigured basic course would then require 400 hours of instruction. The charts and text which follow outline the content and minimum instructional hours for both the preparatory and basic course as proposed for the pilot. The preparatory instruction is as follows:

PREPARATORY PHASE		
DOMAIN NUMBER	**DOMAIN DESCRIPTION**	**MINIMUM HOURS**
01	History, Ethics & Professionalism	8
02	Criminal Justice System	4
05	Introduction to Criminal Law	6
06	Crimes Against Property	10
07	Crimes Against Persons	10
08	General Criminal Statutes	4
10	Sex Crimes	6
39	Crimes Against the Justice System	4
11	Juvenile Law and Procedure	6
09	Crimes Against Children	6
13	ABC Law	4
40	Weapons Violations	4
12	Controlled Substances	12
15	Laws of Arrest	12
31	Custody	4
16	Search & Seizure	12
17	Presentation of Evidence	8
03	Community Relations	12
04	Victimology/Crisis Intervention	6
38	Gang Awareness	8
42	Cultural Diversity/Discrimination	24
37	Persons with Disabilities	6
18	Investigative Report Writing	40
36	Information Systems	4
34	First Aid & CPR	21
Minimum Instructional Hours		241
TEST TYPE		**HOURS**
Scenario Tests		0
Knowledge Tests		23
Total Minimum Required Hours		264

The delivery model divides the remaining Regular Basic Course curriculum into a 400 minimum-hour application-oriented academy. (The 264 preparatory hours and the 400 application hours are based on an assumption that the Regular Basic Course minimum hours will increase to 664 hours as recommended elsewhere on this agenda.)

The 400 hour program represents the POST minimum required instructional hours in the application phase. Law enforcement trainers recognize the need to reconfigure the Regular Basic Course curriculum to provide an effective training course based upon local training needs. There may be a small degree of redundant or reinforced instruction between the preparatory training and the reconfigured basic course depending upon local training needs.

It is anticipated that the shorter reconfigured law enforcement academy would serve the needs of other groups including reserve officers. The shorter academy will immediately benefit law enforcement agencies by requiring fewer mandated hours of instruction. The agency presenters should benefit from recruiting efforts by new criminal justice programs and the graduates that will be looking for law enforcement academies.

The application-oriented reconfigured course is proposed as follows:

APPLICATION PHASE		
DOMAIN NUMBER	**DOMAIN DESCRIPTION**	**MINIMUM HOURS**
19	Vehicle Operations	24
20	Use of Force	12
35	Firearms/Chemical Agents	72
33	Person Searches, Baton, etc.	60
21	Patrol Techniques	12
22	Vehicle Pullovers	14
23	Crimes in Progress	16
24	Handling Disputes	12
25	Domestic Violence	8
26	Unusual Occurrences	4
27	Missing Persons	4
28	Traffic Enforcement	22
29	Traffic Accident Investigation	12
41	Hazardous Materials	4
30	Preliminary Investigation	42
32	Physical Fitness/Officer Stress	40
Minimum Instructional Hours		358

TEST TYPE	HOURS
Scenario Tests	40
POST-Constructed Knowledge Tests	2
Total Minimum Required Hours	400

Presenters of preparatory phase of instruction are responsible for developing course descriptions and certification documents that would provide POST with a method to track the content of the courses. POST would ensure compliance with existing training standards based upon the certification documents provided by the community colleges. Upon successful completion of both phases of the program, students would receive an academy completion certificate and college credit leading toward an AA/AS Degree.

Testing

Upon completion of the preparatory training a student must pass a POST-constructed comprehensive test before advancing to a law enforcement academy. The POST-constructed comprehensive test would assess knowledge of any of the topics specified for the preparatory phase. The test will be administered and scored by POST. Students completing the preparatory phase may also be required to pass a POST-developed report writing test. The test will assess the knowledge and skills required to write law enforcement reports. This test may be administered and scored by POST. It will be the student's responsibility to prepare for these examinations. All scenario and exercise testing will be the responsibility of the training presenter.

POST regulations for the Regular Basic Course state that students who do not earn a passing score on the POST-constructed knowledge exam fail the basic course. Students complete the preparatory training and who fail the POST comprehensive test should be denied a completion certificate for the first phase, and should be denied entry into the law enforcement academy, but should not be viewed as failing the educational course for degree purposes.

Certification

POST certification of preparatory courses is necessary to enhance the credibility of a pilot program in the minds of law enforcement executives. Regular Basic Course presenters can comply with existing POST course certification procedures for both phases of training. Colleges not having basic course certification but wishing to participate in the pilot process would need to enter into a Memorandum of Understanding (MOU) with an existing Regular Basic Course presenter and agree to comply with POST rules and regulations for the presentation of certified courses. This agreement will incorporate the conditions on the use of POST test items, student vocational admonishments, record keeping and graduation requirements. This contractual relationship is permitted under existing Commission rules.

Pilot Presentations

A pilot presentation can be accomplished with modification to existing regulations. Commission Procedure D-1, will require modification to reflect the Basic Transition Program as an optional method for presenting the Regular Basic Course (See Attachment C). Testing regulations concerning the State comprehensive test will also be incorporated in Procedure D-1. Regulation 1005 will also require minor modification (See Attachment D)

Rio Hondo, Los Medanos/DVC, San Bernardino County Sheriff's Department Academy/San Bernardino Valley College, Evergreen Valley College, Golden West College, Santa Rosa Training Center, Sacramento Public Safety Center, Butte College, and Cerritos College have volunteered to pilot test the model and the Los Angeles Sheriff's Department is considering a pilot test. Operational issues, to include course certifications, number of pilot presenters, and evaluation criteria, will be developed prior to implementation. However, the piloting should proceed on an incremental basis with presentations staggered at intervals established by POST to facilitate formative evaluations and adjustments.

AA/AS Degree

Committee members were unanimous in their support of enhanced educational requirements for law enforcement officers. They were reluctant to recommend that POST mandate a college degree as a prerequisite to finishing this program at this time. It may be a requirement in the future; but for the present, POST and presenters should only advise, counsel, and encourage the attainment of a college degree. Attachment E is an example of how POST training requirements could be integrated into a degree program.

Pre-Enrollment Screening

Students will be advised of the strict requirements of a law enforcement career before they begin the preparatory phase of the training process. Current college academy practices include a pre-academy orientation on admission guidelines which include fingerprinting, physical conditioning, a modified background evaluation, and a pre-entry interview. This prescreening process can be incorporated into the application training portion of the program.

College presenters of the preparatory coursework must evaluate their students based upon the student's ability to successfully complete the academic program and would have difficulty imposing the same restrictive prescreening requirements imposed by law enforcement academies. However, a modified academy prescreening process can be incorporated into the preparatory training program before a student is admitted. The committee agreed that it would be inappropriate to create unrealistic career expectations for students who would never be employed by a law enforcement agency. Agency academies participating in the pilot would have fewer

restrictions on imposing entrance requirements into their academies than is the case with college operated-academies.

SUMMARY

The *Basic Course Transition Program* is an alternative delivery model for basic training that will provide course presenters with greater flexibility in structuring their programs and improving basic training responsiveness to law enforcement agencies. Agencies will benefit from an increased pool of pretrained applicants. Agency training costs will decrease since some students will complete their basic training requirements at their own expense.

Training presenters will have greater flexibility to design training options that meet specific needs of regular officers, reserves and criminal justice students. Students will have available options that allow them to meet their needs without exposure to redundant training. The reconfigured law enforcement academy is shorter and will result in significant dollar savings. The preparatory training can be presented with increased time and emphasis in the colleges.

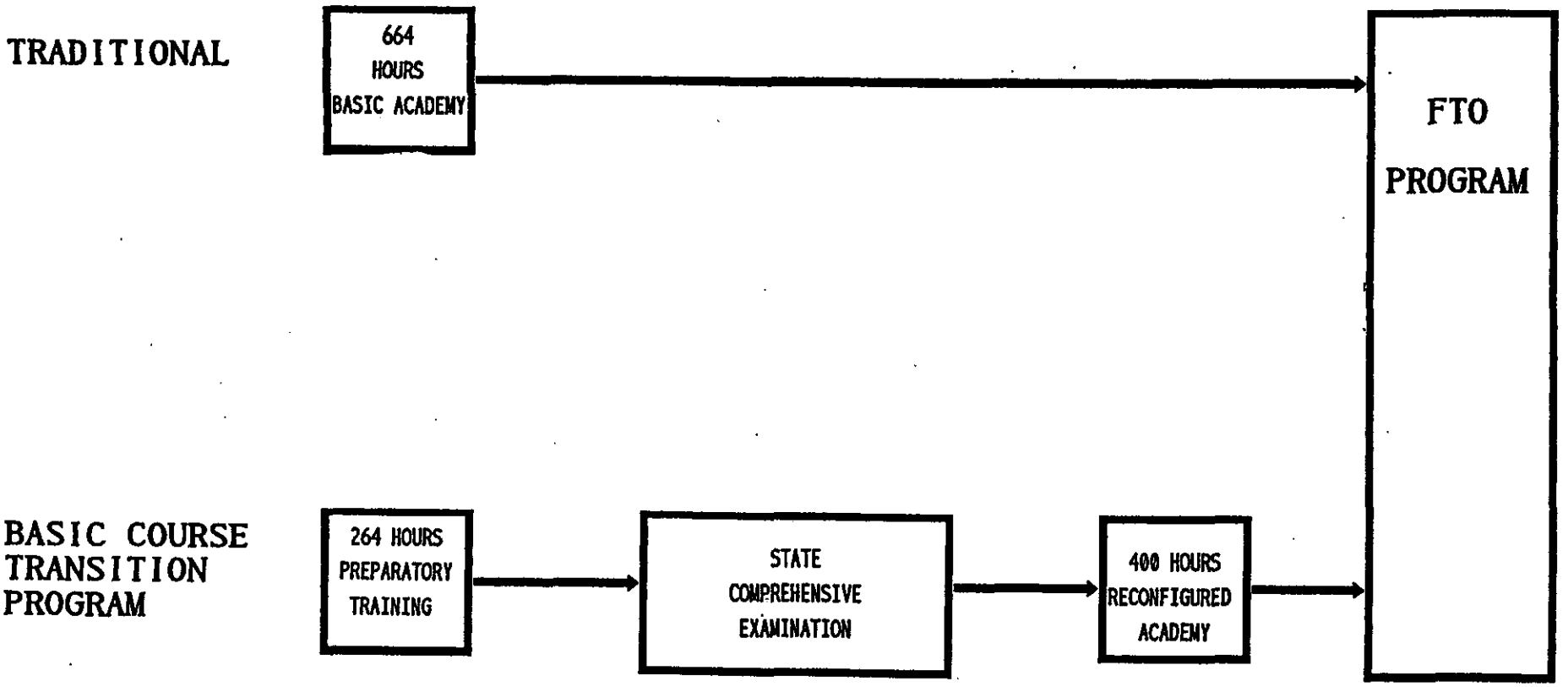
Commission approval will be necessary to proceed with pilot presentations. A public hearing will be required to enact regulation changes.

RECOMMENDATION

If the Commission agrees, it is proposed that a public hearing be scheduled for the July 20, 1995 Commission meeting to receive testimony concerning the proposed changes to Commission Procedure D-1.

POST BASIC PEACE OFFICER TRAINING

COMBINED OVERVIEW



Attachment B

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REVISION #8, 12:15 P.M., APRIL 4, 1995

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-1

BASIC TRAINING

Purpose

1-1. Basic Training Specifications: 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 Attorney Investigators' Basic Course, Marshals' Basic Course, Specialized Basic Investigators' Course, Public Safety Dispatchers' Basic Course, and Coroners' Death Investigation Course.

Training Requirements

1-2. Requirements for Basic Training: The minimum standards for basic training are described in sections 1-3 to 1-8. ~~The entire basic course must be completed under the sponsorship of one training presenter unless POST has approved a contractual agreement dividing responsibility for delivering the basic course between two or more presenters.~~ The Law Enforcement Code of Ethics shall be administered to students taking the Regular Basic Course, District Attorney Investigators' Basic Course, Marshals' Basic Course, and Specialized Basic Investigators' Course. Instructional methodology is at the discretion of individual course presenters unless specified otherwise in an incorporated training specification document developed for the course.

1-3. Regular Basic Course Definitions and Requirements: The terms used to describe testing and training requirements are defined in ~~paragraph~~ Section 1-3(a). Testing and training requirements vary by delivery format and are described in ~~paragraph~~ Section 1-3(b), standard format, and Section 1-3(c), pilot format. ~~Testing, training, content, and minimum hourly requirements are provided in detail in *Training Specifications for the Regular Basic Course - July 1993* and the *POST Basic Academy Physical Conditioning Manual*.~~ Requirements for reporting successful course completion are contained in Commission Regulation 1055(i).

(a) ~~**Definitions of Terms Used to Describe Testing and Training Requirements**~~**Regular Basic Course Terminology**

(1) **Learning Domain.** An instructional unit that covers related subject matter. Each Regular Basic Course learning domain is described in *Training Specifications for the Regular Basic Course - July 1993*. Training specifications for each learning domain include instructional goals, topics, and hourly requirements. Training specifications for a domain also may include learning activities and testing requirements.

(2) **Instructional Goal.** A general statement of the results that instruction is supposed to produce.

(3) **Topic.** A word or phrase that succinctly describes subject matter associated with an instructional goal.

(4) **Learning Activity.** An activity designed to achieve or facilitate one or more instructional goals. Students

participating in a learning activity may be coached and/or provided feedback, but unlike tests, learning activities are not graded on a pass-fail basis.

(5) **Academy.** A state or local government agency certified by POST to present the Regular Basic Course.

(6) **Delivery Formats.** The formats for delivering the Regular Basic Course include the *standard* format and the *pilot* format.

(A) **Standard Format.** The entire Regular Basic Course is delivered by a single training presenter [except as noted in Section 1-3(b)(8)]. The course is delivered as specified in *Training Specifications for the Regular Basic Course - July 1993* and the *POST Basic Academy Physical Conditioning Manual.*

(B) **Pilot Format.** A two-part instructional sequence. Part 1 is a series of administration of justice (AJ) or criminal justice (CJ) courses taken at a California community college, and Part 2 is an academy-based training program.

(~~4~~7) **Test.** An evaluation of the extent to which students have achieved one or more instructional goals. Tests are graded on a pass/fail basis. ~~Four~~Depending on the delivery format, five types of tests ~~are~~ may be used in the Regular Basic Course:

(A) **POST-Constructed Knowledge Test.** A POST-constructed, paper-and-pencil test that measures acquisition of knowledge required to achieve one or more instructional goals.

(B) **POST-Constructed Comprehensive Test.** A POST-constructed, paper-and-pencil test that measures acquisition of knowledge in multiple learning domains.

(~~B~~C) **Scenario Test.** A job-simulation test that measures acquisition of complex psychomotor skills required to achieve one or more instructional goals.

(~~C~~D) **Physical Abilities Test.** A POST-developed test of physical abilities described in the *POST Basic Academy Physical Conditioning Manual*.

(~~D~~E) **Exercise Test.** Any test other than a POST-constructed knowledge test, POST-constructed comprehensive test, scenario test, or physical abilities test that measures the acquisition of knowledge and/or skills required to achieve one or more instructional goals. There are two kinds of exercise tests: (1) A POST-developed report writing test which is administered and scored under POST's direct supervision, and (2) All other exercise tests which are administered and scored by the training presenters.

~~(5) **Learning Activity.** An activity designed to achieve or facilitate one or more instructional goals. Students participating in a learning activity may be coached and/or~~

~~provided feedback, but unlike tests, learning activities are not graded on a pass fail basis.~~

(~~6~~8) **Test-Item Security Agreement.** An agreement between a Regular Basic Course academy and POST that identifies the terms and conditions under which an academy may be provided access to POST-constructed knowledge tests. Failure to accept or abide by the terms and conditions of this agreement is grounds for decertification in accordance with POST Regulation 1057.

(b) **Testing and Training Requirements for the Standard Format**

The testing and training requirements in this section apply to regular basic course classes that POST has certified for presentation in the standard format.

(1) **Topics.** Academies shall provide instruction on all topics~~As~~ specified in *Training Specifications for the Regular Basic Course - July 1993* and the *POST Basic Academy Physical Conditioning Manual*.

(2) **POST-Constructed Knowledge Tests.** As specified in *Training Specifications for the Regular Basic Course - July 1993*, POST-constructed knowledge tests are required in some, but not all, learning domains. Where a POST-constructed knowledge test is required, students must earn a score equal to or greater than the minimum passing score established by POST. Students who fail a POST-constructed knowledge test on the first attempt shall: (a) be provided with an opportunity to review their test results in a manner that does not compromise test security; (b) have a reasonable time, established by the academy, to prepare for a retest; and (c) be provided with an opportunity to be retested with a POST-constructed, parallel form of the same test. If a student fails the second test, the student fails the course unless the academy determines that there were extenuating circumstances, in which case, the student may be tested a third time. If a student fails the third test, the student fails the course.

(3) **Scenario Tests.** As specified in *Training Specifications for the Regular Basic Course - July 1993*, scenario tests are required in some, but not all, learning domains. Where a scenario test is required, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level that demonstrates that he or she is prepared for entry into a field training program. This determination shall be made by the academy. Students who fail to clearly demonstrate proficiency when first tested shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student fails the course unless the academy determines that there were extenuating circumstances or the student performed marginally (as determined by the academy), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student fails the course.

(4) **Exercise Tests.** As specified in *Training Specifications for the Regular Basic Course - July 1993*, exercise tests are required in some, but not all, learning domains. Where an exercise test is required, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level that demonstrates that he or she is prepared for entry into a field training program. This determination shall be made by the academy. Students who fail to clearly demonstrate proficiency when first tested shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student fails the course unless the academy determines that there were extenuating circumstances or the student performed marginally (as determined by the academy), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student fails the course.

(5) **Learning Activities.** As specified in *Training Specifications for the Regular Basic Course - July 1993*, learning activities are required in some, but not all, learning domains. Where a learning activity is required, each student must participate in that activity. A student who does not participate in a learning activity when given the opportunity fails the course unless the academy determines that there were extenuating circumstances. Students who do not participate in a learning activity due to extenuating circumstances shall be given a second opportunity to participate in the same or a comparable learning activity. If a student fails to participate in a learning activity after being given a second opportunity, the student fails the course.

(6) **Physical Conditioning Program.** Students must complete the POST physical conditioning program as described in the *POST Basic Academy Physical Conditioning Manual*.

(7) **Physical Abilities Test Battery.** At the conclusion of the POST physical conditioning program, students must pass a POST-developed physical abilities test battery as described in the *POST Basic Academy Physical Conditioning Manual*. The use of alternatives to the POST-developed physical abilities test battery is subject to approval by POST. Course presenters seeking POST approval to use alternative tests shall present evidence that the alternative tests were developed in accordance with recognized professional standards and that the alternative tests are equivalent to the POST-developed tests with respect to validity and reliability. Evidence concerning the comparability of scores on the POST-developed tests and the proposed alternative tests is also required.

(8) **Single Presenter.** The entire Regular Basic Course shall be completed under the sponsorship of one training presenter unless POST has approved a contractual agreement dividing responsibility for delivering the Regular Basic Course between two or more presenters.

(~~8~~9) **Academy Requirements.** POST has established minimum, statewide training standards for the Regular Basic Course.

However, local conditions may justify additional training requirements or higher performance standards than those established by POST. This may include but is not limited to the use of higher minimum passing scores on POST-constructed knowledge tests.

(c) **Testing and Training Requirements for the Pilot Format**

The testing and training requirements in this section apply to regular basic course classes that POST has certified for presentation in the two-part, *pilot* format.

(1) **Topics.** Instruction shall be delivered on all topics specified in *Training Specifications for the Regular Basic Course - July 1993* as described below.

(A) **Part 1.** Instruction on topics specified in learning domains 1 through 13, 15 through 18, 31, 34, 36 through 40, and 42 shall be delivered in AJ or CJ courses at a California community college.

(B) **Part 2.** Instruction on topics specified in learning domains 19 through 30, 32, 33, 35, and 41 shall be delivered by an academy.

(2) **Paper-and-Pencil Tests**

(A) **Knowledge Tests Administered During Part 1 of the Instructional Sequence.** As specified in *Training Specifications for the Regular Basic Course - July 1993*, a POST-constructed knowledge test is required in some, but not all, learning domains. Where a POST-constructed knowledge test is required in learning domains 1 through 13, 15 through 18, 31, 36 through 40, or 42, these required tests are waived in lieu of the POST-constructed comprehensive test that must be passed before entering part 2 of the instructional sequence. However, during part 1, students must pass an instructor-developed, paper-and-pencil test on learning domain 34, first aid & CPR, that meets the requirements of the Emergency Medical Services Authority for public safety personnel as set forth in the California Code of Regulations, Title 22, Division 9, Chapter 1.5, First Aid Standards for Public Safety Personnel, §100005 - §100028. Alternatively, the first aid & CPR instructor, at his or her option, may arrange for an academy to administer the POST-constructed knowledge test for domain 34. Students who fail the first aid & CPR test on the first attempt shall: (a) be provided with an opportunity to review their test results in a manner that does not compromise test security; (b) have a reasonable time, established by the course instructor, to prepare for a retest; and (c) be provided with an opportunity to be retested with an alternate form of the same test. If a student fails the second test, the student cannot advance to part 2 of the instructional sequence.

(B) **POST-Constructed Comprehensive Test.** Students who complete the instruction specified in Section 1-3(c)(1)(A) must pass a POST-constructed comprehensive test before advancing to part 2 of the instructional sequence. The POST-constructed comprehensive test

may assess knowledge of any of the topics specified in learning domains 1 through 13, 15 through 18, 31, 36 through 40, and 42. The test shall be administered and scored by POST or its agents, not by an academy or college. Students who fail the POST-constructed comprehensive test on the first attempt shall: (a) be provided with information about their test performance that does not compromise test security; (b) have a minimum of 30 days to prepare for a retest; and (c) be provided with an opportunity to be retested with an alternate form of the same test. If a student fails the second test, the student cannot advance to part 2 of the instructional sequence.

(C) **POST-Constructed Knowledge Tests Administered During Part 2 of the Instructional Sequence.** As specified in *Training Specifications for the Regular Basic Course - July 1993*, POST-constructed knowledge tests are required in some, but not all, learning domains. Where a POST-constructed knowledge test is required in learning domains 19 through 30, 32, 33, 35, or 41, it shall be administered by an academy during part 2 of the instructional sequence. Students must earn a score on each knowledge test that is equal to or greater than the minimum passing score established by POST. Students who fail a POST-constructed knowledge test on the first attempt shall: (a) be provided with an opportunity to review their test results in a manner that does not compromise test security; (b) have a reasonable time, established by the academy, to prepare for a retest; and (c) be provided with an opportunity to be retested with a POST-constructed, parallel form of the same test. If a student fails the second test, the student fails part 2 of the course unless the academy determines that there were extenuating circumstances, in which case, the student may be tested a third time. If a student fails the third test, the student fails part 2 of the course.

(3) **Other Tests.**

(A) **POST-Developed Report Writing Test.** Students who complete the instruction specified in Section 1-3(c)(1)(A) may be required to pass a POST-developed report writing test before advancing to part 2 of the instructional sequence. The report writing test assesses the knowledge and skills required to write law enforcement reports. The test shall be administered and scored by POST or its agents, not by an academy or college. Students who fail the POST-developed report writing test on the first attempt shall: (a) be provided with information about their test performance that does not compromise test security; (b) have a minimum of 30 days to prepare for a retest; and (c) be provided with an opportunity to be retested with an alternate form of the same test. If a student fails the second test, the student cannot advance to part 2 of the instructional sequence.

(B) **Scenario Tests Administered During Part 1 of the Instructional sequence.** As specified in *Training Specifications for the Regular Basic Course - July*

1993, scenario tests are required in some, but not all, learning domains. Where a scenario test is required in learning domains 1 through 13, 15 through 18, 31, 34, 36 through 40, or 42, it shall be administered in conjunction with the AJ or CJ courses that constitute part 1 of the instructional sequence. On each required scenario test, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency shall be determined by the course instructor. Students who fail to clearly demonstrate proficiency when first tested shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student cannot advance to part 2 of the instructional sequence unless the instructor determines that there were extenuating circumstances or the student performed marginally (as determined by the instructor), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student cannot advance to part 2 of the instructional sequence.

(C) **Scenario Tests Administered During Part 2 of the Instructional sequence.** Where a scenario test is required in learning domains 19 through 30, 32, 33, 35, or 41, it shall be administered by an academy. On each required scenario test, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level that demonstrates that he or she is prepared for entry into a field training program. This determination shall be made by the academy. Students who fail to clearly demonstrate proficiency when first tested shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student fails part 2 of the course unless the academy determines that there were extenuating circumstances or the student performed marginally (as determined by the academy), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student fails part 2 of the course.

(D) **Exercise Tests Administered During Part 1 of the Instructional sequence.** As specified in *Training Specifications for the Regular Basic Course - July 1993*, exercise tests are required in some, but not all, learning domains. Where an exercise test is required in learning domains 1 through 13, 15 through 18, 31, 34, 36 through 40, or 42, it shall be administered in conjunction with the AJ or CJ courses that constitute part 1 of the instructional sequence. On each required exercise test, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency shall be determined by the course instructor. Students who fail to clearly demonstrate proficiency when first tested

shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student cannot advance to part 2 of the instructional sequence unless the instructor determines that there were extenuating circumstances or the student performed marginally (as determined by the instructor), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student cannot advance to part 2 of the instructional sequence.

(E) **Exercise Tests Administered During Part 2 of the Instructional sequence.** Where a exercise test is required in learning domains 19 through 30, 32, 33, 35, or 41, it shall be administered by an academy. On each required exercise test, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level that demonstrates that he or she is prepared for entry into a field training program. This determination shall be made by the academy. Students who fail to clearly demonstrate proficiency when first tested shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student fails part 2 of the course unless the academy determines that there were extenuating circumstances or the student performed marginally (as determined by the academy), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student fails part 2 of the course.

(4) **Learning Activities in Part 1 of the Instructional Sequence.** As specified in *Training Specifications for the Regular Basic Course - July 1993*, learning activities are required in some, but not all, learning domains. Where a learning activity is required in learning domains 1 through 13, 15 through 18, 31, 34, 36 through 40, or 42, the opportunity to participate in that activity shall be provided in conjunction with the AJ or CJ courses that constitute part 1 of the instructional sequence. Students who do not participate in each required learning activity cannot advance to part 2 of the instructional sequence.

(5) **Learning Activities in Part 2 of the Instructional Sequence.** Where a learning activity is required in learning domains 19 through 30, 32, 33, 35, or 41, the opportunity to participate in that activity shall be provided by an academy during part 2 of the instructional sequence. A student who does not participate in a learning activity when given the opportunity fails part 2 of the course unless the academy determines that there were extenuating circumstances. Students who do not participate in a learning activity due to extenuating circumstances shall be given a second opportunity to participate in the same or a comparable learning activity. If a student fails to participate in a learning activity

after being given a second opportunity, the student fails part 2 of the course.

(6) **Physical Conditioning Program.** Students shall complete the POST physical conditioning program at an academy during part 2 of the instructional sequence. Requirements for completing the program are described in the *POST Basic Academy Physical Conditioning Manual.*[1]

(7) **Physical Abilities Test Battery.** At the conclusion of the POST physical conditioning program, students must pass a POST-developed physical abilities test battery as described in Section 1-3(b)(7).

(8) **Additional Requirements for Entering Part 2 of the Instructional Sequence.** POST has established minimum requirements for entering part 2 of the instructional sequence; however, academies may establish additional criteria for entering into a pilot academy.

(9) **Additional Requirements for Completing Part 2 of the Instructional Sequence.** POST has established minimum, statewide training standards for completing the Regular Basic Course in the pilot format. However, local conditions may justify additional training requirements or higher performance standards than those established by POST. This may include but is not limited to the use of higher minimum passing scores on POST-constructed knowledge tests.

(10) **Administration, Scoring, and Processing of the POST-Constructed Comprehensive Test and POST-Developed Report Writing Test.** The procedures for taking the POST-constructed comprehensive test and the POST-developed report writing test are described below.

(A) **Requirements for Taking the Tests.** To be eligible to take the POST-constructed comprehensive test and/or the POST-developed report writing test, students must complete part 1 of the instructional sequence which includes passing all required tests and participating in all required learning activities.

(B) **Application to Take the Tests.** A request to take the tests must be submitted to POST on a form approved by POST. Applicants must arrange for the community college to send transcripts of their grades directly to POST. The transcripts must be annotated by the college in manner that permits POST to verify that all instructional and testing requirements for part 1 of the instructional sequence have been met. Receipt by POST of the completed POST-approved application form and the applicant's transcript completes the application process.

(C) **Notification of Eligibility.** POST shall notify applicants that they are either eligible or ineligible to take the tests within 30 days of the day on which the application process is completed. If the applicant is not eligible to take the test, the notification shall state the reasons for the applicant's ineligibility.

(D) **Scheduling.** Applicants who are eligible to take the tests shall be scheduled for the test within 90 days of the day on which the application process is completed. Applicants shall be notified of the time and date of the test at least 30 days prior to the day on which the test will be administered.

(E) **Notification of Test Results.** Applicants shall be notified of their test results within 30 days of taking the tests.

(F) **Failure on the First Attempt.** Examinees who fail either or both tests on their first attempt may submit a request to be retested. Requests to be retested must be submitted to POST on a form approved by POST. POST shall retest examinees who fail a test on their first attempt no sooner than 30 days after failing the test and no later than 90 days after the examinee has submitted a request to be retested on a POST-approved form. Examinees shall be notified of their test results within 30 days of the day on which they were retested.

(G) **Failure on the Second Attempt.** Examinees who fail either test on their second attempt shall not be retested and cannot advance to part 2 of the instructional sequence.

1-4. ***

Notes

1. The physical conditioning program mandated in the *POST Basic Academy Physical Conditioning Manual* requires a minimum of 36 conditioning sessions over 12 weeks (see page 25). This requirement would be impossible to satisfy in a 400-hour (10-week) academy. Therefore, the *POST Basic Academy Physical Conditioning Manual* needs to be amended to permit a shorter (i.e., 10-week) conditioning program.

1005. Minimum Standards for Training.

(a) Basic Training Standards (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.

A basic course peace officer trainee as described in Penal Code section 832.3(a) is authorized to exercise peace officer powers while engaged in a field training program conducted as an approved segment of a POST-certified basic course when the director of the basic training academy has received written approval from POST for a basic course field training program. Requests for approval must be submitted to POST on an Application for POST-Approved Field Training Program, POST form 2-229 (Rev. 3/89). Application forms are available from POST.

Requirements for approval of a basic course field training program are:

(A) The trainees have completed the training requirements of Penal Code section 832.

(B) The trainees are participants in a structured learning activity under the direction of the basic training academy staff.

(C) The trainees are, during field training, under the direct and immediate supervision (physical presence) of a peace officer who has been awarded a POST basic certificate and who has completed a POST-certified field training officer course.

(D) The basic training director has secured the written commitment of the trainee's agency head to provide the trainee with the structured field training experience, as required by the director of the basic training academy, using a qualified field training officer as described in subparagraph (C).

(2) Every regularly employed and paid as such inspector or investigator of a district attorney's office as defined in section 830.1 Penal Code who conducts criminal investigations shall be required to satisfactorily meet the training requirements of the District Attorney Investigators Basic Course, PAM section D-1-4. Alternatively, the basic training standard for district attorney investigative personnel shall be satisfied by successful completion of the training requirements of the Basic Course, PAM, section D-1-3, before these personnel are assigned duties which include performing specialized law enforcement or investigative duties, except all of the Basic Course need not be completed before they participate in a POST-approved field training program as described in subparagraph (1). The satisfactory completion of a certified Investigation and Trial Preparation Course, PAM section D-1-4, is also required within 12 months from the date of appointment as a regularly employed and paid as such inspector or investigator of a District Attorney's Office.

(3) Every regularly employed and paid as such marshal or deputy marshal, of a municipal court, as defined in section 830.1 Penal Code, shall satisfactorily meet the training requirements of the Marshals Basic Course, PAM, section D-1-5. Alternatively, the basic training standard for marshal personnel shall be satisfied by successful completion of the training requirements of the Basic Course, PAM, section D-1-3, before these personnel are assigned duties which include performing specialized law enforcement or investigative duties, except all of the basic course need not be completed before they participate in a POST-approved field training program as described in subparagraph (1). The satisfactory completion of a certified Bailiff and Civil Process Course or a Bailiff and Court Security Course and a Civil Process Course, PAM section D-1-5, is also required within 12 months from the date of appointment as a regularly employed and paid as such marshal or deputy marshal of a municipal court.

(4) Every specialized officer, except marshals, deputy marshals, and regularly employed and paid as such inspectors or investigators of a district attorney's office, shall satisfactorily meet the training requirements of the Basic Course, PAM, section D-1-3, within 12 months from the date of appointment as a regularly employed specialized peace officer; or for those specialized agency peace officers whose primary duties are investigative and have not satisfactorily completed theBasic Course, the chief law enforcement administrator may elect to substitute the satisfactory completion of the training requirements of the Specialized Basic Investigators Course, PAM, section D-1-6.

(5) (continued)

PAM section D-1-1 adopted effective September 26, 1990, and amended January 14, 1994 and * is herein incorporated by reference.

PAM section D-1-2 adopted effective September 26, 1990, and amended January 11, 1992, ~~and~~ January 14, 1994, and * is herein incorporated by reference.

PAM section D-1-3 adopted effective April 15, 1982, and amended January 24, 1985, September 26, 1990, January 14, 1994, July 16, 1994, ~~and~~ December 16, 1994, and * is herein incorporated by reference.

* Effective date to be filled in by OAL.

Associate of Science Degree

AREA A			
	English Communication Courses List		6.0
Req.			
1.	English 1A-English Composition		3.0
	<u>and one of the following</u>		
2.	Comm. Studies 10-Interpersonal Comm.	3.0	
3.	Comm. Studies 35-Inracultural Comm.		3.0
AREA B			
	Physical and Biological Sciences List		3.0
Req.			
1.	Select any one (1) course with lab.		3.0
AREA C			
	Arts and Humanities List		6.0
Req.			
1.	Sub-Area 1 (Select 1 course)	3.0	
	<u>and one of the following</u>		
2.	English 1B-English Composition		3.0
3.	Philos. 60-Logical & Critical Reasoning	3.0	
4.	VDIS 60-Critical Thinking	3.0	
5.	Spanish 1A-Elementary Spanish	5.0	
AREA D			
	Social/Behavioral Sciences List		6.0
Req.			
1.	History 1-Survey of American History	3.0*	
2.	Political Science 1-American Govt.		3.0*
	or		
3.	History 17A-History of U.S.		3.0
4.	History 17B-History of U.S.		3.0
AREA E			
	Lifelong Understanding & Self-Development		5.0
Req.			
1.	Family Consumer Studies 50-Life Mgmt.	3.0	
2.	PE 31-Lifetime Fitness/Personal Appraisal	2.0	

ADDITIONAL PROGRAM REQUIREMENTS

A.	Complete any two courses from the following:		6.0
Req.			
1.	Computer Information Systems 1-Computer Concepts	3.0	
2.	Psych 10-General Psychology	3.0	
3.	Psych 99-Abnormal Psychology	3.0	
4.	Soc. 10-Introduction to Sociology	3.0	
5.	Soc. 11-Social Problems	3.0	
6.	Soc. 96-Perspectives on Sex Roles	3.0	
7.	Sign Language 1A-Intro. American Sign	3.0	

B. Complete on (1) course from the following. Must be a course about a culture other than your own.

Req. 3.0

1.	Soc. Sci. 20-Afro-American Culture	3.0
2.	Soc. Sci. 30-Mexican-Amer. Culture	3.0
3.	Soc. Sci. 40-Vietnamese-Amer. Culture	3.0
4.	Soc. Sci. 42-Asian-American Culture	3.0

C. Complete each of the following:

	POST Required Training		Prerequisite(s)
1.	Introduction to Criminal Justice Administration	3.0	None
2.	Criminal Legal Procedures	3.0	None
3.	Contemporary Multicultural Issues	3.0	None
4.	California Criminal Codes I	3.0	None
5.	California Criminal Codes II	2.0	Cal. Crim Code I
6.	Written and Interpersonal Communications	3.0	Cal. Crim Code I Cal. Crim. Code II English 1A
7.	Special Law Enforcement Topics		Cal. Crim. Code I

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Changes to Basic Course Training Course Training Specifications		Meeting Date April 20, 1995
Bureau Basic Training Bureau	Reviewed By Everitt Johnson	Researched By Shirley Paulson
Executive Director Approval Norman C. Boehm	Date of Approval 3.31.95	Date of Report

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, subject to a public review process, changes to basic training specifications as enumerated in this report?

BACKGROUND

As part of an ongoing review of basic course content, POST staff and curriculum consultants (academy instructors and other subject matter experts) thoroughly review learning domain content to determine if revisions are necessary. This process occurs in regularly scheduled workshops during which curriculum and supporting material for specific domains are updated to reflect emerging training needs, legislatively-mandated subject matter, changes in the law, or to improve student testing and evaluation.

Proposed changes to the training specifications for Learning Domains 5, 6, 7, 8, and 15 impact one or more of the following elements of the domain:

- Required topics
- Domain title
- Required tests
- Required learning activities
- Minimum hours for instruction

ANALYSIS

Following is a summary of proposed changes to the training specifications. The complete text of these proposed changes can be found in Attachment A.

- Learning Domain #5 (Introduction to Criminal Law)

  The topic "criminal justice concepts" is deleted from the "required topics" list and replaced by seven topics which are

added solely for specificity. The subjects proposed to be detailed as separate topics are:

- Intent and Criminal Negligence (general, specific, transferred)
- Parties to Crimes (principals, accessories, accomplices)
- Entrapment
- Persons legally incapable of committing crimes
- Sources of the law (constitution, statutes, case law)
- Classification of crimes (infraction, misdemeanor, felony)
- Concept of corpus delicti

In addition, a topic regarding the concept of an **attempt** to commit a crime (Penal Code Section 21a) has been added to reflect the passage of a new law which defines the two elements which form "attempt". The definition of attempt is included in this domain so that the student understands the concept as it applies to specific crime classifications contained in other law domains.

- Learning Domain #6 (Crimes Against Property)

Rename the domain "**Property Crimes**." The contributing curricula consultants feel that this more adequately describes the material addressed. The current description (title) is somewhat erroneous because not all crimes discussed in this domain are crimes **against** property.

The topic related to unauthorized entry of property (trespassing) is changed to "unauthorized entry" and the types of trespassing laws to be included as mandated topics are added to improve clarity and better reflect the depth of instruction currently being delivered.

- Learning Domain #7 (Crimes Against Persons)

Curricula consultants felt that instructional sequencing in the Regular Basic Course would be improved by moving the following two topics to Learning Domain #15 (Laws of Arrest) since they are more germane to the general discussion of constitution protections addressed in Learning Domain 15.

- Conspiracy to deprive a person of a civil right
- Deprivation of a civil right under color of law

- Learning Domain #8 (General Criminal Statutes)

A topic regarding disorderly conduct was expanded to add detail and better reflect instruction which is already being provided. Instruction regarding peeping in bathroom holes (Penal Code Section 647(j) has been added to the list of topics under "disorderly conduct" to reflect recently enacted legislation.

SUMMARY

Proposed revisions are recommended by staff and curriculum consultants to update and further refine the existing language of the training specifications. All proposed changes have been reviewed and endorsed by the Consortium of Basic Course Academy Directors.

The following actions are proposed:

1. If the Commission agrees to the changes identified herein, it is proposed that the abbreviated public hearing process be used. If no one requests a public hearing, these proposed changes would go into effect 30 days after approval by the Office of Administrative Law.

2. That pursuant to Commission Regulation 1005, *Training Specifications for the Regular Basic Course (1993)* be amended to include the recommended revisions.

Proposed changes to training specifications are included in Attachment A and a copy of Regulation 1005 is included as Attachment B.

RECOMMENDATION

Subject to the results of the proposed Notice of Regulatory Action, approve the revisions to *Training Specifications for the Regular Basic Course (1993)* and amendment to Commission Regulation 1005.

CONTENT AND MINIMUM HOURLY REQUIREMENTS

DOMAIN NUMBER	DOMAIN DESCRIPTION	MINIMUM HOURS
01	History, Professionalism & Ethics	6 hours
02	Criminal Justice System	4 hours
03	Community Relations	4 hours
04	Victimology/Crisis Intervention	6 hours
05	Introduction to Criminal Law	6 hours
06	~~Crimes Against~~ Property Crimes	8 hours
07	Crimes Against Persons	8 hours
08	General Criminal Statutes	6 hours
09	Crimes Against Children	4 hours
10	Sex Crimes	4 hours
11	Juvenile Law and Procedure	6 hours
12	Controlled Substances	10 hours
13	ABC Law	4 hours
15	Laws of Arrest	12 hours
16	Search & Seizure	12 hours
17	Presentation of Evidence	8 hours
18	Investigative Report Writing	36 hours
19	Vehicle Operations	24 hours
20	Use of Force	8 hours
21	Patrol Techniques	12 hours
22	Vehicle Pullovers	12 hours
23	Crimes in Progress	12 hours
24	Handling Disputes/Crowd Control	12 hours
25	Domestic Violence	8 hours
26	Unusual Occurrences	4 hours
27	Missing Persons	4 hours
28	Traffic Enforcement	20 hours
29	Traffic Accident Investigation	12 hours
30	Preliminary Investigation	31 hours
31	Custody	4 hours
32	Physical Fitness/Officer Stress	40 hours
33	Person Searches, Baton, etc.	44 hours
34	First Aid & CPR	21 hours
35	Firearms/Chemical Agents	60 hours
36	Information Systems	4 hours
37	Persons with Disabilities	4 hours
38	Gang Awareness	4 hours
39	Crimes Against the Justice System	4 hours
40	Weapons Violations	4 hours
41	Hazardous Materials	4 hours
42	Cultural Diversity/Discrimination	16 hours
	Minimum Instructional Hours	512 hours

The minimum number of hours allocated to testing in the Regular Basic Course are shown below.

TEST TYPE	HOURS
Scenario Tests	24 hours
POST-Constructed Knowledge Tests	24 hours
Total Minimum Required Hours	560 hours

SPECIFICATIONS FOR LEARNING DOMAIN #05: INTRODUCTION TO CRIMINAL LAW

~~July 1, 1993~~July 15, 1995

I. INSTRUCTIONAL GOAL

The goal of instruction on **Introduction to Criminal Law** is to provide students with knowledge of the concepts and terminology that is needed to understand the California criminal justice system.

II. REQUIRED TOPICS

The following topics shall be covered:

A. Distinction between *spirit of the law* and *letter of the law*

B. Distinction between criminal and civil law

C. Criminal justice terminology ~~and concepts~~

D. Intent and criminal negligence

1. General intent

2. Specific intent

3. Transferred intent

4. Criminal negligence

E. Parties to crimes

1. Principals

2. Accessories

3. Accomplices

F. Entrapment

G. Persons legally incapable of committing crimes

H. Sources of the law

1. Constitution

2. Statutes

3. Case law

I. Classification of crimes

1. Infraction

2. Misdemeanor

3. Felony

J. Concept of corpus delicti

K. Concept of an attempt to commit a crime

III. REQUIRED TESTS

The POST-constructed knowledge test for Domain #5

IV. REQUIRED LEARNING ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **6 hours** of instruction on introduction to criminal law.

VI. ORIGINATION DATE

July 1, 1993

VII. REVISION DATES

July 15, 1995

SPECIFICATIONS FOR LEARNING DOMAIN #06: ~~CRIMES AGAINST~~ PROPERTY CRIMES

~~September 1, 1994~~July 15, 1995

I. INSTRUCTIONAL GOAL

The goal of instruction on **Property Crimes** is to provide students with the ability to recognize when property crimes have occurred, to identify the crimes by their common names, and to classify them as either misdemeanors or felonies.

II. REQUIRED TOPICS

The following topics shall be covered:

A. Theft

1. ~~G~~grand theft

2. ~~P~~petty theft

B. Defrauding an innkeeper

C. Appropriation of lost property

D. Embezzlement

E. Forgery

F. Unauthorized entry~~ies~~ies ~~of property (trespassing)~~

1. entering and occupying real property

2. trespass to land

3. intentional interference with business operations

4. trespass with credible threat to cause injury

G. Burglary

H. Possession of burglary tools

I. Alteration of serial numbers

J. Receiving stolen property

K. Vandalism

L. Cruelty to animals

M. Arson

N. Possession of a firebomb

O. Aid, counsel, or procure the burning of property or land

P. Vehicle theft and joyriding

Q. Writing checks with intent to defraud

R. Repossession

S. Landlord/tenant dispute

III. REQUIRED TESTS

The POST-constructed knowledge test for Domain #6

IV. REQUIRED LEARNING ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **8 hours** of instruction on property crimes.

VI. ORIGINATION DATE

July 1, 1993

VII. REVISION DATES

June 1, 1994
September 1, 1994
July 15, 1995

SPECIFICATIONS FOR LEARNING DOMAIN #07: CRIMES AGAINST PERSONS

~~June 1, 1994~~July 15, 1995

I. INSTRUCTIONAL GOAL

The goal of instruction on **Crimes Against Persons** is to provide students with the ability to recognize when person crimes have occurred, to identify the crimes by their common names, and to classify them as either misdemeanors or felonies.

II. REQUIRED TOPICS

The following topics shall be covered:

A. Extortion

B. Assault

C. Battery

D. Assault with a deadly weapon

E. Mayhem

F. Infliction of corporal injury on a spouse of cohabitant

G. Robbery

H. Kidnapping and false imprisonment

I. Aiding or encouraging a suicide

J. Murder

1. degrees

2. felony murder rule

K. Excusable and justifiable homicide

L. Manslaughter

1. voluntary

2. involuntary

3. vehicular

~~M. Conspiracy to deprive a person of a civil right~~

~~N. Deprivation of a civil right under color of law~~

~~O~~M. Crimes against elders and dependent adults

~~P~~N. Child abduction

~~Q~~O. Stalking

~~R~~P. Carjacking

III. REQUIRED TESTS

The POST-constructed knowledge test on Domain #7

IV. REQUIRED LEARNING ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **8 hours** of instruction on crimes against persons.

VI. ORIGINATION DATE

July 1, 1993

VII. REVISION DATES

June 1, 1994
July 15, 1995

SPECIFICATIONS FOR LEARNING DOMAIN #08: GENERAL CRIMINAL STATUTES

~~December 1, 1994~~July 15, 1995

I. INSTRUCTIONAL GOAL

The goal of instruction on **General Criminal Statutes** is to provide students with the ability to recognize violations of the statutes, to identify the violations by their common crime names, and to classify them as either misdemeanors or felonies.

II. REQUIRED TOPICS

The following topics shall be covered:

A. Attempt to commit a crime

B. Conspiracy to commit a crime

C. Solicitation to commit ~~a~~certain crimes

D. Disturbing the peace

E. Disorderly conduct to include:

1. lewd conduct
2. prostitution
3. loitering about a public toilet
4. public intoxication
5. prowling
6. peeping
7. illegal lodging

8. bathroom peepholes

F. Public nuisance

G. Disturbing a public meeting

H. Obstructing a sidewalk or street

I. Gambling

J. Press access to closed areas

III. REQUIRED TESTS

The POST-constructed knowledge test on Domain #8

IV. REQUIRED LEARNING ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **6 hours** of instruction on general criminal statutes.

VI. ORIGINATION DATE

July 1, 1993

VII. REVISION DATES

None
December 1, 1994
July 15, 1995

SPECIFICATIONS FOR LEARNING DOMAIN #15: LAWS OF ARREST

~~June 1, 1994~~July 15, 1995

I. INSTRUCTIONAL GOALS

The goals of instruction of **Laws of Arrest** are to provide students with:

A. an understanding of the arrest powers of a peace officer including:

1. the discretion that an officer has in making an arrest
2. limits on an officer's discretion
3. the elements of an arrest
4. daytime and night time arrests
5. the information that an officer must provide to an arrested person
6. treatment of an arrested person after the arrest
7. exceptions to a peace officer's arrest powers
8. civil liability;

B. the ability to recognize when suspects must be provided their Miranda rights;

C. knowledge of an officer's responsibility where the arrest was made by a private person; and

D. knowledge of the elements required to establish reasonable suspicion and probable cause~~;~~.

II. REQUIRED TOPICS

The following topics shall be covered:

A. Arrest powers of a peace officer

B. Miranda rights of detainees

C. Arrest by a private person

D. Reasonable suspicion and probable cause

E. Legal requirements for entry to make an arrest

F. Follow-up requirements and information which must be provided to an arrested person

G. Consensual encounters

H. Conspiracy to deprive a person of a civil right

I. Deprivation of a civil right under color of law

III. REQUIRED TESTS

A. The POST-constructed knowledge test for Domain #15

B. An exercise test that requires the student to approach, contact, interview, and interrogate a suspicious person

IV. REQUIRED LEARNING ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **12 hours** of instruction on laws of arrest.

VI. ORIGINATION DATE

July 1, 1993

VII. REVISION DATES

June 1, 1994

ATTACHMENT B

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PROPOSED REGULATION

1005. Minimum Standards for Training.

(a)(1) through (j)(2) continued.

Continued - All incorporation by reference statements in between (j)(2) and the following:

The document *Training Specifications For The Regular Basic Course - July 1993* adopted effective January 14, 1994, and amended July 16, 1994, December 17, 1994, * , * ~~and~~ * <u>and</u> is herein incorporated by reference.

***** continued.

NOTE: Authority cited: Sections 13503, 13506, and 13510, Penal Code. Reference: Sections 832, 832.3, 832.6, 13506, 13510, 13510.5, 13511, 13513, 13514, 13516, 13517, 13520, and 13523, Penal Code.

* Dates to be filled in by OAL.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Report and Request for Public Hearing on Reserve Training Module D		Meeting Date: April 20, 1995
Bureau: Basic Training Bureau	Reviewed By: Everitt Johnson EJ	Researched By: Jody J. Buna
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-4-95	Date of Report: March 20, 1995
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 schedule a public hearing for the July 20, 1995 meeting to consider adopting regulations to implement modifications to the reserve training program that would: 1) Add Module D as a bridge course for existing Level I's who have completed Reserve Training Modules A, B, & C and who wish to satisfy the Regular Basic Course training requirement, and 2) Adopt a new document, *Training Specifications for Reserve Training Module D*, as the curriculum for Reserve Training Module D.

BACKGROUND

Senate Bill 1874, effective January 1, 1995, requires POST to develop an optional bridging or supplemental course for existing Level I reserve officers who have completed reserve training Modules A, B, C, totaling 222 hours and who wish to satisfy the Regular Basic Course requirement (currently proposed to increase to a minimum of 664 hours). POST is also required to ensure there is no unnecessary redundancy of training between that required for reserve officers and the regular peace officers.

Adding Module D to the existing reserve training system would effectively create a bridge course to comply with the legislative mandate. Module D would serve as a voluntary course that would permit existing Level I's to satisfy the regular basic course training requirement. The existing training requirement for nondesignated Level I's is completion of Reserve Training Modules A, B, & C which totals 222 hours. The minimum hours for the Regular Basic Course is 664 hours if the Commission approves the recommended increase. Therefore, the Module D course should be 442 hours. A new document, *Training Specifications for Reserve Module D*, would specify the topics, and minimum hourly requirements of the course. The training specifications for each learning domain would include topics, learning activities, and tests that are required by the Regular Basic Course but not included in Reserve Training Modules A,B, & C.

ANALYSIS

The Existing Reserve Training Program

Penal Code Section 832.6 authorizes POST to establish minimum training standards for each reserve officer category. The minimum training required for each level of reserve officer must be completed prior to performance of the duties of that level. The minimum training standards for Levels III, II, and I are contained in the *POST Administrative Procedures Manual, Commission Procedure H-3*. The training standard for the designated Level I is the Regular Basic Course and can be found in section D-I.

The reserve modules must be completed in ascending order. To satisfy the training requirements of Penal Code Section 832.6 the training modules must be POST-certified. Level III reserve officers are required to successfully complete Reserve Training Module A (64 hours). Level II's must complete Module B (90 hours) and be provided field training on a continuous basis. Nondesignated Level I reserve officers must either complete Module A, B, and C (68 hours) or the Regular Basic Course. They are also required to complete 200 hours of field training and complete 200 hours of general law enforcement experience to be eligible to receive a POST certificate. Designated Level I's must successfully complete the Regular Basic Course.

Reserve Training Module D Development Steps

The following steps were taken in the development of Module D:

1) Input and recommendations were solicited from reserve trainers, program coordinators, training providers, reserve officers and law enforcement executives throughout the state;

2) The Regular Basic Course performance objectives not contained in Reserve Modules A, B, and C were identified;

3) The minimum instructional hours of Module D were established by comparing the instructional hours in Modules A, B, and C to the hours required of the Regular Basic Course;

4) Once the performance objectives and instructional hours were established, staff relied upon the collective experience of the assembled ad hoc committee to develop the training specifications for Module D.

Step 1: *Reserve Trainer and Executive Recommendations*

POST staff assembled a committee comprised of reserve training managers, course presenters, reserve officers,and reserve trainers to assist in the development of Module D. The committee reviewed the content of the existing reserve modules and concurred that the a "supplemental bridging course" that met the Basic Course training requirement could be developed. Some of the committee members participated in the development of the existing Reserve Modules A, B, & C. All members of the committee were familiar with the requirements of the Reserve Training Program.

The committee concurred that the Reserve Training Modules are based directly upon the content and prescribed training requirements of the Regular Basic Course. When the modules were assembled in 1988, a portion of the Regular Basic Course content was not included in the required training. A "bridge course" should consist of that portion of the Regular Basic Course that was not incorporated into the reserve modules and any new required topics and learning activities that have been added to the Regular Basic Course since 1988. The committee recommended that POST take the following actions:

1. Add Reserve Training Module D to bridge the gap between the reserve modules A,B & C and the Regular Basic Course. The content of Modules A, B, C, and D should equate to the required topics, minimum hours, learning activities and testing requirements of the Regular Basic Course.

2. Format the bridge course into training specifications to maintain consistency with the Regular Basic Course. The training specification document should specify the required topics, tests, learning activities and hourly requirements of Module D based upon the requirements of the Regular Basic Course.

Step 2: *Identifying Module D Performance Objectives*

The reserve training modules are based upon Regular Basic Course "functional areas" and performance objectives. The performance objectives and instructional guides contained in the reserve training modules were taken directly from the Regular Basic Course. A committee of reserve and Regular Basic Course trainers developed the Reserve curriculum to provide uniformity on a statewide basis. Each reserve module contains hourly requirements, performance objectives, expanded course outlines, unit guides, and test items based on the Regular Basic Course. Staff identified the current Regular Basic Course performance objectives that are not required in Reserve Modules A, B or C. These performance objectives form an outline of the content of Module D. The assumption is that a reserve officer who has

successfully completed the performance objectives in Modules A, B, & C, and those in Attachment A, has met the Regular Basic Course training requirement without unnecessary redundancy.

Step 3: Establishing the Minimum Instructional Hours of Module D

Since development of the reserve modules, the Regular Basic Course has been converted to Training Specifications based on 41 Learning Domains. The existing 41 Basic Course Learning Domains were converted into 12 Reserve Training Functional Areas. The content of both courses is the same. The Basic Course training hours required for each Functional Area can be established using Attachment B. Assuming the Regular Basic Course minimum hours will increase to 664, the minimum hourly requirements of Module D are as follows:

FUNCTIONAL AREA	A	B	C	A+B+C	664 BASIC	664 D
Professional Orientation	4	1	1	6	12	6
Community Relations	2		1	3	56	53
Criminal Law	12	4	24	40	84	44
Laws of Evidence	3		8	11	20	9
Communications	5	8		13	40	27
Vehicle Operation		8		8	24	16
Force and Weaponry	24	12		36	84	48
Patrol Procedures		42	24	66	95	29
Traffic		4	4	8	34	26
Criminal Investigation	2		4	6	46	40
Custody		1		1	4	3
Physical Fitness/ Defensive Techniques	10	8		18	100	82
Written Examinations	2	2	2	6	25	19
Scenario Tests					40	40
TOTAL	64	90	68	222	664	442

Step 4: Developing Module D Training Specifications

The Regular Basic Course has undergone extensive modification in recent years to reflect emerging training issues and legislative mandates. Unfortunately, the reserve modules have not been updated. Each Regular Basic Course Learning Domain includes

instructional goals, required topics, minimum hours, test requirements and learning activities. Training specifications for the Regular Basic Course are contained in a document entitled, *Training Specifications For the Regular Basic Course*. Training specifications are intentionally designed to eliminate the need for frequent modification. To ensure that content and minimum hours of Reserve Training Modules A, B, C and D meet the Regular Basic Course requirement, the performance objectives were identified and matched to the training specifications of the Regular Basic Course. The ad hoc committee established the hourly requirements of each domain based on their collective experience with the reserve training program. **The hourly requirement for each domain in Module D is in Attachment A.**

There is a difference in the testing requirements between the reserve training system and the Regular Basic Course. The Basic Course requires students to pass POST-developed tests relating to specific topics covered during basic course instruction. These tests, called knowledge domain tests, are typically administered throughout the course as instruction on each domain is completed. Students must also participate in learning activities in some domains and are required to pass exercise tests, scenario tests, and physical ability tests.

The reserve modules have the following testing requirements:

1. Level 3 Reserve: Module A contains the Level 3 testing requirements. They are the same as the PC-832 training and testing requirements. To complete Module A, students must take and pass the PC-832 test maintained by POST.

2. Level 2 Reserve: Module B contains the Level 2 testing requirements and module test items. Many of the providers are **not** basic course presenters and do not have access to POST developed test items.

3. Level 1 Reserve: Module C contains the testing requirements. Like Module B, many of these providers are **not** basic course presenters and do not have access to POST developed tests.

Module D will contain all the performance objectives and learning activities required in the Regular Basic Course except those covered in Modules A through C. To complete Module D, staff recommends that students pass a yet-to-be-constructed test developed by POST. This end-of-course test will be comprehensive. It will test the content of Modules A, B, C and D. However, the test will be limited to only those topics that can be appropriately evaluated with multiple-choice test items. **To ensure that students participate in learning activities and are required to take and pass exercise tests, scenario tests, and physical abilities tests in Module D courses, it is recommended**

that Module D only be certified to presenters who are also certified to deliver the Regular Basic Course.

SUMMARY

Senate Bill 1874 requires POST to facilitate the voluntary transition of reserve officers to regular positions without unnecessary redundant training. The bill states that POST shall develop a supplemental course to bridge the gap from the training required in Modules A, B, & C and the Regular Basic Course training requirement. The existing reserve modules are based on the Regular Basic Course and the addition of a Module D will satisfy the legislative mandate. The new document, *Training Specifications for Reserve Training Module D*, represents the collective thought of reserve trainers and managers who work with reserve programs on a daily basis. The new Module D course is intended to satisfy the requirements of Senate Bill 1874. It is recommended that the presentation of the Module D course be limited to Regular Basic Course presenters to ensure that the required topics, learning activities and tests are properly administered.

RECOMMENDATION

The impact of the proposed changes is substantial, particularly with respect to increased training hours. Because of this significant impact, it is suggested that public input be sought at a public hearing before changes are acted upon. It is recommended that the Commission approve the setting of a public hearing date for July 20, 1995 Commission meeting to receive testimony concerning the adoption of the document, *Training Specifications Reserve Training Module D*, as the curriculum for reserve training Module D and proposed changes to Regulation 1005 and Commission Procedure D-1 **(See Attachments B - E).**

Attachment A

MODULE "D'
MINIMUM HOURLY REQUIREMENTS

DOMAIN NUMBER	DOMAIN DESCRIPTION	MINIMUM HOURS
01	History, Professionalism & Ethics	4
02	Criminal Justice System	2
03	Community Relations	9
04	Victimology/Crisis Interventions	6
05	Introduction to Criminal Law	1
06	Crimes Against Property	8
07	Crimes Against Persons	8
08	General Criminal Statutes	1
09	Crimes Against Children	4
10	Sex Crimes	4
11	Juvenile Law and Procedure	1
12	Controlled Substances	6
13	ABC Law	1
15	Laws of Arrest	6
16	Search & Seizure	7
17	Presentation of Evidence	2
18	Investigative Report Writing	27
19	Vehicle Operations	16
20	Use of Force	8
21	Patrol Techniques	2
22	Vehicle Pullovers	7
23	Crimes in Progress	8
24	Handling Disputes	5
25	Domestic Violence	2
26	Unusual Occurrences	4
27	Missing Persons	4
28	Traffic Enforcement	7
29	Traffic Accident Investigation	12
30	Preliminary Investigation	36
31	Custody	3
32	Physical Fitness/Officer Stress	40
33	Person Searches, Baton, etc.	42
34	First Aid & CPR	0
35	Firearms/Chemical Agents	40
36	Information Systems	4
37	Persons with Disabilities	6
38	Gang Awareness	8
39	Crimes Against the Justice System	2
40	Weapons Violations	2
41	Hazardous Materials	4
42	Cultural Diversity/Discrimination	24
	Minimum Instructional hours	383

TEST TYPE	HOURS
Scenario Tests	40
POST-Constructed Knowledge Tests	19
Total Minimum Required Hours	442

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-1

BASIC TRAINING

Purpose

1-1. Basic Training Specifications: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005(a) and that portion of the Reserve Officer Minimum Standards established in Section 1007(b) of the Regulations which relate to Basic Training. Basic Training includes the Regular Basic Course, District Attorney Investigators' Basic Course, Marshals' Basic Course, Specialized Basic Investigators' Course, Public Safety Dispatchers' Basic Course, and Coroners' Death Investigation Course.

Training Requirements

1-2. Requirements for Basic Training: The minimum standards for basic training are described in sections 1-3 to 1-8. The entire basic course must be completed under the sponsorship of one training presenter unless POST has approved a contractual agreement dividing responsibility for delivering the basic course between two or more presenters or the student completes the Basic Course by completing Reserve modules A, B, C and D. The Law Enforcement Code of Ethics shall be administered to students taking the Regular Basic Course in any format described in D-1-3(c), District Attorney Investigators' Basic Course, Marshals' Basic Course, and Specialized Basic Investigators' Course. Instructional methodology is at the discretion of individual course presenters unless specified otherwise in an incorporated training specification document developed for the course.

1-3. Regular Basic Course Definitions and Requirements: The terms used to describe testing and training requirements are defined in paragraph 1-3(a). Testing and training requirements are described in paragraph 1-3(b). Testing, training methodology, content requirements, and minimum hourly requirements are provided in detail in *Training Specifications for the Regular Basic Course - July 1993* and the *POST Basic Academy Physical Conditioning Manual*. Requirements for reporting successful course completion are contained in Commission Regulation 1055(i).

(a) **Definitions of Terms Used to Describe Testing and Training Requirements**

(1) **Learning Domain.** An instructional unit that covers related subject matter. Each Regular Basic Course learning domain is described in *Training Specifications for the Regular Basic Course - July 1993.* Training specifications for each learning domain include instructional goals, topics, and hourly requirements. Training specifications for a domain also may include learning activities and testing requirements.

(2) **Instructional Goal.** A general statement of the results that instruction is supposed to produce.

(3) **Topic.** A word or phrase that succinctly describes subject matter associated with an instructional goal.

(4) **Test.** An evaluation of the extent to which students have achieved one or more instructional goals. Tests are graded on a pass/fail basis. ~~Four~~Five types of tests are used in

the Regular Basic Course:

(A) **POST-Constructed Knowledge Test.** A POST-constructed, paper-and-pencil test that measures acquisition of knowledge required to achieve one or more instructional goals.

(B) POST-Constructed Comprehensive Test. A POST-constructed, paper-and-pencil test that measures acquisition of knowledge in one or more learning domains.

(~~B~~C) **Scenario Test.** A job-simulation test that measures acquisition of complex psychomotor skills required to achieve one or more instructional goals.

(~~C~~D) **Physical Abilities Test.** A POST-developed test of physical abilities described in the *POST Basic Academy Physical Conditioning Manual.*

(~~D~~E) **Exercise Test.** Any test other than a POST-constructed knowledge test, comprehensive test scenario test, or physical abilities test that measures the acquisition of knowledge and/or skills required to achieve one or more instructional goals.

(5) **Learning Activity.** An activity designed to achieve or facilitate one or more instructional goals. Students participating in a learning activity may be coached and/or provided feedback, but unlike tests, learning activities are not graded on a pass-fail basis.

(6) **Test-Item Security Agreement.** An agreement between a basic course academy presenter and POST that identifies the terms and conditions under which an academy may be provided access to POST-constructed knowledge tests. Failure to accept or abide by the terms and conditions of this agreement is grounds for decertification in accordance with POST Regulation 1057.

(b) **Testing and Training Requirements**

(1) Topics. As specified in *Training Specifications for the Regular Basic Course - July 1993* and the *POST Basic Academy Physical Conditioning Manual.*

(2) **POST-Constructed Knowledge Tests.** As specified in *Training Specifications for the Regular Basic Course - July 1993*, POST-constructed knowledge tests are required in some, but not all, learning domains. Where a POST-constructed knowledge test is required, students must earn a score equal to or greater than the minimum passing score established by POST. Students who fail a POST-constructed knowledge test on the first attempt shall: (a) be provided with an opportunity to review their test results in a manner that does not compromise test security; (b) have a reasonable time, established by the academy to prepare for a retest; and (c) be provided with an opportunity to be retested with a POST-constructed, parallel form of the same test. If a student fails the second test, the student fails the course unless the academy determines that there were extenuating circumstances, in which case, the student may be tested a third time. If a student fails the third test, the student fails the course.

(3) POST-Constructed Comprehensive Test. A POST-constructed Comprehensive Test is required at the conclusion of reserve Module D

(~~3~~4) **Scenario Tests.** As specified in *Training Specifications for the Regular Basic Course - July 1993*, scenario tests are required in some, but not all, learning domains. Where a scenario

test is required, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level that demonstrates that he or she is prepared for entry into a field training program. This determination shall be made by the academy. Students who fail to clearly demonstrate proficiency when first tested shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student fails the course unless the academy determines that there were extenuating circumstances or the student performed marginally (as determined by the academy), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student fails the course.

(~~4~~5) **Exercise Tests.** As specified in *Training Specifications for the Regular Basic Course - July 1993*, exercise tests are required in some, but not all, learning domains. Where an exercise test is required, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level that demonstrates that he or she is prepared for entry into a field training program. This determination shall be made by the academy. Students who fail to clearly demonstrate proficiency when first tested shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student fails the course unless the academy determines that there were extenuating circumstances or the student performed marginally (as determined by the academy), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student fails the course.

(~~5~~6) **Learning Activities.** As specified in *Training Specifications for the Regular Basic Course - July 1993,* learning activities are required in some, but not all, learning domains. Where a learning activity is required, each student must participate in that activity. A student who does not participate in a learning activity when given the opportunity fails the course unless the academy determines that there were extenuating circumstances. Students who do not participate in a learning activity due to extenuating circumstances shall be given a second opportunity to participate in the same or a comparable learning activity. If a student fails to participate in a learning activity after being given a second opportunity, the student fails the course.

(~~6~~7) **Physical Conditioning Program.** Students must complete the POST physical conditioning program as described in the *POST Basic Academy Physical Conditioning Manual.*

(~~7~~8) **Physical Abilities Test Battery.** At the conclusion of the POST physical conditioning program, students must pass a POST-developed physical abilities test battery as described in the *POST Basic Academy Physical Conditioning Manual.* The use of alternatives to the POST-developed physical abilities test battery is subject to approval by POST. Course presenters seeking POST approval to use alternative tests shall present evidence that the alternative tests were developed in accordance with recognized professional standards and that the alternative tests are equivalent to the POST-developed tests with respect to validity and reliability. Evidence concerning the comparability of scores on the POST-developed tests and the proposed alternative tests is also required.

(~~8~~9) **Academy Requirements.** POST has established minimum, statewide training standards for the Regular Basic Course. However, local conditions **or community college requirements** may justify additional training requirements or higher performance standards than those established by POST. This may include but is not limited to the use of higher minimum

passing scores on POST-constructed knowledge tests. The passing score on the POST-constructed comprehensive test will be established by POST.

(c) **Regular Basic Course Formats**

(1) The basic course training requirements specified in Regulations 1005 and 1007 may be satisfied by completion of the Regular Basic Course in any of the formats described below. All of the formats satisfy the training methodology, content, testing, and minimum hourly requirements specified in the documents, *Training Specifications for the Regular Basic Course - July 1993 and The Training Specifications for Reserve Training Module D.* Basic training presented in any of the two formats shall be POST- certified training. The formats are:

A. Law Enforcement Academy Format - Training presented by a POST-certified law enforcement academy presenter. The Basic Course is presented as one training course.

B. Reserve Course Module Format - training presented by a POST-certified presenter which consists of the four Reserve Course Modules A, B, C, and D.

(d) **Testing and Training Requirements for the Reserve Format**

The reserve format is an alternative format for delivering Regular Basic Course training. It consists of four reserve officer training modules: Module A, Module B, Module C, and Module D. Completion of the final module (i.e., Module D) and passing a POST-constructed comprehensive test fulfills the requirements for the Regular Basic Course.

(1) **Training Requirements.** The training requirements for each module are contained in the following training specification documents:

(A) Reserve Training Module A

(B) Reserve Training Module B

(C) Reserve Training Module C

(D) Training Specifications for Reserve Module D

(2) **POST-Constructed Comprehensive Test.**[1] The POST-constructed comprehensive test for the reserve format may assess knowledge of any of the topics covered by the domains in *Training Specifications for the Regular Basic Course - July 1993.*

(A) **Test Administration.** The POST-constructed comprehensive test shall be administered immediately following completion of Reserve Module D.

(B) **Notification of Test Results.** Examinees shall be notified of their test results within 30 days of taking the test.

(C) **Failure on the First Attempt.** Examinees who fail the comprehensive test on their first attempt may submit a request to be retested. Requests to be retested must be submitted on POST Form No. XYZ. POST shall retest examinees who fail the test on their first attempt no sooner than 30 days after failing the test and no later than 90 days after the examinee has submitted Form No. XYZ. Examinees shall be notified of their

test results within 30 days of the day on which they were retested.

(6) **Failure on the Second Attempt.** Examinees who fail the comprehensive test on their second attempt have not completed the Regular Basic Course and shall not be retested unless they repeat Module D.

1-4. District Attorney Investigators' Basic Course Content and Minimum Hours: The District Attorney Investigators' Basic Course contains the following Functional Areas and minimum hours. District attorney basic training may be met by satisfactory completion of the training requirements of the Regular Basic Course, plus the satisfactory completion of a certified Investigation and Trial Preparation Course.

Functional Areas:

1.0	Professional Orientation	11 hours
2.0	Police Community Relations	16 hours
3.0	Law	52 hours
4.0	Laws of Evidence	20 hours
5.0	Communications	32 hours
6.0	Vehicle Operations	8 hours
7.0	Force and Weaponry	54 hours
8.0	Custody	4 hours
9.0	Physical Fitness and Defense Techniques	42 hours
*10.0	Field Techniques	79 hours
*11.0	Criminal Investigation and Trial Preparation	50 hours
*12.0	Specialized Investigation Techniques	30 hours
*13.0	Civil Process	20 hours
	Practical Exercise/Scenario Testing	24 hours
	Written Examinations	20 hours
	Total Minimum Required Hours	462 hours

*Functional Areas that form the basis of the POST-certified 80-hour Investigation and Trial Preparation Course.

1-5. Marshals' Basic Course Content and Minimum Hours: The Marshals' Basic Course contains the following Functional Areas and minimum hours. Marshals basic training may be met by satisfactory completion of the training requirements of the Basic Course, plus the satisfactory completion of a certified Bailiff and Civil Process Course or the Bailiff and Court Security Course and Civil Process Course.

Functional Areas:

1.0	Professional Orientation	11 hours
2.0	Police Community Relations	16 hours
3.0	Law	37 hours
4.0	Laws of Evidence	20 hours
5.0	Communications	32 hours

1005. Minimum Standards for Training.

(a) Basic Training Standards (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.

A basic course peace officer trainee as described in Penal Code section 832.3(a) is authorized to exercise peace officer powers while engaged in a field training program conducted as an approved segment of a POST-certified basic course when the director of the basic training academy has received written approval from POST for a basic course field training program. Requests for approval must be submitted to POST on an Application for POST-Approved Field Training Program, POST form 2-229 (Rev. 3/89). Application forms are available from POST.

Requirements for approval of a basic course field training program are:

(A) The trainees have completed the training requirements of Penal Code section 832.

(B) The trainees are participants in a structured learning activity under the direction of the basic training academy staff.

(C) The trainees are, during field training, under the direct and immediate supervision (physical presence) of a peace officer who has been awarded a POST basic certificate and who has completed a POST-certified field training officer course.

(D) The basic training director has secured the written commitment of the trainee's agency head to provide the trainee with the structured field training experience, as required by the director of the basic training academy, using a qualified field training officer as described in subparagraph (C).

(2) Every regularly employed and paid as such inspector or investigator of a district attorney's office as defined in section 830.1 Penal Code who conducts criminal investigations shall be required to satisfactorily meet the training requirements of the District Attorney Investigators Basic Course, PAM section D-1-4. Alternatively, the basic training standard for district attorney investigative personnel shall be satisfied by successful completion of the training requirements of the Basic Course, PAM, section D-1-3, before these personnel are assigned duties which include performing specialized law enforcement or investigative duties, except all of the Basic Course need not be completed before they participate in a POST-approved field training program as described in subparagraph (1). The satisfactory completion of a certified Investigation and Trial Preparation Course, PAM section D-1-4, is also required within 12 months from the date of appointment as a regularly employed and paid as such inspector or investigator of a District Attorney's Office.

(3) Every regularly employed and paid as such marshal or deputy marshal, of a municipal court, as defined in section 830.1 Penal Code, shall satisfactorily meet the training requirements of the Marshals Basic Course, PAM, section D-1-5. Alternatively, the basic training standard for marshal personnel shall be satisfied by successful completion of the training requirements of the Basic Course, PAM, section D-1-3, before these personnel are assigned duties which include performing specialized law enforcement or investigative duties, except all of the basic course need not be completed before they participate in a POST-approved field training program as described in subparagraph (1). The satisfactory completion of a certified Bailiff and Civil Process Course or a Bailiff and Court Security Course and a Civil Process Course, PAM section D-1-5, is also required within 12 months from the date of appointment as a regularly employed and paid as such marshal or deputy marshal of a municipal court.

(4) Every specialized officer, except marshals, deputy marshals, and regularly employed and paid as such inspectors or investigators of a district attorney's office, shall satisfactorily meet the training requirements of the Basic Course, PAM, section D-1-3, within 12 months from the date of appointment as a regularly employed specialized peace officer; or for those specialized agency peace officers whose primary duties are investigative and have not satisfactorily completed theBasic Course, the chief law enforcement administrator may elect to substitute the satisfactory completion of the training requirements of the Specialized Basic Investigators Course, PAM, section D-1-6.

(5) (continued)

PAM section D-1-1 adopted effective September 26, 1990, and amended January 14, 1994 and * is herein incorporated by reference.

PAM section D-1-2 adopted effective September 26, 1990, and amended January 11, 1992, ~~and~~ January 14, 1994, and * is herein incorporated by reference.

PAM section D-1-3 adopted effective April 15, 1982, and amended January 24, 1985, September 26, 1990, January 14, 1994, July 16, 1994, ~~and~~ December 16, 1994, and * is herein incorporated by reference.

* Effective date to be filled in by OAL.

Attachment D

POST ADMINISTRATIVE PROCEDURES MANUAL

COMMISSION PROCEDURE H-5

RESERVE OFFICER COURSES - MODULES A, B, & C

Purpose

5-1. Specifications of Reserve Officer Courses: This Commission procedure sets forth the specific requirements for Level I, Level II and Level III Reserve Peace Officer Training Courses established in PAM, Section H-3.

Training Methodology

5-2. Recommended Methodology: The Commission encourages use of the ~~performance-objective~~ training methodology described for the Basic Course in PAM, Section D-1 for Reserve Modules A, B, and C. . That methodology is not mandated for Reserve Peace Officer Course presentations. Module D testing, training methodology, content, and minimum hourly requirements are specified in *Training Speicifications for the Interim Reserve Module D Course.*

Content and Minimum Hours

5-3. Reserve Course Content and Minimum Hours: Subject matter and hourly requirements are outlined in the following pages, which describe Modules A, B, & C. Course presenters are encouraged to use Basic Course performance objectives and unit guides as illustrative content but are not required to do so.

Attachment E

MODULE D - 442 HOURS

(For partial satisfaction of the "designated" Level I reserve training requirements and Regular Basic Course training requirements; refer to PAM, Section H-3-3 and Section D-1-3 for additional requirements.)

Subject matter and hourly requirements for Module D training are specified in *Training Specifications for the Regular Basic Course - July 1993.*

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Changes to the Regular Basic Course Performance Objectives		Meeting Date April 20, 1995
Bureau Standards and Evaluation	Reviewed By John G. Berner	Researched By Jim Norborg
Executive Director Approval Norman C. Boehm	Date of Approval 3.28.95	Date of Report March 14, 1995
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 changes to the regular basic course performance objectives as described in this report?

BACKGROUND

The performance objectives for the regular basic course serve as blueprints for the Commission-mandated tests that must be passed by all cadets. Commission policy C13 requires that all substantial changes to the performance objectives (i.e., additions and deletions) be approved by the Commission prior to adoption.

This report describes proposed performance objective changes in five learning domains: #5 (Introduction to Criminal Law); #6 (Property Crimes); #7 (Crimes Against Persons); #8 (General Criminal Statutes); and #41 (Hazardous Materials Awareness). The proposed changes address knowledge objectives and exercise objectives.[1] Attachments to the report show all planned changes to the performance objectives in these domains (including minor changes which do not require Commission approval), along with a brief description of the rationale for each planned change. This additional information has been included in the belief that it will provide the Commission with a better understanding of the totality of what is being proposed.

All proposed changes to the performance objectives are the result of ongoing review by POST and academy staff to keep the regular basic course curriculum and tests up to date and technically sound. The proposed changes have been approved by the consortium of basic academy

[1]Knowledge objectives are performance objectives which require the student to demonstrate knowledge and are evaluated using POST-developed paper-and-pencil exams. Exercise objectives are performance objectives which require the student to demonstrate knowledge and/or skills and are evaluated with tests other than POST-developed paper-and-pencil exams or job-simulation tests.

directors and are consistent with changes to the *Training Specifications for the Regular Basic Course - July 1993*, as described in previous agenda item reports.[2]

ANALYSIS

The proposed changes are summarized below:

Domain 5: Introduction to Criminal Law

Knowledge objectives. There are currently six knowledge objectives in this domain. The proposed changes would delete one objective (3.1.4) that requires students to match certain law enforcement terms with their definitions and replace it with objective (3.1.6) that requires students to understand the meaning of the same terms when they are embedded in a sentence or short paragraph. Examples of items based on the current and proposed objectives are shown below.

Current: A body of law based on prior court decisions is called:

A. case law.
B. statutory law.
C. administrative law.

Proposed: Case law clearly shows that law enforcement officers may conduct patdown searches for weapons if there are specific facts that would make the officers fear for their safety.

Based on the preceding sentence, who decided that law enforcement officers may conduct patdown searches?

A. Judges
B. Juries
C. A legislative body

The purpose of the proposed change is to require students to apply knowledge in a job-relevant context rather than simply memorizing terms and their definitions. For example, the test item based on the proposed objective requires students to recognize that a very important rule governing the conduct of law enforcement officers was developed by judges in the course of deciding cases. Attachment 1 shows the full text of the proposed changes to the performance objectives in this domain and provides a brief explanation of the rationale underlying each change.

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[2]The *training specifications* provide a more complete, less technical description of the Commission's basic course training requirements. Included in the *training specifications* are required instructional topics and required learning activities.

Domain 6: Property Crimes

Knowledge objectives. There are currently 17 knowledge objectives in this domain. The objectives require students to recognize and name various property crimes when their commission is depicted in a test item. The proposed changes would modify seven of these objectives so that students would also have to recognize when a crime had been attempted, though not completed. For example, someone who tries to steal a car but fails because the car won't start has **not** committed *vehicle theft*; however, the person has committed *attempted vehicle theft* and may be arrested and charged with a crime. The only other proposed changes are the addition of Penal Code Section 601 (trespass by credible threat to cause serious bodily injury) to objective 3.13.1 and the addition of Penal Code Section 451.5(a) (new statute on aggravated arson) to objective 3.16.1. Attachment 2 shows the full text of the proposed changes to the performance objectives in this domain and provides a brief explanation of the rationale underlying each change.

Domain 7: Crimes Against Persons

Knowledge objectives. There are currently 18 knowledge objectives in this domain. The objectives require students to recognize and name various crimes against persons when the commission of those crimes is depicted in a test item. The proposed changes would modify six of these objectives so that students would also have to recognize when a crime had been attempted, though not completed. The only other proposed change would move objectives 3.37.3 and 3.37.4 to Domain #15, Laws of Arrest. These objectives deal with federal statutes that provide criminal penalties for violating the constitutionally protected rights of another person. Subject matter experts (i.e., academy instructors) recommended moving these objectives to the laws of arrest domain because patrol officers are most likely to violate these laws while making an arrest. Attachment 3 shows the full text of the proposed changes to the performance objectives in this domain and provides a brief explanation of the rationale underlying each change.

Domain 8: General Criminal Statutes

Knowledge objectives. There are currently nine knowledge objectives in this domain. The proposed changes would delete one objective (3.7.1) and modify another (3.22.2). Objective 3.7.1 requires students to recognize when the crimes of attempted robbery, burglary, and vehicle theft have been committed. However, if the changes described above are adopted, knowledge of attempted burglary and vehicle theft will be assessed in Domain #6, Property Crimes, and knowledge of attempted robbery will be assessed in Domain #7, Crimes Against Persons. Moreover, the ability to understand the meaning of "attempt" as it applies to

criminal law will be assessed by the proposed new objective 3.1.6 in Domain #5, Introduction to Criminal Law. The only other change to this domain is the addition of new Penal Code Section 647 (j) on bathroom peepholes to objective 3.22.2. Attachment 4 shows the full text of the proposed changes to the performance objectives in this domain and provides a brief explanation of the rationale underlying each change.

Domain 41: Hazardous Materials Awareness

Knowledge objectives. There are currently three knowledge objectives in this domain. The proposed changes would delete these objectives and replace them with four new objectives. The first objective proposed for deletion (8.51.1), requires students to identify whether a potential hazardous materials emergency exists based on an event depicted in a test item. In making this determination, students are supposed to use a list of *indicators* that are cues to potentially hazardous situations. However, this list of indicators is not exhaustive and students are taught to view all situations as potentially dangerous. Because the instruction induces a state of hypervigilance in the students, it is virtually impossible to write test items where the students don't infer some potential hazard. Therefore, it is recommended that this objective be deleted. Identification of hazardous materials emergencies is a required topic, and it is also addressed in learning activity 13.41.1, shown below.[3]

> Given a word picture, videotape or other depiction of a possible hazardous materials incident, a current *Emergency Response Guidebook* (ERG) and other appropriate resource materials, the student will participate in a facilitated discussion regarding the on-scene duties of a First Responder at the *awareness* level. At a minimum the discussion must address:
>
> 1. Identification of the event as a hazardous materials incident
> 2. Application of recommended safety precautions
> 3. Use of the ERG to determine the initial isolation and protective action distances
> 4. The need to isolate the scene and to determine whether to evacuate or shelter in place
> 5. Notification considerations

The second objective (8.51.2), which deals with personal safety precautions, is also a testing problem. First, many of the precautions are common sense (e.g., stay upwind of a spill, don't eat or drink

[3]This learning activity was added to the Regular Basic Course curriculum by Commission action in January. Therefore, it will stay in the curriculum whether or not objective 8.51.1 is deleted.

anything at a spill site; don't smoke or use flares, etc.). In other words, virtually all students are able to quickly grasp what these precautions are and why they are needed which obviates the need for a test. Second, selecting the response "stay upwind" or "stay in a well-ventilated location" on a multiple-choice test is a different task than actually determining wind direction or locating a well-ventilated area. This calls into question the appropriateness of a paper-and-pencil test for assessing knowledge that will be applied in a very different context. Third, being cautious is more often a state of mind (which the training promotes) than it is knowledge. The latter can be measured with multiple-choice items, the former cannot. Finally, even with great diligence, subject matter experts and POST staff have been unable to develop acceptable test items for this objective. Therefore, the proposed change would delete this objective. Personal safety issues would continue to be addressed in learning activity 13.41.1 (shown on the previous page), and by the following required topics in the *training specifications* for the domain: (a) safe initial actions, (b) safe approach distances, (c) conducting a safe assessment, and (d) essential field safety guides (do's and don'ts).[4]

The third objective (8.51.3) requires students to use the *Emergency Response Guidebook* to find information about hazardous materials. The proposed change would delete objective 8.51.3 and replace it with four new objectives. These new objectives more explicitly describe what students must do to show that they know how to find different types of information in the *Emergency Response Guidebook*. Subject matter experts who have used the new objectives to write test items have expressed satisfaction with the proposed objectives and have been able to produce promising test items.

<u>Exercise objective</u>. There is currently one exercise objective in this domain. The proposed changes would delete this objective and replace it with learning activity 13.41.1 (*shown on previous page*). This proposed change is motivated by two considerations. First, the Commission (consistent with Office of Emergency Services regulations) requires only 4 hours of instruction on hazardous materials. Constructing and grading an appropriate exercise test requires a commitment of time and other resources that detracts from other instructional activities. Second, the state agency responsible for setting standards for hazardous materials training (i.e., the Office of Emergency Services) has mandated that this training include a "training exercise" and that *evaluation* be in the form of a "written test." In the terminology adopted by the Commission for describing regular basic course training requirements, this is equivalent to requiring that students participate in a learning activity and take a POST-constructed knowledge domain test. Attachment 5 shows the full text of the

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[4]These required topics are taken directly from the curriculum for first responders to hazardous materials emergencies promulgated by the Office of Emergency Services (Title 19 of the California Code of Regulations, Chapter 1, Subchapter 2, Section 2520).

proposed changes to the performance objectives in this domain and provides a brief explanation of the rationale underlying each change.

Overall Impact of Proposed Changes:

The changes to the criminal law domains (i.e., domains 5, 6, 7, and 8) will result in relatively minor -- though not unimportant -- adjustments in the content of the knowledge tests for these domains. The changes to Domain #41, Hazardous Materials Awareness, are more substantial. Eliminating poorly functioning items on the identification of hazardous materials emergencies and personal safety precautions will make the test a better measure of a students ability to use the *Emergency Response Guidebook*. Similarly, the addition of four new knowledge objectives will improve the quality of the test items and increase the scope of the test by requiring examinees to use all of the indexes in the *Emergency Response Guidebook* to find the information required by the test items.

RECOMMENDATION

Approve the proposed changes to the regular basic course performance objectives effective with academy classes that begin on or after July 15, 1995.

ATTACHMENT 1

LEARNING DOMAIN #5: INTRODUCTION TO CRIMINAL LAW

KNOWLEDGE TEST:

3.1.1 Given a word picture depicting an officer's response to a crime, the student will identify whether the officer's response was in accordance with the "spirit" or "letter" of the law.

3.1.4 ~~Given a definition of one of the following terms, the student will identify the term that matches the definition.~~

~~A. **Spirit of the law** means that the law is applied in accordance with the intent of the legislature and not in literal compliance with the words of the statute~~

~~B. **Letter of the law** means that the law is strictly applied in accordance with the literal meaning of the statute, leaving no room for interpretation~~

~~C. **Common law** is the body of laws that originated and developed in England. It is based on court decisions, on the doctrines implicit in those decisions, and on custom and usage~~

~~D. **Statutory law** is written law enacted by the legislative body of a nation, state, county, or city~~

~~E. **Constitutional law** is the law of a nation or state which addresses the organization and powers of government, and the fundamental principles which regulate the relations of government with its citizens~~

~~F. **Municipal codes** are statutes enacted by a city~~

~~G. **Ordinances** are statutes enacted by a city or county~~

~~H. **Stare decisis** means "let the prior decision stand." It is a policy of law by which courts abide by previously decided principles. This policy is also called "precedent." The application of this policy creates a body of law called "case law"~~

~~I. **Case law** is a body of law based on prior judicial decisions (i.e., precedent)~~

~~J. **A crime** is an act committed or omitted in violation of a law forbidding or commanding it, and for which punishment is imposed upon conviction~~

~~K. **A tort** is a private or civil wrong or injury, other than breach of contract, for which the court will provide a remedy. An act or omission is~~

~~tortious if it violates a legal duty owed to another person~~

L. ~~**A felony** is the most serious of crimes, punishable by death or imprisonment in a state prison~~

M. ~~**A misdemeanor** is an offense of lesser gravity than a felony, for which punishment may be a fine or imprisonment in a local jail rather than a state prison~~

N. ~~**An infraction** is a public offense which is punishable by a fine only~~

O. ~~**A "wobbler"** is a crime that may be punished by imprisonment in either the county jail or the state prison~~

P. ~~**Corpus delicti** literally means the "body of the crime." This is also referred to as the **elements of the crime**. The **corpus delicti**, or elements of the crime, are the basic facts which must be proved by the prosecution to sustain a conviction~~

Q. ~~**Intent** is a state of mind inferred from evidence. The presence of a designated state of mind (general intent, specific intent, or criminal negligence) distinguishes a crime from an accident or mistake of fact~~

R. ~~**Specific intent** denotes a design, resolve, or determination to commit an act the law prohibits. Specific intent is a state of mind that must be proved along with the other elements of the crime~~

S. ~~**Transferred intent** is when the intended act misses or goes beyond the person it was intended to injure and causes the intended results to fall on a third person. Transferred intent requires that the intention of the criminal act be transferred from the intended victim to another victim. The intended act must, however, be unlawful~~

T. ~~**General intent** is the intent to do that which the law prohibits. It is not necessary for the prosecutor to prove the defendant intended the precise harm or result that occurred. General intent requires that the accused merely intended to commit the act even if he or she had no intention or knowledge of violating the law~~

U. ~~**Criminal negligence** is failure to use the degree of care required to avoid criminal consequences~~

V. ~~**Principals** are all persons concerned in the commission of a crime, whether it be felony or misdemeanor, and whether they directly committed the act constituting the offense, or indirectly committed the act by aiding, abetting, counseling, encouraging or threatening (Penal Code Section 31)~~

W. ~~**An accessory** is a person who, after a felony has been committed, harbors, conceals or aids a principal, with the intent of helping the~~

~~principal to escape or avoid arrest, trial or conviction. (Penal Code Section 32)~~

~~X. An **accomplice** to a crime is a co-principal who testifies against another principal (Penal Code Section 1111)~~

~~Y. A **feigned accomplice** to a crime is one who pretends to consult and act with others in the planning or commission of a crime, but only for the purpose of discovering their plans and confederates and securing evidence against them~~

~~Z. **Entrapment** is inducing a person to commit a crime which he did not contemplate for the purpose of prosecuting him. Entrapment is a defense in which the defendant claims that an officer caused him to commit the crime. The test is whether a normally law abiding citizen would have committed the crime under the same circumstances. (**Barraza**, 1979, 23 Cal. 3d 675)~~

~~AA. **Reasonable suspicion** is sufficient, specific and articulable facts or circumstances known (or apparent) to an officer which would cause the officer to believe that a particular person was, is, or is about to be involved in criminal activity~~

~~AB. **Probable cause** is sufficient facts that would cause a person of ordinary care and prudence to honestly believe and to strongly suspect that the person being arrested may have committed a crime~~

~~AC. **Persons that cannot be held liable for committing a crime** are: a) Children under the age of 14, in the absence of clear proof, as determined by the court, that at the time of the act they knew of its wrongfulness; b) Idiots or persons who exhibit mental deficiency in its most severe form (severe mental retardation); c) Persons who act under an ignorance or mistake of fact, which disproves any criminal intent; d) Persons who commit an illegal act without being conscious of their actions; e) Persons who commit an illegal act by accident without evil design or intention, or culpable negligence; f) Persons (unless the crime be punishable with death) who commit illegal acts under threats or menaces that lead them to believe their lives would be endangered if they refused to commit the act (Penal Code Section 26)~~

Problem: Matching terms to definitions is not the terminal goal of instruction. A student should be able to understand and use these terms correctly in oral and written communication.

Recommendation: Delete performance objective 3.1.4 and replace it with performance objective 3.1.6 (shown below).

3.1.6 Given a sentence or short paragraph that uses one of the following terms, the student will correctly identify the meaning of the term in the context in which it is used:

A. **Spirit of the law** means that the law is applied in accordance with the intent of the legislature and not in literal compliance with the words of the statute
B. **Letter of the law** means that the law is strictly applied in accordance with the literal meaning of the statute, leaving no room for interpretation
C. **Common law** is the body of laws that originated and developed in England. It is based on court decisions, on the doctrines implicit in those decisions, and on custom and usage
D. **Statutory law** is written law enacted by the legislative body of a nation, state, county, or city
E. **Constitutional law** is the law of a nation or state which addresses the organization and powers of government, and the fundamental principles which regulate the relations of government with its citizens
F. **Municipal codes** are statutes enacted by a city
G. **Ordinances** are statutes enacted by a city or county
H. **Stare decisis** means "let the prior decision stand." It is a policy of law by which courts abide by previously decided principles. This policy is also called "precedent." The application of this policy creates a body of law called "case law"
I. **Case law** is a body of law based on prior judicial decisions (i.e., precedent)
J. A **crime** is an act committed or omitted in violation of a law forbidding or commanding it, and for which punishment is imposed upon conviction
K. A **tort** is a private or civil wrong or injury, other than breach of contract, for which the court will provide a remedy. An act or omission is tortious if it violates a legal duty owed to another person
L. A **felony** is the most serious of crimes, punishable by death or imprisonment in a state prison
M. A **misdemeanor** is an offense of lesser gravity than a felony, for which punishment may be a fine or imprisonment in a local jail rather than a state prison
N. An **infraction** is a public offense which is punishable by a fine only

O. A **"wobbler"** is a term for a crime that may be punished by imprisonment in either the county jail or the state prison

P. **Corpus delicti** literally means the "body of the crime." This is also referred to as the **elements of the crime.** The **corpus delicti**, or elements of the crime, are the basic facts which must be proved by the prosecution to sustain a conviction

Q. **Intent** is a state of mind inferred from evidence. The presence of a designated state of mind (general intent, specific intent, or criminal negligence) distinguishes a crime from an accident or mistake of fact

R. **Specific intent** denotes a design, resolve, or determination to commit an act the law prohibits. Specific intent is a state of mind that must be proved along with the other elements of the crime

S. **Transferred intent** is when the intended act misses or goes beyond the person it was intended to injure and causes the intended results to fall on a third person. Transferred intent requires that the intention of the criminal act be transferred from the intended victim to another victim. The intended act must, however, be unlawful

T. **General intent** is the intent to do that which the law prohibits. It is not necessary for the prosecutor to prove the defendant intended the precise harm or result that occurred. General intent requires that the accused merely intended to commit the act even if he or she had no intention or knowledge of violating the law

U. **Criminal negligence** is failure to use the degree of care required to avoid criminal consequences

V. **Principals** are all persons concerned in the commission of a crime, whether it be felony or misdemeanor, and whether they directly committed the act constituting the offense, or indirectly committed the act by aiding, abetting, counseling, encouraging or threatening (Penal Code Section 31)

W. An **accessory** is a person who, after a felony has been committed, harbors, conceals or aids a principal, with the intent of helping the principal to escape or avoid arrest, trial or conviction. (Penal Code Section 32)

X. An **accomplice** to a crime is a co-principal who testifies against another principal (Penal Code Section 1111)

Y. A **feigned accomplice** to a crime is one who pretends to consult and act with others in the planning or commission of a crime, but only for the purpose of discovering their plans and confederates and securing evidence against them

Z. **Entrapment** is inducing a person to commit a crime which he did not contemplate for the purpose of prosecuting him. Entrapment is a defense in which the defendant claims that an officer caused him to commit the crime. The test is whether a normally law-abiding citizen would have committed the crime under the same circumstances. (**Barraza**, 1979, 23 Cal. 3d 675)

AA. **Reasonable suspicion** is sufficient, specific and articulable facts or circumstances known (or apparent) to an officer which would cause the officer to believe that a particular person was, is, or is about to be involved in criminal activity

AB. **Probable cause** is sufficient facts that would cause a person of ordinary care and prudence to honestly believe and to strongly suspect that the person being arrested may have committed a crime

AC. **Attempt** is an effort or endeavor to commit a crime, amounting to more than mere preparation or planning for it, which, if not prevented, would have resulted in the full consummation of the act attempted, but which, in fact, does not bring to pass the party's ultimate design. Two elements which form "attempt" are: a specific intent to commit the crime, and a direct but ineffectual act done toward its commission. (Penal Code section 21a)

3.1.5 Given a word picture depicting a tort, contract dispute, or crime, the student will identify whether the matter is civil or criminal.

3.3.1 Given a word picture depicting a crime, the student will identify which of the following can be legally inferred from the acts of the perpetrator:

A. General intent
B. Specific intent
C. Transferred intent
D. Criminal negligence

3.4.3 Given a word picture depicting a crime, the student will identify the parties involved as principals or accessories. (Penal Code Sections 31 and 32)

3.5.1 Given a word picture depicting the conduct of an undercover officer or a person acting on behalf of a law enforcement agency, the student will identify whether the conduct constitutes entrapment.

ATTACHMENT 2

LEARNING DOMAIN #6: PROPERTY CRIMES

KNOWLEDGE TEST:

3.9.1 Given a word picture depicting a possible theft, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification. (Penal Code Sections 484, 484d, 484e, 484f, 487, and 488)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.9.2 Given a word picture depicting the possible defrauding of an innkeeper, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 537)

3.9.3 Given a word picture depicting a possible appropriation of lost property, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 485)

3.9.4 Given a word picture depicting a possible vehicle theft or joyriding, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification. (Penal Code Sections 487h, 499b and Vehicle Code Section 10851)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.11.1 Given a word picture depicting a possible embezzlement, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification. (Penal Code Sections 503 and 514)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.12.1 Given a word picture depicting a possible forgery, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification ~~(felony)~~. (Penal Code Section 470)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.12.2 Given a word picture depicting a possible writing of checks with intent to defraud, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 476a)

3.13.1 Given a word picture depicting a possible trespassing, interfering with lawful business, or unauthorized entry of property, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 601, 602(j), 602(l), 602.1 and 602.5)

Recommendation: Add Penal Code Section 601

3.13.2 Given a word picture depicting a possible burglary, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification. (Penal Code Section 459)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.13.5 Given a word picture depicting the possible alteration of serial numbers on certain articles, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification. (Penal Code Section 537e, subdivisions (1), (2), (3), (6), and (9))

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.14.1 Given a word picture depicting the possible receiving of stolen property, the student will identify if the crime has occurred or has been attempted (Penal Code

Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification. (Penal Code Section 496)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.15.1 Given a word picture depicting possible vandalism, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification. (Penal Code Sections 594 and 594.3)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.16.1 Given a word picture depicting a possible act of arson the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 451, 451.5(a) and 452)

Recommendation. Penal Code Section 451.5(a), aggravated arson, was added this year. Include in PO.

3.16.2 Given a word picture depicting the possible possession of a "firebomb," the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 453)

3.16.3 Given a word picture depicting possible attempts to set fire to or aid, counsel or procure the burning of any structure, forest land or property, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 455)

8.28.1 Given a word picture depicting the repossession of property, the student will identify if the repossession is lawful based upon the following factors:

A. Goods sold under a conditional sales contract in which the title remains with the seller and possession with the buyer may be lawfully repossessed

B. The following individual may make a repossession:
   1. The seller of goods to be repossessed and the fulltime employees of the seller (Business and Professions Code Section 7522)
   2. The fulltime employees of the financing company which financed the purchase of the goods to be repossessed
   3. State-licensed private repossessors (Business and Professions Code Sections 7532 and 7533)

C. The repossessor may repossess goods from private property but may not enter any building or enclosure without permission

D. The repossessor may not repossess goods if the buyer objects and the goods are under the buyer's control

If the repossession is not lawful, the student will identify if the repossessor has committed a crime (Penal Code Sections 418, 602 and 603).

8.29.1 Given a word picture depicting a landlord/tenant dispute, the student will identify if the actions of the tenant or landlord were lawful based upon the following:

A. When there has been no eviction, a tenant cannot be denied access to his residence. A landlord who denies a tenant access to his rental unit is in violation of Penal Code Section 418, a misdemeanor

B. A landlord may not seize a tenant's personal property in payment for past-due rent. A landlord who seizes any of the tenants possessions in this manner is in violation of Penal Code Section 418, a misdemeanor

C. A landlord may not remove or damage any portion of the rental unit (such as doors, windows, plumbing fixtures) in an attempt to harass the tenant or force the tenant to leave. A landlord who damages any property in this manner is in violation of Penal Code Section 594, a felony or misdemeanor depending on the amount of damage

D. A landlord may not enter the tenant's premises without the permission of the tenant unless there is an emergency situation requiring immediate attention (smoke, leaking water, etc.) A landlord who makes such entry without the express permission of the tenant has violated Penal Code Section 602.5, a misdemeanor

E. A landlord may not maliciously obstruct or interfere with any of the tenant's utility services, even if the landlord pays for such utilities. Penal Code Sections 591, 593, and 593c

describe such malicious interference with phone, electrical, and gas lines, respectively. These sections are all felonies. Additionally, the malicious obstruction of a water line is a misdemeanor under Penal Code Section 624.

F. Following a lawful eviction, a landlord may deny the tenant access to the rental unit. A tenant who re-enters the premises at this time, without the permission of the landlord, is in violation of Penal Code Sections 419 and 602.5

If the tenant or landlord committed a crime, the student will identify the classification of the crime.

ATTACHMENT 3

LEARNING DOMAIN #7: CRIMES AGAINST PERSONS

KNOWLEDGE TEST:

3.10.1 Given a word picture depicting a possible extortion, the student will identify if the crime has occurred or has been attempted. If a crime has occurred or has been attempted, the student ~~is complete and if it is complete,~~ will identify it by its common name and crime classification. (Penal Code Sections 518, 520, and 524)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.17.1 Given a word picture depicting a possible assault, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 240 and 241)

3.17.2 Given a word picture depicting a possible battery, the student will identify if the crime is complete and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 242, 243 and 243.5)

3.18.1 Given a word picture depicting a possible assault with a deadly weapon, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 245)

3.19.1 Given a word picture depicting a possible mayhem, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification (felony). (Penal Code Sections 203 and 205)

3.20.1 Given a word picture depicting the possible willful infliction of corporal injury upon spouse or person with whom one is cohabitating, or any person who is the mother or father of his or her child, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 273.5)

3.25.1 Given a word picture depicting a possible robbery, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by

its common name and crime classification. (Penal Code Sections 211 and 212.5)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.25.2 Given a word picture depicting a possible carjacking, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification. (Penal Code Sections 215)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.26.1 Given a word picture depicting a possible kidnapping or false imprisonment, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification. (Penal Code Sections 207, 208, 209, 236 and 237)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.27.1 Given a word picture depicting the possible aiding or encouraging of a suicide, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 401)

3.27.2 Given a word picture depicting a possible murder, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification (felony). (Penal Code Sections 187 and 189)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.27.3 Given a word picture depicting a homicide, the student will identify if the homicide is excusable or justifiable. (Penal Code Sections 195, 196 and 197)

3.27.4 Given a word picture depicting possible manslaughter, the student will identify if the crime is complete, and

if it is complete, will identify it by its common name and crime classification. (Penal Code Section 191.5 and 192)

~~3.37.3 Given a word picture depicting a possible conspiracy to deprive a person of a right provided by the United States Constitution, the student will identify if the crime is complete, and if it is complete, will identify it by its common name (i.e., "conspiracy against rights of inhabitants") and crime classification. (U.S. Code Title 18, Section 241)~~

~~3.37.4 Given a word picture depicting a possible deprivation of rights under color of law, the student will identify if the crime is complete, and if it is complete, will identify it by its common name (i.e., "deprivation of rights under color of law") and crime classification. (Title 18, Section 242 of the U.S. Code)~~

Problem. These U.S. Code sections, 241 and 242, apply more closely to arrest laws and should be taught and tested in that domain.

Recommendation: Move 3.37.3 and 3.37.4 to domain 15: Laws of Arrest

3.42.1 Given a word picture depicting a possible crime against an elder or a dependent adult, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 368)

3.42.2 Given a word picture depicting a possible child abduction, the student will identify if the crime has occurred or has been attempted (Penal Code Section 21a). If a crime has occurred or has been attempted, the student ~~is complete, and if it is complete,~~ will identify it by its common name and crime classification. (Penal Code Sections 277, 278, and 278.5)

Recommendation: Modify PO to include the requirement that students be able to identify when a crime has been attempted.

3.42.3 Given a word picture depicting a possible crime of stalking, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 646.9)

ATTACHMENT 4

LEARNING DOMAIN #8: GENERAL CRIMINAL STATUTES

KNOWLEDGE TESTS:

3.7.1 ~~Given a word picture depicting a possible attempt to commit a crime, the student will identify if the crime of attempt is complete. (Penal Code Sections 21a and 664). Crimes for which an attempt can be charged include, but are not limited to:~~

~~A. Robbery~~
~~B. Burglary~~
~~C. Vehicle theft~~

Recommendation: Delete this objective. Knowledge of the concept of "attempt" will be assessed in a new objective (3.1.6) in Domain 5, Introduction to Criminal Law (see page 1-6). Knowledge of attempted vehicle theft (objective 3.9.4) and attempted burglary (objective 3.13.2) will be assessed in Domain 6, Property Crimes (see pages 2-1 an 2-2). Knowledge of attempted robbery (objective 3.25.1) will be assessed in Domain 3, Crimes Against Persons (see page 3-2).

3.7.2 Given a word picture depicting possible conspiracies to commit crimes, the student will identify if the crime of conspiracy is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 182)

3.7.3 Given a word picture depicting possible solicitations to commit crimes, the student will identify if the crime of solicitation is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 653(f))

3.22.1 Given a word picture depicting a possible disturbance of the peace, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 415)

3.22.2 Given a word picture depicting possible acts which are commonly labeled disorderly conduct, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 647)

Acts which are covered under disorderly conduct and their commonly used crime names include:

A. Lewd conduct (Penal Code Section 647(a))
B. Solicit or engage in prostitution (Penal Code Section 647(b))
C. Loitering about a public toilet (Penal Code Section 647(d))
D. Public intoxication (Penal Code Section 647(f))
E. Prowling (Penal Code Section 647(g))
F. Peeping (Penal Code Section 647(h))
G. Illegal lodging (Penal Code Section 647(i))
H. Bathroom peepholes (Penal Code Section 647(j))

Recommendation: Modify PO to include Penal Code Section 647(j) added this year.

3.22.4 Given a word picture depicting the possible disturbing of a public meeting, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 403)

3.22.5 Given a word picture depicting the possible obstruction of a sidewalk or street, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 647c)

3.30.1 Given a word picture depicting a possible gaming violation, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 330)

8.41.3 Given a word picture depicting a person or persons who have knowingly entered a disaster area closed by law enforcement, the student will identify if the crime of unauthorized entry of a disaster area is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 409.5)

ATTACHMENT 5

LEARNING DOMAIN #41: HAZARDOUS MATERIALS AWARENESS

NOTE: The training and evaluation described under this learning goal are required by Section 1797.187 of the Health and Safety Code and regulations promulgated by the Office of Emergency Services under authority of Sections 8574.19 through 8574.21 of the Government Code. This training can be no less than four hours in length and must be delivered by an instructor certified by the California Specialized Training Institute (CSTI). Each student must be provided with a current copy of the Emergency Response Guidebook (ERG).

8.51.1 ~~Given a word picture depicting the presence of an unknown substance, a spill, fire, or explosion or a container, vehicle, or building marked by a placard, the student will identify if the situation should be treated as a hazardous materials incident. In making this identification, the student will use the following indicators:~~

~~A. People evacuating an area or building~~
~~B. People unconscious or showing signs of dizziness, nausea, or breathing difficulty~~
~~C. A spill or leak involving an unknown or dangerous substance~~
~~D. Fire, smoke, fumes or vapors~~
~~E. Hissing, knocking or pinging sounds coming from an enclosed container~~
~~F. Type of business (e.g., fertilizer plants, laboratories, gas stations, etc.)~~
~~G. Container sizes or shapes used in storing or transporting hazardous materials~~
~~H. Markings, colors, placards, or labels indicating the presence of hazardous materials~~
~~I. Shipping papers, Material Safety Data Sheets (MSDS), or National Fire Protection Association (NFPA) 704 system~~

Recommendation. Delete this objective. Attempts to write test items for this objective have been unsuccessful. Instruction on hazardous materials heightens the sensitivity of students to potential hazards. As a result, it is virtually impossible to write test items where the students don't infer that there is potential hazardous materials emergency. Identification of potential hazardous materials emergencies is a required training topic and identification is also practiced in learning activity 13.41.1 (see page 4).

8.51.2 ~~Given a direct question, the student will identify the following precautions which should be taken in the presence of hazardous materials:~~

~~A. Stay upwind, uphill and upstream of the material in a well-ventilated location~~
~~B. Do not smoke, eat, or drink~~
~~C. Do not attempt to touch, taste or sniff any substance~~
~~D. Eliminate all sources of ignition (e.g., do not use flares, do not turn on light switches, do not strike matches, etc.)~~
~~E. Park emergency vehicles facing away from the incident~~

Recommendation. Delete this objective for the following reasons:

(1) Many of the precautions are common sense.

(2) Selecting the response "stay upwind" or "stay in a well-ventilated location" on a multiple-choice test is a different task than actually determining wind direction or locating a well-ventilated area. Thus, test items based on the objective call from knowledge that will be applied in a very different context on the job.

(3) Being cautious is more often a state of mind (which the training promotes), than it is knowledge. The former cannot be measured with multiple-choice test items.

(4) Despite repeated attempts, subject matter experts and POST staff have been unable to write acceptable test items for this objective.

Personal safety issues will continue to be addressed in learning activity 13.41.1 (see page 4) and by instruction on the following required topics: (a) safe initial actions, (b) safe approach distances, (c) conducting a safe assessment, and (d) essential field safety guides (do's and don'ts).

8.51.3 ~~Given an Emergency Response Guidebook (ERG) and information contained on a shipping paper or placard for a hazardous material, the student will use the ERG to identify the material by its name or identification number as listed in the ERG; the potential hazards of the material; and the actions to be taken.~~

Recommendation. Delete this objective. Replace it with four new objectives (8.51.5, 8.51.6, 851.7, and 8.51.8) that more explicitly require assessment of the student's ability

to find different types of information in the *Emergency Response Guidebook*.

8.51.4 ~~Given a tabletop exercise simulating a hazardous materials incident, the student will do the following:~~

~~A. Describe the nature of the hazardous incident~~
~~B. Select the appropriate safety precautions to take~~
~~C. Explain how to isolate the scene~~
~~D. Name the agency or person that should be contacted~~

Recommendation. Delete this objective. Replace it with learning activity 13.41.1 (see page 4). In January, the Commission approved changes to the *Training Specifications* that deleted the exercise test required by this objective and replaced it with learning activity 13.41.1.

8.51.5 Given a current *Emergency Response Guidebook* (ERG) and a word picture depicting a hazardous materials incident, the student will locate and identify the following:

A. The isolation distance
B. The protection distance
C. The guide number to use

Each depiction will include:

A. ID number, chemical/material name, or placard
B. The time of day
C. The size of the spill

8.51.6 Given the name, identification number, or placard description of a hazardous material (in the form of a direct question), the student will locate the material in the *Emergency Response Guidebook* (ERG) and identify its potential hazards.

8.51.7 Given the description of a placard (in the form of a direct question), the student will locate the placard in the *Emergency Response Guidebook* (ERG) and identify its hazardous materials classification.

8.51.8 Given the hazardous materials classification number (i.e., class and/or division number) in the form of a direct question, the student will locate the number in the *Emergency Response Guidebook* (ERG) and identify the descriptive title of the hazard.

Learning Activity 13.41.1

Given a word picture, videotape or other depiction of a possible hazardous materials incident, a current *Emergency Response Guidebook* (ERG) and other appropriate resource materials, the student will participate in a facilitated discussion regarding the on-scene duties of a First Responder at the *awareness* level. At a minimum the discussion must address:

1. Identification of the event as a hazardous materials incident
2. Application of recommended safety precautions
3. Use of the ERG to determine the initial isolation and protective action distances
4. The need to isolate the scene and to determine whether to evacuate or shelter in place
5. Notification considerations

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Request for Public Hearing to Modify Dispatcher Selection Standards and Report on Dispatcher Entry-Level Test		Meeting Date: April 20, 1995
Bureau: Standards and Evaluation Services	Reviewed By: John Berner	Researched By: John Weiner
Executive Director Approval: Manuel C. Boehm	Date of Approval: 3-30-95	Date of Report: March 22, 1995

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

1. Should the Commission schedule a public hearing for the July 20, 1995 meeting to consider modification of Commission Regulation 1018(c) to augment current selection standards for public safety dispatchers, and;

2. Should the Commission approve implementation of a statewide testing program to provide local agencies with a means of complying with the proposed new standards?

BACKGROUND

Public safety dispatchers were added to the POST program in 1989, at which time POST established initial selection and training standards pursuant to Penal Code Section 13510(c).

The current selection standards specify that public safety dispatcher candidates must undergo: (1) a background investigation, (2) a medical examination, and (3) an assessment of oral communication skills. The requirements are general in nature and, for the most part, do not prescribe specific evaluation procedures or criteria. The initial standards were established by an ad hoc committee with the proviso that a job analysis and validation research be conducted to serve as the basis for further development of selection and training standards.

POST completed a statewide job analysis in 1991 in which essential job duties performed by a majority of dispatchers in California were identified, as were the knowledge, skills, abilities and traits necessary to successfully perform these duties. The knowledge and skill information served as a basis for the recent changes in the Public Safety Dispatcher's Basic Course. The identified abilities and traits are germane to entry-level selection standards; the abilities are the target of the test battery described in this report, while the traits are presently under investigation in a separate validation study of extant pre-employment psychological testing procedures.

Since 1992, POST has been conducting research and development work to

produce an entry-level dispatcher selection test battery. An interim report on this research was made to the Commission in July 1992, at which time the Commission authorized staff to proceed with the development of the test battery.

The research is now completed. The purpose of this report is to describe the new test battery, as well as proposed new selection standards for dispatchers. An earlier draft of this report was presented to the Long Range Planning Committee at its March 6, 1995 meeting.

ANALYSIS

Description of Dispatcher Test Battery

The POST Entry-Level Dispatcher Selection Test Battery was designed to measure abilities that are both important for successful performance of dispatcher duties statewide and necessary for job candidates to possess before hire. These include: **Verbal** ability (written and oral comprehension, and written expression); **Reasoning** ability (deductive reasoning and information ordering); **Memory** (the ability to store and retrieve facts, details, and other information); and **Perceptual** ability (speed and accuracy, and time sharing).

The battery is comprised of eleven separately timed multiple-choice tests. Six of the tests are traditional paper-and-pencil format, while the remaining five incorporate an audio tape format where information is presented orally and examinees answer questions or perform tasks that require a multiple-choice response. All of the tests employ a machine-scorable answer sheet so that the battery may be administered in a large group setting.

Attachment 1 lists the abilities that are measured by the tests and summarizes the test formats.

Validity Evidence. Results of a newly completed validation study indicate that scores on the tests are significantly predictive of performance in basic training, subsequent performance on the job, and overall success or failure in completing probation (i.e., turnover).[1]

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[1]Employee turnover has been a chronic problem for the dispatcher position. A POST survey of over 100 agencies found the annual rate to be over 40%, on average. In the present study, more than 30% of the subjects failed to complete probation.

The study entailed administering the test battery to several hundred students in the Public Safety Dispatcher's Basic Course at 13 academies between April 1993 and May 1994. The students included entry-level dispatchers, experienced dispatchers, and non-affiliates totalling over 650.[2] Several specially developed measures of the students' performance in the Basic Course and later job performance were then collected and the predictive relationships between test scores and academy/job performance measures were examined.[3]

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[2]The battery has also been administered to over 1,000 job applicants under real-stakes testing conditions. The job applicant scores are being used to assemble norms that will be used to aid in the interpretation of scores on the battery.

[3]The performance criterion measures were developed by POST specifically for the validation research and included:

1. **Basic academy performance**: (a) instructor ratings of demonstrated knowledge and skills, and (b) overall successful completion vs. failure to complete the Dispatcher's Basic Course. Academy test scores were collected for approximately 100 CHP students in lieu of instructor ratings.

2. **Supervisor ratings**: Those students who were employed as dispatchers at the time they were tested in the academy were later rated by their immediate supervisors at the end of probation using POST-developed rating scales which covered: (a) the dispatcher's **effectiveness** in performing important job duties, as identified in the statewide job analysis, (b) instances of **commendable performance**, (c) **complaints regarding poor performance**, and (d) instances where the dispatcher was **unable to perform a critical job duty**. Supervisor ratings were obtained for over 150 entry-level dispatchers from dozens of agencies.

3. **Self-Ratings**: Those dispatchers who were rated by their supervisors were asked to rate themselves using the same job effectiveness scales. The ratings were made under conditions of strict confidentiality.

4. **Probation Success/Failure** (Turnover): This was represented by a dichotomous index (scored 1/0) identifying those dispatchers who successfully completed probation and those who resigned or were terminated. The general reasons for failure were obtained and used to identify students who performed poorly for reasons that would be expected to be relevant to the test (e.g., inadequate job knowledge, skills or abilities). Turnover data were obtained for over 250 dispatchers.

Proposed New Regulation

On the basis of the empirical validation results, in concert with the earlier described job analysis results indicating the importance of Verbal, Reasoning, Memory, and Perceptual abilities for successful performance of dispatcher duties, it is proposed that the Commission augment its entry-level selection standards for public safety dispatchers to include pre-employment assessment of these abilities. Specifically, it is proposed that Commission Regulation 1018(c) be modified as shown in Attachment 2 to require that entry-level dispatchers demonstrate levels of these abilities (Verbal, Reasoning, Memory, and Perceptual abilities) commensurate with the performance of job duties, as measured by the POST test battery or alternative job-related tests of these abilities.

The language of the proposed new regulation is analogous to that of Regulation 1002(a)(9), which requires that peace officer applicants be able to read and write at the levels necessary to perform the job, as determined by use of either the POST Reading and Writing Test Battery, or other job-related tests of reading and writing.

Implicit in the language of the proposed new regulation is the assumption that the new test battery will be maintained and made available to all eligible agencies in the POST dispatcher program. This intention was articulated in the July 1992 report to the Commission.[4] Based on current cost projections, the annual costs to implement such a testing program would range from $40,000 and $80,000, depending on the number of agencies using the tests.[5]

It is recommended that the proposed new selection standards be

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[4]As described in the July 1992 Commission report, the dispatcher testing program would be similar to the reading and writing testing program for peace officers, and would include the following activities: (1) development and printing of all test forms, answer sheets, and related materials, (2) distribution of test and related materials to local agencies, (3) scoring and reporting of test results to local agencies, (4) maintaining computer data files containing examinee and test item information, (5) continuous development of new test forms, and (6) monitoring examinee performance and periodically evaluating the standards.

An optional component of the program may include POST providing proctors to administer the tests for local agencies on a limited basis.

[5]These estimates assume that 80 to 160 agencies (approximately 25% to 50% of the 325 agencies in the POST dispatcher Program) would use the tests annually, and that an average of 75 candidates would be tested per agency.

made effective in July 1997. This will provide agencies with the time needed to develop alternatives to the new POST test battery for dispatchers. Similar actions were taken by the Commission when it established reading and writing ability requirements for peace officers.[6]

Exemption. As specified in the proposed new regulation, it is also recommended that "lateral hires" (i.e., experienced dispatchers who have successfully completed the Public Safety Dispatcher's Basic Course and have performed the job successfully as required to complete probation during previous employment) be exempted from the new selection standard requirements.[7] This is also consistent with current Commission Policy G2, which exempts basic course graduates from the reading and writing testing requirement.

Interim Testing Program. Although it is recommended that the proposed new standards for dispatchers not go into effect until July 1997, many agencies in the dispatcher program are eager to begin using the new test battery. It is estimated that the tests could be ready for statewide use by September of this year, and there is little doubt that agencies would benefit by the earliest possible availability of the tests. However, due to current fiscal constraints, it is recommended that the Commission charge agencies for use of the tests until such time as the proposed new standards become effective (July 1997). Such charges would be for actual costs, and would amount to approximately $5.00 per candidate, plus a base charge of $125 per administration. Using these figures for a candidate group of 25, the cost would be $250; for a group of average size (75 candidates), the cost would be $550; and for a large group (500 candidates), the cost would

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[6]The Commission first acted to establish a reading requirement for peace officers in 1975. The effective date of the requirement was to be January 1977. At its January 1977 meeting, the Commission declared an open-ended moratorium on enforcement of the standard pending the availability of a job-related test. The Commission lifted the moratorium upon completion and availability of a POST-developed test of reading ability in January 1982.

The writing ability requirement was established in January 1984, upon completion a two year project to develop a POST test of writing ability, and nine years after the Commission first announced its intention to establish a writing requirement.

[7]The results of the empirical validation study support this approach in that the tests were found to be significantly predictive of academy performance irrespective of previous dispatching experience, while prediction of job performance by the battery was generally limited to entry-level dispatchers (those with 12 months or less experience when tested); i.e., highly experienced dispatchers' job performance ratings were not as well predicted by the tests.

be $2,625. An additional charge of approximately $150 would be levied for test administrations in which POST provides proctoring services.

Summary

A major research and development effort has been completed resulting in an entry-level selection test battery for public safety dispatchers. New selection standards are proposed in the form of Commission Regulation 1018(c)(4). As proposed, the new standards would go into effect July 1997, "lateral hires" (i.e., persons who have completed the Public Safety Dispatcher's Basic Course and successfully completed probation during previous employment) would be exempt, and POST would be required to maintain and make available the new test battery to interested agencies as a vehicle for complying with the new standards. The estimated costs to administer such a testing program will range from $40,000 to $80,000, depending on the number of agencies that elect to use the tests. Prior to the proposed July 1997 effective date of the new standards, it is recommended that agencies be charged for the use of the tests, with such charges not to exceed actual costs. Agencies are expected to benefit from the tests through increased employee retention and productivity, as well as reduced training costs. Establishment of the new standards will require a public hearing.

RECOMMENDATION

1. Schedule a public hearing for July 20, 1995 and, subject to the results, approve the proposed new public safety dispatcher selection standards.

2. Approve implementation of a statewide dispatcher testing program as proposed (i.e., with interim charges to test users to recover costs, until such time as the new selection standards become effective), subject to the results of the public hearing.

Attachment 1

Overview of Dispatcher Selection Tests

ABILITY	TEST	PROTOCOL
VERBAL	*READING COMPREHENSION*	Read a brief passage, then answer m/c questions regarding facts & meaning of written information.
	EVALUATING FACTS	Read set of facts & then determine whether statements that follow are true, false, or cannot be determined on the basis of the facts.
	CLARITY	Identify which of 2 sentences is written more clearly.
REASONING	*CALL-TAKING*	Listen to 3 brief simulated calls while taking notes; examinees given time to review notes; then answer m/c questions regarding facts and meaning of what transpired. (audio tape)
	FOLLOWING ORAL DIRECTIONS	Listen to lengthy simulated call from officer giving series of instructions, while taking notes; examinee given time to review notes; then answer m/c questions regarding actions to be taken and order of activities. (audio tape) .
	ASSIGNING FIELD UNITS	Apply set of rules to determine which field unit(s) to assign to various "incidents"; m/c response format.
	SETTING PRIORITIES	Apply set of rules to prioritize events, 3 at a time; m/c response format.
MEMORY	*PUBLIC SAFETY BULLETIN*	Study bulletin describing several events; then answer factual m/c questions based solely on memory.
	RECALLING FACTS & DETAILS	Listen to simulated call from citizen; *no* notes; then answer factual m/c questions. (audio tape)
PERCEPTUAL	*CHECKING & LISTENING*	Compare list of names, license numbers & addresses with a "hot sheet" & identify exact matches; at the same time listen to simulated radio transmissions from several units & record each unit's status on a "radio log"; after info presented, answer m/c questions re: unit status changes. (audio tape)
	CHECKING CODED INFORMATION	Listen to random number-letter codes & quickly identify each code from among several printed alternatives. (audio tape)

Attachment 2

PROPOSED REGULATORY LANGUAGE

1018. Public Safety Dispatcher Programs.

(a-b included)

(c) Minimum Selection Standards for Public Safety Dispatchers.

Every public safety dispatcher shall be subject to the following requirements:

(1-3 included)

(4) Verbal, Reasoning, Memory, and Perceptual abilities (A1-4 below): These abilities shall be evaluated before hire to assure the presence of ability levels commensurate with the performance of dispatcher duties, as measured by the POST Entry-Level Dispatcher Selection Test Battery or alternative job-related tests of these abilities.

A) Definitions.

1. Verbal ability. The assessment of verbal ability shall include written and oral comprehension (the ability to read passages and listen to orally imparted information and retrieve facts, draw conclusions, and derive meaning); and written expression (the ability to use language to convey information clearly in writing).

2. Reasoning ability. The assessment of reasoning ability shall include at least one of the following: (1) Deductive Reasoning: the ability to apply general rules to specific problems to attain logical answers; or (2) Information Ordering: the ability to correctly follow a given rule or set of rules to arrange things or actions in a certain order.

3. Memory ability. The assessment of memory ability shall include the capacity to store and retrieve facts, details, and other information.

4. Perceptual ability. The assessment of perceptual ability shall include: (1) Speed and Accuracy: the ability to quickly and accurately compare letters and numbers presented orally and in written form; and (2) Time Sharing: the ability to shift back and forth between two or more sources of information, both written and orally imparted, in performing a task or set of tasks.

B) Exemption. All dispatchers who have successfully completed the Public Safety Dispatcher's Basic Course and have performed the job successfully as required to complete probation during previous employment shall be exempt from the requirements set forth in POST regulation 1018(c)(4).

(d-f included).

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

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Budget Augmentation to the Contract to Produce the 1994-95 Telecourse Programs		Meeting Date April 20, 1995
Bureau Training Program Services	Reviewed By Otto Saltenberger	Researched By Ray Bray
Executive Director Approval Norman C. Boehm	Date of Approval 4-4-95	Date of Report February 15, 1995
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

Request authority for the Executive Director to amend the current contract with San Diego State University by $30,000.

BACKGROUND

In April 1994, the Commission approved a contract with San Diego State University in the amount of $530,000 for fiscal year 1994-95. The purpose of the contract is to produce and broadcast 12 telecourses, provide for duplication, and to produce specialized broadcasts during the year.

Eight telecourses and one special program have been broadcast and four more telecourses are under development and scheduled for broadcast.

The total contract amount has been expended or encumbered as described in the contract. The Commission scheduled a technology symposium to include a report to the Legislature titled *Partnerships for a Safer California*, which was to be presented at the state capitol in January. The symposium, and its companion video broadcast, were designed to explain the concept of combining public safety skill training at shared regional facilities and provide demonstrations of learning technologies which could enhance skill training. The scheduled symposium had to be cancelled due to a variety of compelling reasons.

ANALYSIS

Several "field shoots" of skill training activities were completed prior to the cancellation of the January symposium video broadcast. Video footage was salvaged by incorporating it into a video presenting the *Partnerships for a Safer California* proposal. To not use the footage would have resulted in lost production costs. The video will provide a great opportunity to quickly and visually show the Legislature the benefits and needs for using learning technologies and developing shared skill training facilities. Funds for the complete production of the *Partnerships for a Safer California* video are not available in the original contract.

The approval of this $30,000 augmentation would cover costs for completion of the video production costs, including script writing, additional "field" filming of learning technologies, skill training activities, and interviews with public safety executives, final editing, and reproduction of 750 copies of the completed video for distribution to the Legislature and key public safety groups and officials around the state.

RECOMMENDATION

Authorize the Executive Director to amend the contract with San Diego State University in the amount of $30,000.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: California Museum of Science and Industry Peace Officer Feasibility Study		Meeting Date: April 20, 1995
Bureau: Management Counseling Services Bureau	Reviewed By: Michael C. DiMiceli	Researched By: Paul M. Harman
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-4-95	Date of Report: March 30, 1995
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 Museum security officer positions in the California Museum of Science and Industry, be designated as peace officers?

BACKGROUND

Senate Bill 353 (Presley) added Sections 13540-42 to the Penal Code, effective May 1990. The law requires any person who desires peace officer status and who was not, on January 1, 1990, a peace officer, to request the Commission on Peace Officer Standards and Training (POST) to undertake a feasibility study regarding designation as a peace officer.

The law authorizes the Commission to adopt regulations necessary to undertake a study and to recover from the requesting person the actual costs of the study.

The law requires the study to include the current and proposed duties and responsibilities of the persons who seek designation as a peace officer, their field law enforcement duties and responsibilities, their supervisory and management structure, and their proposed training methods and funding sources.

In September 1993, Rudy Schultz, Chief of Museum Security and Safety, California Museum of Science and Industry renewed a request for a peace officer feasibility study. A contract was signed and the study began in August 1994.

California Museum of Science and Industry

The California Museum of Science and Industry (CMSI) is centrally located in Metropolitan Los Angeles, at the Exposition Park. The Exposition Park, formerly known as "Agricultural Park" was created as the Sixth District Agricultural Association in the early 1900s, and at that time constituted 160 acres. In 1909 the title of the tract of land known as Agricultural Park was fully established and confirmed as State property, and the plans were

laid to establish State and County Museums on the property. An additional 12.3 acres were added to the park in 1915.

The California Museum of Science and Industry (CMSI) is funded from the Exposition Park Improvement Fund from revenues received from the California Museum of Science and Industry, the California African-American Museum, Exposition Park parking facilities, rental of museum facilities, or other business activities within the park, and General Fund monies. The CMSI has a Department of Public Safety which provides security and basic law enforcement services within and around the Museum of Science and Industry and within the boundaries of the 172.3 acre Exposition Park, pursuant to Food and Agricultural Code Section 4108.

The City of Los Angeles Coliseum, the Los Angeles Sports Arena, the Los Angeles Swim Stadium, the Los Angeles County Museum of Natural History, the IMAX theater and several small businesses are also located within the Exposition Park. Museum officers respond to those locations to handle problems occurring outside the facilities.

The Exposition Park area draws many visitors to its varied attractions. Although the Exposition Park is within the Los Angeles Police Department's Southwest Station patrol area, the Museum security officers provide most first responses to incidents within the park. The Los Angeles Police Department contracts with the Coliseum and Sports Arena for interior security for major sporting and cultural events which can draw crowds from thirty to one-hundred thousand people to one event. Museum security officers assist with traffic coordination, parking problems and minor disturbances. Museum security officers work closely with the local school districts who bus school children from throughout the city to visit the different museums.

CMSI Department of Public Safety

The California Agricultural Code Section 4108, describes Museum police and security services. The section provides that the Director of the CMSI may appoint the chief and assistant chief of museum security and safety, who shall have the powers of peace officers as specified in Section 830.3 of the Penal Code. The Agricultural Code states: "These peace officers shall provide police and security services to keep order and preserve the peace and safety of persons and property at the California Museum of Science and Industry and at Exposition Park on a year-round basis." When this law was enacted, it applied only to the enumerated positions of chief and assistant chief. However, the law specifically assigns the responsibility of police and safety of persons and property to the museum police and security

services. The CMSI officers wear uniforms and badges which identify them as "police." Their patrol vehicles are identified as CMSI Department of Public Safety, are equipped with red and blue emergency lighting systems and sirens, which would lead the average person to believe they were "police" vehicles.

The California Museum of Science and Industry Department of Public Safety (CMSIDPS) consists of 28 personnel, of which 25 are designated as Museum security officers. The positions of chief and assistant chief (vacant), are peace officers. The Museum security officer positions include one lieutenant, four sergeants, three corporals, one detective, and 16 officers, and one staff support position.

Some Public Safety Department officers are former California peace officers who have POST certificates. Staff was informed that six officers have recently completed the Basic Course at a POST-certified law enforcement academy.

The CMSIDPS deployment usually consists of one supervisor and three officers assigned to shifts that operate 24 hours per day, seven days per week. Officers are assigned some security functions on each shift and provide money escorts approximately five times daily for various park tenants. During the evening hours, a four-person bike patrol team supplements staffing primarily in the coliseum, sports arena and parking lot environs.

SCOPE OF THE STUDY

The scope of the study includes the 25 positions designated as Museum security officers in the CMSIDPS. The study examines information related to departmental field law enforcement duties and responsibilities, supervisory and management structure, and proposed training methods and funding sources.

METHODOLOGY OF THE STUDY

POST consultants discussed the study methodology with Rudy Schultz, Chief of the Department of Public Safety, California Museum of Science and Industry. POST staff interviewed one detective, three sergeants, two corporals and 17 security officers employed by the agency.

A questionnaire was used to guide consultants when interviewing persons about job tasks and activities completed by security officers.

Security programs were reviewed at the California Museum of Science and Industry. Data were collected and operational policies and procedures reviewed. Staff reviewed standard criminal justice texts, Agricultural Codes, California Code of

Regulations, historical documents, and the Public Safety Department manual of Policies and Procedures. Also reviewed were: personnel files, training files, case files and Exposition Park redevelopment plans.

POST staff also interviewed the Los Angeles County Sheriff, Los Angeles Police Department Southwest Area Station Patrol Captain and Operations-South Bureau personnel, Coliseum and Sports Arena management staff and command staff of the University of Southern California Public Safety Department.

ANALYSIS OF DATA

The work required of CMSIDPS Museum security officers relates primarily to providing security for the CMSI buildings and exhibits. Additionally, Museum security officers provide law enforcement services throughout Exposition Park by responding to concessionaire tenants, the Coliseum and Sports Arena complex and the parking lots. Security officers patrol the Exposition park on foot and in cars; however, a significant amount of their law enforcement activity is event-related. One detective conducts preliminary investigations.

Staff analyzed the Department of Public Safety workload data contained in arrest reports and logs prepared by Museum security officers over a three-year period. Statistics are maintained on a calendar year basis. Arrests are made under authority of Section 837 Penal Code (private person arrest). Arrestees are remanded to the Los Angeles Police Department. Exhibit 1, following this page, portrays the past three calendar years (1992-94) criminal statistics.

Felony arrests and felony reported crime incidents have remained relatively constant from year to year. However, there appears to be a decrease in the number of reported misdemeanor crimes and arrests.

The arrest figures provided by the Museum cannot be confirmed because copies of booking slips are not maintained in CMISDPS files nor are the arrests cross-referenced with LAPD report numbers. CMISDPS files are not automated and back-up data does not include copies of booking slips.

Staff reviewed 1,012 dispatched calls-for-service, from officer logs, for the period January 1, 1994 through June 30, 1994. Dispatch logs are not maintained, therefore, all of the data were retrieved from officers' daily, handwritten logs. An analysis of the service requests is depicted in Exhibit 2, page 6.

EXHIBIT 1

CALIFORNIA MUSEUM OF SCIENCE AND INDUSTRY DEPARTMENT OF PUBLIC SAFETY WORKLOAD DATA 1992-94					
FISCAL YEAR	FELONY ARRESTS	MISD. ARRESTS	REPORTED CRIMES		INFRACTION
			FELONY	MISDEMEANOR	
1992	55	159	55	112	31
1993	54	84	56	86	7
1994	64	49	68	79	6
3-YRS. TOTAL	173	292	179[1]	277[2]	41

[1] The Los Angeles Police Department (LAPD) provided reports of all calls for service within their Reporting District 378, which includes Exposition Park. The records reflect that the LAPD has responded to 1,638 incidents in five years in the entire reporting district, 80 of which occurred at 700 State Drive (the CMSI address). These calls for service included robbery (10), assault (5), battery (15), vandalism (5), theft (5), burglary (2), missing person (6), prowler (6), and disturbances (2). Calls for service to the other business addresses within the park are not included in the statistics.

[2] IBID.

CALIFORNIA MUSEUM OF SCIENCE AND INDUSTRY DEPARTMENT OF PUBLIC SAFETY SERVICE REQUESTS		
ACTIVITY	TOTAL	PERCENTAGE
Money escorts, Money counts, employee escorts.	676	53.5%
Lost children, visitor injuries, tow truck requests, information, stand-by during meetings.	91	7%
Suspicious persons, transients, homeless, & panhandlers.	45	3.5%
Unlock/secure buildings, & alarm resets.	141	11%
Parking disputes, verbal disturbances, & loud children.	84	7%
Reported as felony: Gang activity (3), robbery (5), purse snatches (3), assault (1), 459 auto (13), stolen vehicle (2), & sexual assault (2), kidnap (1), 246 PC(1).	31	2%
Reported as misdemeanor: Petty thefts (20), Vandalism (16), Indecent exposure (3), scalpers (7), illegal vending (4), fights (18), battery (5), illegal dumping (1), & assists to other PD.	98	8%
Miscellaneous services: illegal parking, traffic control/accidents, earthquake checks, AAA requests, 5150, power outages, & bus unloading.	96	8%
Total	1,262	100%

Exhibit 2, above, shows that the preponderance of work performed by officers (90%) is security related and does not require peace officer authority. The remaining service calls (10%) involve initial reports of felony and misdemeanor criminal activity occurring within the Exposition Park grounds.

The CMSI security officers patrol the city streets bounding Exposition Park and the roads and pathways within the 172.3 acres of the park. Calls for service from the tenant businesses include daily money escorts. Security officers routinely unlock or secure various CMSI buildings at the opening and close of the

business day, escort employees to their vehicles, and visit cashiers in parking lots and concession stands to assure that there are no problems. The officers will intervene in any situation which appears to threaten the safety of park visitors or employees.

The Exposition Park is within the Los Angeles Police Department's Southwest Station jurisdiction. The LAPD is responsible for law enforcement at both city-owned property and the surrounding area encompassing the park. The LAPD responds when called, to assist the security officers who encounter crimes occurring in the park, and takes into custody persons they have detained. Security officers also respond upon request to assist LAPD officers, USC officers or State Police Officers at nearby locations.

The CMSIDPS does not have an active in-service training program for the security officers. Some training is accomplished in conjunction with the University of Southern California (USC) Public Safety Department, some of which is accredited through Rio Hondo Community College.

CONCLUSIONS AND RECOMMENDATION

Conclusions

After the review and analysis of the current and proposed duties and responsibilities, the field law enforcement duties and responsibilities, and the workload of the security officers that are the focus of this study, staff concludes:

- the non-peace officer employees of the CMISDPS perform functions that are desirable and necessary to the Museum of Science and Industry and the Exposition Park business tenants;

- the primary work of the security officers, guarding the museums, exhibits, staff and visitors of the California Museum of Science and Industry does not require peace officer authority;

- the current duties and workload of the security officer positions do not regularly nor frequently require peace officer authority.

  The State Police was described the duties and responsiblities of officers in Exposition Park as related primarily to providing security and guarding facilities; activities that do not require peace officer authority. This description results from the prior experience of the State Police as the

contract law enforcement agency working at CMSI and Exposition Park until 1992;

- projected expansion of the Exposition Park would add a Metro Rail substation, a new museum, a Los Angeles Public School Learning Branch. That growth could increase the volume of calls for services, arrest and criminal activity. The peace officer authority needed to handle such activity will remain with the Los Angeles Police Department and the concurrent jurisdiction of the chief and assistant chief of the Museum of Science and Industry DPS; and

- law enforcement services provided by the Los Angeles Police Department (LAPD) are sufficient to handle existing and projected workloads.

The LAPD Administration does not support the designation of Museum security officers as peace officers.

Finally, staff conclude the security officer positions at the California Museum of Science and Industry should not be designated as peace officers.

To provide peace officer authority, in those instances when that authority is required, an alternative may be considered. The Museum may consider legislative action to add the security officer positions to Penal Code Section 830.11. Section 830.11 grants peace officer authority to arrest, serve search warrants, and receive criminal offender record information to specified positions, with the limited scope of employment, but does not designate those positions as peace officers.

Recommendation

If the Commission concurs, direct the Executive Director to submit the completed feasibility report, including the recommendation, to the Legislature and the California Museum of Science and Industry.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Cabazon Band of Mission Indians - Peace Officer Feasibility Study		Meeting Date: April 20, 1995
Bureau: Management Counseling	Reviewed By: Michael C. DiMiceli	Researched By: Paul M. Harman
Executive Director Approval: Norman C. Boehm	Date of Approval: 3-30-95	Date of Report: March 24, 1995
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 officer positions in the Cabazon Public Safety Department, Cabazon Band of Mission Indians, be designated as peace officers?

BACKGROUND

Senate Bill 353 (Presley) added Sections 13540-42 to the Penal Code, effective May 1990. The law requires any person who desires peace officer status and who was not, on January 1, 1990, a peace officer, to request the Commission on Peace Officer Standards and Training (POST) to undertake a feasibility study regarding designation as a peace officer.

The law authorizes the Commission to adopt regulations necessary to undertake a study and to recover from the requesting person the actual costs of the study.

The law requires the study to include the current and proposed duties and responsibilities of the persons who seek designation as a peace officer, their field law enforcement duties and responsibilities, their supervisory and management structure, and their proposed training methods and funding sources.

In September 1994, the Cabazon Band of Mission Indians requested a feasibility study. A contract was signed and the study began in November 1994.

Cabazon Band of Mission Indians

The Cabazon Band of Mission Indians Reservation is located in the Coachella Valley in Southern California. It is adjacent to the cities of Indio and Coachella. The Reservation consists of four land parcels with a total size of 1,224.93 acres. The parcels are not contiguous. Tribal membership is less than 50 persons,

none of whom reside on Reservation land, and some of whom (12) live on allotted land adjacent to the Reservation.

Allotted land is land which was originally parceled out to individual tribal families around 1887 by the U.S. Bureau of Indian Affairs to grant individual land ownership. In contrast, reservation lands are owned communally, by the tribe. Although individually owned, allotted lands are held in trust and are exempt from State and local taxes and restrictions. The 1934 Reorganization Act indefinitely extended the trust period of all allotments. The tribal authority extends to all trust lands.

There is no residential housing on Land Parcel One, where the casino is located, but there are plans for a major recreational development on this parcel. The plans include a 3.5 acre lake, 350-space RV park, 13,000 sq. ft. of arcades, a 36-hole miniature golf course, Go-Kart track, batting cages, multi-purpose play field, pool and tennis complex, and amphitheater. Construction has begun on a 350 space RV park adjacent to the casino. Law enforcement jurisdiction for this Reservation Parcel is the Riverside Sheriff's Department.

Approximately 1,000 single-story homes are planned for construction on another of the Reservation land parcels. Tribal members will be permanent residents. Approximately 4,000 non-Tribal members will be admitted on a lease basis. The construction of an Indian and a Mexican cultural center is planned. This development will be walled and gated with an electronically controlled entryway. The project is scheduled to be developed in phases over a seven-year period. Presently, three model homes are completed. Construction has begun on the first 100 new homes of the planned 1,000 home development. This planned development is located on a parcel of land entirely within the City of Coachella and the law enforcement jurisdiction of the Coachella Police Department.

Two other commercial establishments have been built on a third parcel of Reservation land that has been reserved for industrial development. A bio-mass co-generation plant (COLMAC) produces electricity through use of fuel derived from vegetation, such as wood chips and plants. The second enterprise is a soil reclamation process furnace which is used to burn contaminants from soil. Contaminated soil is trucked in from gasoline service stations and other industrial locations. The sterilized soil is then returned to its original site.

The major business activity on the Reservation is a gaming casino located on a section of Reservation land bisected by the Interstate 10 freeway which sponsors bingo, card games, video slot machines, and off-track horse race betting. The casino population may attain 4,000 patrons over a 24-hour period. Annually, 500,000 people patronize the casino.

Gaming on Indian reservations is defined and regulated by the National Indian Gaming Commission operating with the authority of the Federal Indian Gaming Regulatory Act. Games are categorized in the Act as Class I, II, or III games. Class II gaming may be authorized and regulated by state law or, with specific games, may be prohibited by state law. Class III games are typically prohibited in California.

The National Indian Gaming Commission regulates Class II and some Class III games. In California, the state was, pursuant to Public Law 280, authorized to enforce state laws concerning Class II and III games; however, the apparent conflicts between federal and state law concerning gaming on Indian lands is the subject of current litigation on a number of cases pending before federal courts.

The Cabazon Public Safety Department (CPSD), authorized by the Cabazon General Council, is responsible for the security on the Reservation, and providing a safe environment for visiting patrons of the casino.

Public Law 280 U.S.C.A.

Public Law 280, enacted by Congress in 1953, grants to designated state and local law enforcement agencies exclusive authority to enforce criminal law violations which occur on Indian lands. Public Law 280 applies specifically to California and five other states. Indian affairs in all other states are administered under the direction of the U.S. Bureau of Indian Affairs. Because the State of California and local authorities adhere strictly to Public Law 280, law enforcement services to the Cabazon Reservation are provided by the Riverside County Sheriff's Department and the California Highway Patrol.

Cabazon Public Safety Department (CPSD)

California Penal Code Section 830, et. seq. does not describe either a tribal police department or a peace officer employed by an Indian tribe on a reservation. However, the CPSD managers and officers commonly use "police" to describe their department, positions, and operations. The uniforms and badges all identify the officers as "police." The patrol vehicles are identified as Cabazon Public Safety Department and are equipped with red and blue emergency lighting systems, and sirens. The vehicles look in every respect like a usual "police" vehicle.

The report of this peace officer feasibility study uses "police" and "police department" for convenience and ease of reference. The use of those terms in the report does not acknowledge the

authority or the jurisdiction of the Cabazon Band of Mission Indians to operate a police department or employ peace officers on the Reservation.

The Cabazon Public Safety Department (CPSD) was first established by the Tribe's General Council in May 1991 to provide law enforcement and fire services within the Reservation, as well as to ensure the security and integrity of the gaming operations and patrons.

Until January 1995, the Cabazon Public Safety Department consisted of a total of 62 personnel, of which 43 were designated as officers. These positions included a chief and deputy chief, 2 commanders, 3 lieutenants, 4 sergeants, 3 detectives, and 29 officers. The department was responsible for casino security, fire safety and the enforcement of tribal law on the Reservation. The statistical information describes the past two years' activity with this organization. On February 11, 1995, the CPSD was reorganized and separated into the Cabazon Tribal Police Department, the Cabazon Tribal Fire Department and the Casino Security Department.

The current strength of the Tribal Police Department operation is now 34 personnel, of which 23 are designated as officers. The positions include a chief and assistant chief, 1 patrol captain, 4 sergeants, 2 investigators, 14 officers (one of whom is designated as an FTO) and 11 support staff. The Cabazon Tribal Police Department is responsible for enforcing tribal laws on the Reservation and responding to calls at the Casino.

The Tribal Fire Department currently consists of one Battalion Chief, three paramedics and four fire personnel. The General Council is exploring contracting for fire services.

The newly formed Casino Security Department consists of a director, three supervisors and 22 security officers. The security department is now solely responsible for interior casino security.

The Cabazon PSD officers include former California peace officers who have POST certificates. Staff was informed that all new entry-level officers, when hired, have completed a POST-certified Basic Course.

SCOPE OF THE STUDY

The scope of the study originally included all the positions designated as officers in the Cabazon Department of Public Safety. That included approximately 43 positions which were considered to be involved in law enforcement activities within the casino, surrounding the casino and on all Reservation and

allotted lands. The recent reorganization of the Cabazon Public Safety Department into separate entities changed the focus of the study to the 23 positions designated as officers in the Tribal Police Department. The Department also employs one administrative aide and one identification technician. In addition, nine dispatchers are headquartered at the casino and continue to perform dispatch duties and monitor casino surveillance camera activity, simultaneously. The study examines current and proposed duties and responsibilities, field law enforcement duties and responsibilities, supervisory and management structure, and proposed training methods and funding sources.

METHODOLOGY OF THE STUDY

POST consultants discussed the study methodology with Paul Hare, Chief of Police, Cabazon Tribal Police Department, Cabazon Band of Mission Indians. POST staff interviewed John James, Chairman, Cabazon General Council; Mark Nichols, Cabazon CEO; the Deputy Director of Public Safety; a field operations lieutenant; two detectives; several officers and the lieutenant in charge of casino security.

A questionnaire was used to guide consultants when interviewing persons about job tasks and activities completed by members of the Tribal Police.

Security programs were reviewed at the Cabazon Reservation. Data were collected and operational policies and procedures reviewed. Staff reviewed standard criminal justice texts, legal references, and law enforcement contract programs. Also reviewed were personnel files, case files and Cabazon Reservation redevelopment plans.

POST staff also interviewed the outgoing Sheriff, the newly elected Sheriff, and sub-station commanders of the Riverside County Sheriff's Department; Chiefs of Police of the cities of Indio and Coachella; Indio Commander of the California Highway Patrol; and the Assistant District Attorney of the Riverside District Attorney's Office.

Four other states which operate under Public Law 280, and two non-Public Law 280 states, were contacted.

Communications were made with the Office of the California Attorney General, the California Department of Justice and the Federal Bureau of Indian Affairs.

Finally, the research included a review of publications concerning Indian law and Public Law 280.

ANALYSIS OF DATA

Cabazon PSD deployment usually consists of one supervisor and three officers assigned to shifts that operate 24 hours per day, seven days per week. The work required of the Cabazon PSD primarily relates to casino security. Casino security staff are stationed at fixed posts within the casino and at entrances. A four-person bicycle patrol team provides a mobile surveillance of the casino parking area and environs in the evening hours. Two radio cars patrol the entire reservation; however, a significant amount of their activity is casino-related. Three detectives conduct investigations.

Staff analyzed the Cabazon Public Safety Department workload data contained in arrest reports prepared by Cabazon officers over a two-year period. Statistics are maintained on a fiscal year basis. The following chart outlines the past two years activities:

CABAZON PUBLIC SAFETY DEPARTMENT
WORKLOAD DATA
1992-94

FISCAL YEAR	FELONY ARRESTS	MISD. ARRESTS	REPORTED CRIMES		MISC. RESPONSES	AVER. MISC. RESPONSES PER MONTH
			FELONY	MISD.		
1992/93	15	32	44	133	264	22
1993/94	6	17	25	102	136	11
2-YRS. TOTAL	21	39	69	335	400	N/A

A marked decrease in the number of arrest, crime and incidents is shown for the 1993-94 fiscal year. The majority of crime and arrest activity [98%] is associated with the casino.

Arrests are made under authority of Section 837 Penal Code (private person arrest). Arrestees are remanded to the Sheriff's Department or the California Highway Patrol for further action. The analysis of the Cabazon PSD deployment and workload activity revealed that the majority of staff positions and activity is directly associated with the gaming operations and the casino.

There are no Indian families living on Reservation lands. Twelve members of three families living on allotted land adjacent to one of the Reservation parcels are the only tribal members served by Cabazon PSD. The two other commercial enterprises on the industrial land parcel do not generate police activity.

The Sheriff's Department is designated by law to provide law enforcement services to the Reservation. This includes making arrests, serving search warrants, performing criminal investigations, detaining prisoners, and taking criminal complaint/prosecution actions.

The California Highway Patrol is responsible for traffic enforcement on the Reservation, and does respond to and handle injury accidents which occur on Reservation property; however, Cabazon Tribal Police handle minor traffic accidents occurring on the reservation and write traffic citations for violations of the Cabazon Reservation Code, citing the violators into Reservation Court.

The Cabazon Department of Public Safety voluntarily performs or assists with some of the law enforcement activities for which the California Highway Patrol or the Riverside Sheriff's Department are responsible.

The Sheriff Department's and the CHP's arrangements with the Cabazon Reservation appears to be producing satisfactory results. The Cabazon Tribe may contract with the Riverside Sheriff's Department for additional law enforcement coverage, if desired.

Cabazon PSD detectives conduct background investigations of officer applicants, new casino employees, and other employees assigned to sensitive work positions. They conduct internal investigations when misconduct is alleged.

REGIONALIZED POLICE AND FIRE SERVICE FOR INDIAN LANDS

A major objective of the Cabazon Tribe is to develop a model Indian public service agency with the capability of providing contractual law enforcement services to other Indian tribal bands.

The following information outlines the other avenues that the Cabazons are exploring to attain peace officer status and achieve the goal of providing regionalized law enforcement in the Coachella Valley.

Federal Deputy Special Officer Commission

The Cabazon General Council has applied to the United States Department of the Interior, Bureau of Indian Affairs, requesting that it assign "Deputy Special Officer Commissions" to the officers of the Cabazon Tribal Police Department. This would authorize Tribal officers to aid the Federal Government in enforcement (in Indian country) of the laws of the United States and tribal law (those enacted by the Cabazon Band of Mission Indians).

Federal policy is to issue "Deputy Special Officer Commissions" to federal, state, local, and tribal full-time certified law enforcement officers *who agree to provide service without compensation*. The purpose of issuing these commissions is to obtain assistance in enforcing federal statutes, including hunting and fishing regulations.

The Bureau of Indian Affairs, Federal Training Academy, has provided Cabazon officers 40 hours of training on federal regulations, chain of command and their authority and responsibilities in a Public Law 280 state.

Becoming "Deputy Special Officers" would provide Cabazon officers with federal peace officer status. However, staff are informed that federal peace officer status is not usually given to tribal police in a Public Law 280 state.

Feasibility Study of Regionalized Public Safety Services

The Cabazon Tribe and the Bureau of Indian Affairs have contracted to conduct a feasibility study regarding regionalized law enforcement provided by the Cabazon Tribal Police Department on neighboring Cahuilla Indian Reservation lands. The Cabazon Director and Deputy Director of Public Safety have been commissioned to do the study.

The study will involve a consortium of four Indian Tribes in Southern California. Tribes named as participants in the feasibility study are: the Cabazon Band of Mission Indians, Cahuilla Band of Mission Indians, Morongo Band of Mission Indians and Torres-Martinez Desert Cahuilla Indians.

CONCLUSIONS AND RECOMMENDATION

Conclusions

After the review and analysis of the current and proposed duties and responsibilities performed by the Cabazon Public Safety Department (CPSD) and the provisions of Public Law 280, staff conclude:

- the non-peace officer employees of the CPSD perform functions that are desirable and necessary to the Cabazon Band of Mission Indians, and which are consistent with the direction of the Cabazon General Council;

- gaming security, a function that requires the greatest amount of CPSD resources, does not require peace officer authority;

- the current duties and workload of the CPSD do not regularly nor frequently require peace officer authority;

- future law enforcement needs of the Reservation, as expressed, essentially will not change. Reservation growth may increase the volume of arrest and criminal activity; however, the peace officer authority needed to handle such activity will remain with the Riverside Sheriff's Department at the casino complex and with the Coachella Police Department at the new housing development;

- law enforcement services provided by the Riverside County Sheriff's Department and the California Highway Patrol as well as those projected to be provided by the Coachella Police Department appear to be sufficient to handle both the existing and projected workload.

  The former Sheriff of Riverside County, the Chiefs of Police of the cities of Coachella and Indio, and the Commander of the California Highway Patrol voiced strong opposition to the designation of Cabazon officers as peace officers. The newly elected Sheriff of Riverside County expressed willingness to provide additional law enforcement services to the Reservation pursuant to a contract; and

- Public Law 280 requirement removes any Tribal obligation to provide general law enforcement services on the Reservation and gives the exclusive responsibility to the state and local authorities.

  Staff is aware that other Public Law 280 states have chosen to delegate the law enforcement responsibility to Indian tribal authorities. However, in California, State and local officials universally retain the exclusive responsibility for criminal law enforcement that is described in Public Law 280. Further, questions of federal, State, local and tribal jurisdiction for gaming regulation and related law enforcement criminal matters are still in litigation in federal and state courts.

Based on the above conclusions and in recognition of the ongoing litigation on jurisdiction and authority, POST staff concludes the positions in the Cabazon Public Safety Department that are the focus of this study should not be designated as peace officers.

The current duties and field law enforcement responsibilities, as well as those projected by growth and development on the Reservation, do not demonstrate the need for peace officer designation, even if the pending litigation is resolved to place responsibility for criminal law enforcement with the Cabazon Public Safety Department.

Recommendation

If the Commission concurs, direct the Executive Director to submit the completed feasibility report, including the recommendation, to the Legislature and the Cabazon Band of Mission Indians.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Alternative Plans for Symposium on Technology and Training		Meeting Date: April 20, 1995
Bureau: Learning Technology Resource Center	Reviewed By: Ken Whitman	Researched By: LTRC Staff
Executive Director Approval: Norman C. Boehm	Date of Approval: 3.31.95	Date of Report: March 30, 1995
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.

At its January 12, 1995 meeting the Commission decided to cancel plans for the 1995 Symposium on Technology and Training. The symposium had been scheduled to provide the Legislature with the AB 492 report, provide demonstrations of a variety of technology-based applications, and provide a forum for interaction between law enforcement chief executives and members of the Legislature.

The Commission requested that alternative plans be developed that would accomplish some of the cancelled symposium's goals. To date, the following work has been completed:

1. The AB 492 report *Partnerships for a Safer California* has been formally transmitted to the Legislature. Each member of the Senate and the Assembly have received a personal copy of the report and an accompanying cover letter. A copy of the report has also been transmitted to the Governor's office.

2. A short videotape presenting the highlights of the report and technology-based projects developed by the Commission has been completed. The video was shown to the LRPC at the March 6th meeting. Each member of the Legislature has received a copy of the video to supplement the written report.

3. The AB 492 report has been mailed to all POST-participating agency chief executives with an accompanying memo. Mailouts to all 990 Fire Departments, 166 Corrections agencies, and all interested associations and trainers has also been completed.

4. CPOA has submitted a copy of the Bond Bill to Assemblyman Robert Campbell. Assemblyman Campbell has agreed to carry the bill and has introduced AB 1020 to the Legislature, and is seeking co-authors to the bill.

The Symposium would have provided the members of the Legislature an opportunity to view and have hands-on experience with many of the technology-based training applications that the Commission has piloted, and to see some technologies that are beginning to emerge for future training systems. Because of the symposium cancellation the following alternatives were developed. We have begun actually doing alternative #4 and will report on that at the Commission meeting.

1. Identify members of the Legislature in the key oversight committee and leadership positions and provide them opportunities to visit one of the training sites (San Bernardino County or Los Angeles County) to view trainees using the various systems and participate in hands-on training themselves.

2. Provide members of the Legislature and their staff key information about POST (POST brochure, POST Scripts, Pace Setter, CPOA white paper, etc.) to educate them about the Commission and what it really does for the law enforcement community. This is very important in light of the new membership and term limit concerns.

3. Work with CPCA, CSSA, and CPOA to identify chief executives who will meet with members of the Legislature and provide on-going information and interaction on critical issues that impact the law enforcement community.

4. Invite individual legislators along with sponsoring law enforcement leaders to visit POST for a tour and briefing on various programs and services. This would provide them with the opportunity to observe operations, ask questions, and participate in selected hands-on demonstrations in Sacramento.

Staff has pilot tested several different tours of POST by members of the Department of Finance, a staff member of the Assembly Ways and Means Committee, and a visit by Assemblyman Phil Isenberg. He was accompanied by Chief Arturo Venegas from Sacramento PD on the tour. A variation of the presentation and tour was also conducted for members of the CPCA Task Force during their recent visit to POST.

This issue was discussed by the Long Range Planning Committee at its March 6, 1995 meeting. Their recommendation was to move forward with implementing some of the alternatives.

This agenda item is before the Commission for discussion, information, and comments.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

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Bureau: Learning Technology Resource Center	Reviewed By: Ken Whitman	Researched By: LTRC Staff
Executive Director Approval: Norman C. Boehm	Date of Approval: 3.31.95	Date of Report: March 30, 1995
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This issue was discussed by the Long Range Planning Committee at its March 6, 1995 meeting. Their recommendation was to move forward with implementing some of the alternatives.

This agenda item is before the Commission for discussion, information, and comments.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Alternative Plans for Symposium on Technology and Training		Meeting Date: April 20, 1995
Bureau: Learning Technology Resource Center	Reviewed By: Ken Whitman	Researched By: LTRC Staff
Executive Director Approval: Norman C. Boehm	Date of Approval: 3.31.95	Date of Report: March 30, 1995
Purpose: ☐ Decision Requested ☐ Information Only ☐ Status Report	Financial Impact: ☐ Yes (See Analysis for details) ☐ No	

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This issue was discussed by the Long Range Planning Committee at its March 6, 1995 meeting. Their recommendation was to move forward with implementing some of the alternatives.

This agenda item is before the Commission for discussion, information, and comments.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Marketing Agreement for POST Driver Training Scenarios		Meeting Date: April 20, 1995
Bureau: Learning Technology Resource Center	Reviewed By: Ken Whitman	Researched By: LTRC Staff
Executive Director Approval: Norman C. Boehm	Date of Approval: 3.31.95	Date of Report: March 10, 1995
Purpose: [X] 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 enter into a non-exclusive marketing agreement for POST-developed driver training simulator scenarios with Time Warner Interactive?

BACKGROUND

The Commission has been working with Time Warner Interactive (formerly AGC Simulation) in the installation and evaluation of the A.M.O.S. 5000 driving simulators at three fixed sites in California. The simulators have also been sold to a number of other sites nationwide. The Commission has authorized and paid for the ongoing development of a series of driving scenarios. These scenarios are being used at all of the fixed sites, the West Covina Police Department, and by the Association of Bay Area Governments'(ABAG) mobile training unit.

Since the inception of this POST pilot program in December 1993, the scenarios mainly have been developed under contract by a driver training expert at the San Bernardino County Sheriff's Department EVOC facility. The Emergency Vehicle Operations Simulator committee has also developed a comprehensive instructor manual that is being used at all of the sites. Development and refinement of the evaluation strategies and the various scenarios has been an ongoing effort at all of the sites.

To date, fifty five scenarios have been developed covering simulator orientation, vehicle stops, emergency response, and pursuits. The scenarios deal with infraction, misdemeanor, and felony situations, as well as every day, normal driving scenarios. Specific scenarios are used in a variety of programs ranging from remediation and update classes to both basic and in-service training courses. The POST-developed scenarios are excellent and can readily be used in the simulators at any location with an installed simulator system.

ANALYSIS

The Commission may have an opportunity to enter into a non-exclusive marketing agreement with TWI. Under the agreement POST would license TWI a package of the driving scenarios that we have developed as part of the pilot program. One problem in Time Warner's marketing plan is a lack of tested scenarios that could be bundled into the simulator package that is marketed to prospective customers. POST is viewed nationwide as a leading developer of training, and the inclusion of the POST scenarios into an instructor package would benefit any agency that purchases these simulator systems.

Time Warner proposes that a package of instructional materials be included with any system that Time Warner sells outside of California. The proposal would be to increase the price of the instructor work station by $2500. The $2500 would allow each simulator site to have the instructor manual and specific driving scenarios already loaded onto the system(s) when they are delivered. This instructor package would be available to any new California systems free of charge. The $2500 for each system site license would be collected by Time Warner, and the money would be forwarded to POST under the terms of a non-exclusive marketing agreement.

The inclusion of this instructor package would allow sites to become operational immediately, using POST-developed materials. Once the purchasing agency has gained expertise in scenario development, it would be free to continue using the POST instructor package and scenarios, or develop its own based upon the agency's needs. Time Warner believes this will lend a strong degree of credibility to the training scenarios and enhance their ability to effectively market their systems worldwide. This would be a non-exclusive agreement subject to specific terms and conditions and approved by the Department of General Services.

Time Warner has indicated that they project sales at approximately 25 sites during the current year. Depending on sales this would potentially provide the Commission $62,500 that could be returned to the driver scenario development program. It would also provide Time Warner Interactive with a quality package for instructors bundled into the systems they deliver and provide national exposure for POST-developed and tested scenarios.

RECOMMENDATION

If the Commission concurs with this recommendation, the appropriate action would be a MOTION to authorize the Executive Director to enter into a non-exclusive marketing agreement with Time Warner Interactive for the purposes of marketing POST-developed driver training scenarios outside the State of California.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Report on Results of 1995 Field Survey		April 20, 1995
Bureau	**Reviewed By**	**Researched By**
Executive Office		John Berner
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Boehm	4-5-95	April 4, 1995

Purpose:

[X] Decision Requested [X] 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

Report on results of field survey.

BACKGROUND

At its January meeting, the Commission authorized staff to survey chief executives and training managers from POST-reimbursable agencies for purposes of informing these individuals of ongoing revenue shortfalls; and to solicit their views concerning current POST programs and reimbursement policies, as well as suggestions for action in light of a likely continued reduction in funding. This report summarizes the results of the survey.

ANALYSIS

The two surveys (i.e. Chief Executive Survey and Training Manager Survey) were mailed to each of the 546 agencies in the POST reimbursable program on February 3. The deadline for returns was February 20. A copy of the Chief Executive Survey, along with the accompanying cover letter signed by the Commissioners, is provided in Attachment A.[1]

Results

Response Rates: As shown in Table 1, the overall return rate was 54.6% for Chief Executives and 52.0% for Training Managers. For both groups, the return rates were highest for those from sheriffs' departments (Chief Executives, 63.8%; Training Managers, 65.5%).

As reflected in the tables in Attachment B, within police and sheriffs' departments, response rates for both groups were relatively consistent across agency size categories; 83.9% of those who responded to the Chief Executive Survey were chief executive officers; and the preponderance of respondents to the Training Manager Survey were either sergeants (47.9%) or lieutenants (17.1%).

[1]The questions in the two surveys were identical.

Table 1: Response Rates by Agency Type

	Chief Executives			Training Managers		
	Out	Back	% Return	Out	Back	% Return
Police[2]	410	229	55.9%	410	214	52.2%
Sheriff	58	37	63.8%	58	38	65.5%
Other[3]	78	25	32.1%	78	31	39.7%
Combined	546	298[4]	54.6%	546	284[5]	52.0%

Importance and Familiarity Ratings: Respondents were asked to rate the importance of, and their level of familiarity with, each of 24 POST programs. The rating scales used for this purpose are shown in Figure 1.

Figure 1: Rating Scales

Familiarity with Program/Service:

Not at all Familiar	Somewhat Familiar	Very Familiar
1	2	3

Importance of Program/Service to California Law Enforcement

Not Sure/ No Opinion	Of Little Importance	Of Some Importance	Important	Very Important	Critically Important
0	1	2	3	4	5

Importance Ratings

Table 2 summarizes the importance ratings for the total survey sample (i.e., Chief Executives and Training Mangers). The programs are listed from most to least important based on average (mean) importance rating. Also shown in the table are the number

[2]Includes UC, CSU and Community College and School District Police Departments.

[3]Includes DAs, Marshals, Coroners and Independent Dispatch Centers.

[4]Includes 39 respondents who are also training managers. Agency type not reported by 4 respondents.

[5]Includes 39 respondents who are also chief executives.

of respondents who rated each program ("Count"); an index of the variation in the ratings called the standard deviation ("STD"); and the percent of respondents who rated the program "3" or higher, with a "3" representing "important" ("Percent 3 or More").

Table 2: Importance Ratings for All Respondents

Mean[6]	Count	STD[7]	Percent 3 or More	Count
4.6	537	0.6	99%	1. Establish & maintain training standards
4.5	536	0.8	98%	2. Establish & maintain selection standards
4.4				
4.3				
4.2				
4.1				
4.0				
3.9	537	0.8	96%	3. Certify & monitor training courses
	536	0.9	92%	5. Professional certificate program
3.8	516	1.0	87%	6. Public safety dispatcher program
3.7				
3.6	521	1.1	81%	8. Study of officers killed or assaulted
	532	0.9	89%	10. Produce & broadcast statewide telecourse
	501	1.1	79%	14. Supervisory Leadership Institute
	521	1.1	83%	21. Field Services
	512	0.9	85%	24. Rsh & Dev-technology application to trng
3.5	520	0.9	87%	11. Broadcast training tapes
	498	1.0	80%	18. Chief executive seminars/workshops
3.4	523	1.0	81%	12. Dev/dis interactive multi-media training
	498	1.1	75%	17. Reading & Writing Testing Program
3.2	513	1.0	72%	4. Provide management counseling services
	507	1.1	69%	16. Team building Workshops
	301	1.1	46%	19. Sheriff's workshop series
3.1	504	1.1	62%	13. Command College
3.0	409	1.0	56%	7. Robert Presley Inst. of Criminal Invest.
	498	1.0	67%	23. Other POST publications
2.9	431	1.0	56%	15. Master Instructor Program
	522	1.0	66%	22. POST Newsletter
2.8	420	1.1	49%	20. Labor/Management Institute
2.7	461	1.2	49%	9. Estab/Implement agency accreditation pgm

[6]Mean differences of approximately .2 or larger are statistically significant.

[7]The larger the standard deviation, the greater the variation in the ratings.

As reflected in Table 2, those programs which received the highest mean ratings relate to the selection and training standards setting responsibilities of the Commission. The majority of the programs received mean ratings between "4" ("Very Important") and "3" ("Important"). Four programs received mean ratings below "3", with the lowest rated program being agency accreditation. Among the specific training programs rated, the Supervisory Leadership Institute and POST telecourses were the most highly rated (mean = 3.6); followed by chief executive workshops/seminars and the broadcast of training tapes (mean = 3.5); interactive multi-media training (mean = 3.4); team building workshops and sheriffs' workshops (mean = 3.2); the Command College (mean = 3.1); the Robert Presley Institute of Criminal Investigation (mean = 3.0); and the Master Instructor Program and the Labor/Management Institute (mean = 2.9). POST publications were among the lowest rated programs (other POST publications, mean = 3.0; POST newsletters, mean = 2.9). All but two programs, the Labor/Management Institute and agency accreditation, were rated as being at least "Important" by the majority of respondents.

Table 3 compares the importance ratings of the Chief Executives and Training Mangers. Few statistically significant differences were found. Chief Executives gave higher ratings to interactive multimedia training, team building workshops and chief executive seminars/workshops; Training Managers gave higher ratings to the study of officers killed or assaulted, field services, and other POST publications.

The importance ratings were further analyzed to identify differences as a function of agency type (Police, Sheriffs, Other); and within police and sheriffs' departments, by agency size.[8] Again, few differences were found. The most notable were that small police and sheriffs' departments rated the telecourses as being more important than did large departments, and small departments also rated interactive multimedia training as being more important than did departments in either of the other two size categories. With regard to agency type, police departments gave higher ratings to several training programs (Supervisory Leadership Institute, team building workshops, and Chief Executive seminars/workshops) than did "other" departments; sheriffs' departments rated sheriffs' workshops higher than "other" departments; and POST newsletters were rated higher by police departments than sheriffs' departments. Tables showing all importance ratings by agency type and agency size are presented in Attachment C. Also included in this attachment

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[8]Three agency size categories were used. "Small" departments were defined as those having fewer than 50 sworn personnel; "Medium" as those with 50 to 199; and "Large" as those with 200 or more.

Table 3: Importance Ratings by Chief Executives and Training Managers

Chief Executives					Training Managers				
Mean	Count	STD	Percent 3 or More	Item	Mean	Count	STD	Percent 3 or More	Item
4.7	292	0.6	99%	1.Establish & maintain training standards	4.7				
4.6					4.6	284	0.7	99%	1. Establish & maintain training standards
4.5	292	0.7	98%	2. Establish & maintain selection standards	4.5	283	0.7	98%	2. Establish & maintain selection standards
4.4					4.4				
4.3					4.3				
4.2					4.2				
4.1					4.1				
4.0					4.0	283	0.8	97%	3. Certify & monitor training courses
3.9	292	0.9	92%	5. Professional certificate program	3.9	283	0.9	94%	5. Professional certificate program
						268	1.0	87%	6. Public safety dispatcher program
3.8	292	0.8	95%	3. Certify & monitor training courses	3.8	274	1.1	85%	8. Study of officers killed or assulted
						271	1.0	88%	21. Field Services
3.7	285	1.0	87%	6. Public safety dispatcher program	3.7				
	276	1.0	82%	14. Supervisory Leadership Institute					
	284	0.9	89%	18. Chief executive seminars/workshops					
3.6	288	0.9	89%	10. Produce & broadcast statewide telecourse	3.6	283	0.9	90%	10. Produce & broadcast statewide telecourse
	289	1.0	88%	12. Dev/dis interactive multi-media training		278	0.9	88%	11. Broadcast training tapes
	281	1.0	84%	24. Rsh & Dev-technology application to trng		267	0.9	86%	24. Rsh & Dev-technology application to trng
3.5	281	0.9	87%	11. Broadcast training tapes	3.5	261	1.2	74%	14. Supervisory Leadership Institute
3.4	284	1.1	77%	8. Study of officers killed or assulted	3.4	256	1.1	73%	17. Reading & Writing Testing Program
	278	1.0	76%	17. Reading & Writing Testing Program					
3.3	282	1.1	76%	16. Team building Workshops	3.3	252	1.0	72%	18. Chief executive seminars/workshops
	186	1.1	54%	19. Sheriff's workshop series					
	286	1.1	78%	21. Field Services					
3.2	290	1.1	76%	4. Provide management counseling services	3.2	273	1.0	74%	12. Dev/dis interactive multi-media training
	284	1.2	64%	13. Command College		255	1.0	67%	23. Other POST publications
3.1					3.1	261	1.0	68%	4. Provide management counseling services
3.0	227	0.9	58%	7. Robert Presley Inst. of Criminal Invest.	3.0	212	1.0	55%	7. Robert Presley Inst. of Criminal Invest.
						225	1.0	55%	15. Master Instructor Program
						263	1.2	60%	16. Team building Workshops
						142	1.1	39%	19. Sheriff's workshop series
						272	1.0	68%	22. POST Newsletter
2.9	239	0.9	57%	15. Master Instructor Program	2.9	258	1.1	60%	13. Command College
	255	1.1	56%	20. Labor/Management Institute					
	280	0.9	65%	23. Other POST publications					
2.8	286	1.0	62%	22. POST Newsletter	2.8	223	1.1	50%	9. Estab/Implement agency accreditation pgm
2.7					2.7	197	1.1	43%	20. Labor/Management Institute
2.6	271	1.2	48%	9. Estab/Implement agency accreditation pgm	2.6				

are tables which show size breakdowns separately for police and sheriffs' departments.

Familiarity Ratings

Table 4 summarizes the familiarity ratings for the various POST programs (all respondents). The programs are listed from most to least familiar. The entries in the column labeled "Percent 2 or More" reflect the percentage of respondents who were at least "Somewhat Familiar" with the program. Subtracting these values from 100% gives the percentage of respondents who had no familiarity with the program. For example, 42% of the respondents had no familiarity with the Master Instructor Program (100% - 58% = 42%).

A comparison of Table 4 with Table 2 shows a modest relationship between the two sets of ratings; i.e., respondents tended to be more familiar with those programs they rated as being more important, and vice versa.[9] Not surprisingly, respondents tended to be least familiar with some of the more recently introduced programs (Master Instructor Program, Labor/Management Institute, Presley Institute of Criminal Investigation).

The familiarity ratings were analyzed for differences by respondent group (Chief Executives versus Training Managers), and by agency type. Tables showing these comparisons are provided in Attachment D.

As might be expected, Chief Executives were significantly more familiar with the selection standards program (including the read/write testing program), Management Counseling Services, agency accreditation, and various management/executive-oriented training and development programs (Command College, team building workshops, Chief Executive seminars, and sheriffs' workshops). Chief Executives were also more familiar with the Supervisory/Leadership Institute. Training Managers were more familiar with the telecourses and the training tape broadcasts.

The vast majority of agency type differences involved the "other" agency type category. Respondents from both police and sheriffs' departments were more familiar with the training tapes broadcasts, interactive multi-media training, team building workshops, and the read/write testing program than were those from "other" departments. Somewhat surprisingly, respondents from police departments were more familiar with the Supervisory Leadership Institute than were respondents from sheriffs' departments. As would be expected, sheriffs' department personnel were most familiar with the sheriffs' workshops.

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[9]Across all programs the average correlation between importance ratings and familiarity ratings was .236 ($p<.001$).

Table 4: Familiarity Ratings For All Respondents

Mean	Count	STD	Percent 2 or More	Item
2.9	529	0.3	98%	5. Professional certificate program
2.8	533	0.4	99%	1. Establish & maintain training standards
	533	0.4	99%	2. Establish & maintain selection standards
2.7	530	0.5	97%	10. Produce & broadcast statewide telecourse
	533	0.5	96%	22. POST Newsletter
2.6	533	0.6	93%	21. Field Services
2.5	532	0.5	97%	3. Certify & monitor training courses
	530	0.6	92%	11. Broadcast training tapes
	531	0.6	92%	12. Dev/dis interactive multi-media training
	534	0.7	90%	13. Command College
	533	0.7	88%	16. Team building Workshops
2.4	535	0.6	91%	6. Public safety dispatcher program
	534	0.6	92%	8. Study of officers killed or assulted
	535	0.7	85%	14. Supervisory Leadership Institute
	533	0.7	88%	23. Other POST publications
2.3	532	0.7	84%	18. Chief executive seminars/workshops
	532	0.7	87%	24. Rsh & Dev-technology application to trng
2.2	532	0.7	78%	17. Reading & Writing Testing Program
2.1	533	0.7	81%	4. Provide management counseling services
1.9	534	0.7	67%	9. Estab/Implement agency accreditation pgm
1.7	534	0.7	58%	15. Master Instructor Program
	535	0.7	52%	20. Labor/Management Institute
1.6	535	0.7	48%	7. Robert Presley Inst. of Criminal Invest.
	504	0.8	35%	19. Sheriff's workshop series

Comments on POST Programs

In addition to rating the 24 POST programs, respondents were encouraged to provide written comments. Table 5 summarizes the comments that were most frequently received for each program. The middle column of the table contains the most frequent comments from those who rated the program at least "important" (i.e., rating of 3 or greater); the right hand column the comments from those who rated the program less than "important" (rating of 1 or 2). The numbers in parentheses refer to the frequencies with which the comments were made. A more detailed breakdown of the comments is provided in Attachment E.

Review of Table 5 shows that those POST programs having to do with setting selection and training standards, certifying courses, and issuing professional certificates are generally perceived as being central to POST's mission and necessary to foster standardization and professionalism. The Supervisory Leadership Institute and POST telecourses both received an overwhelming majority of very positive comments, and other training-related programs that received a preponderance of favorable comments were training tape broadcasts, team building workshops, and Chief Executive seminars/workshops. While the Command College also received many favorable comments, a noteworthy number of those who rated the program favorably offered that modifications should be made to the program, and among those who rated the program less than "important" there were a number of comments to the effect that the program is too costly and/or benefits only a few.

Comments questioning the need, value or appropriateness of a program were most often received for law enforcement accreditation, the study of officers killed or assaulted, the Labor/Management Institute, team building workshops, and management consulting services. A large number of respondents stated the law enforcement accreditation was unnecessary and/or should not be pursued unless additional funds are available. With regard to the study of officers killed or assaulted, many stated that the program is duplicative of work done by the FBI and others, or that the work should be done by others. The Labor/Management Institute and team building workshops both received a fair number of comments to the effect that the programs can and/or should be done by others. In the case of the Labor/Management Institute, these comments were often accompanied by language that questioned the role of POST in labor/management issues; for team building workshops the wisdom of POST underwriting program costs was often questioned. While a number of respondents commented that only POST can do a credible job of providing management consulting services, a like number questioned the effectiveness of the program or said the program should not be considered a high priority.

Table 5: Summary of Comments on POST Programs

Program	Importance 3 or more	Importance less than 3
Establish and maintain peace officer training standards	Necessary for professionalism (48) POST's mission; essential (26)	No ratings less than 3
Establish and maintain peace officer selection standards	POST's mission; essential (53) Keeps us in compliance with law; permits disqaul. of unqualified (14)	Depts. should set own stnds. (3)
Course certification	Nec. for quality/standardization (49)	Not too often; too much time and paperwork (2)
Provide Mgt. Consulting Serv.	Only POST can do credibly (8)	Low priority; effective? (10)
Professional certificates	Promotes professionalism; basis for pay raises (38) Valuable; part of POST's mission (12)	Basis for incentives (pay, trnsfers, etc) (4)
Public Safety Dispatcher Prgrm	Critical function; necessary to upgrade skills (40)	Too many basic trng. hrs. (6) Not at expense of offcrs (6)
Presley Inst. of Crim. Inv.	Good concept/refine w/ experience (8) Alternatives available (6)	Trng. avail. elsewhere (5) Not critical/too costly (4)
Study offcrs. killed/assaulted	Excellent to I.D. trng. needs (28) Discourages complacency (13) Duplication of FBI/others (12)	Duplication of FBI/others (17) Could be done by others (8)
LE accreditation program	Nec/increase professionalism (14)	Not necessary/unless more $ (26)
Telecourses	Excellent use of tech; allows in-house trng. (69)	Difficult to admin/too much paperwork (3)
Broadcast training tapes	Good during tight $/use of tech. (49) Format tapes for roll-call trng. (11)	Could be done by others (4) Not used/as good as tele. (4)
Interactive multi-media trng.	Excel use of tech/cost effective (35) Make adjustment/modifications (26)	Courses too basic/long (13) Dif. to train large grps (8)
Command College	Highly eff./dev. future leaders (37) Make changes/modifications (14)	Spend $ elsewhere (9) Benefits only a few (7)
Supervisory Leadership Inst.	Great program; make a requirement (83) Offer more classes (12)	Trng avail. elsewhere (4) Integrate with Command Col (2)
Master Instructor Program	Good program/develops trainers (22)	Not if impact other programs (5)
Team building workshops	Good way to improve orgs. (54)	Can/should be done by othrs (12)
Read/write testing program	Important for standards/cost eff. (43)	Use own test (7)
Chief exec. seminars/workshops	Good for regional cooperation (41)	Not critical/others can do (4)
Sheriffs' workshops	Beneficial; promote cooperation (5)	Not proper POST function (5)
Labor/Management Institute	Nec. to improve cooperation. (25)	Not proper POST function; can/should be done by others (14)
Field Services	Critical link with POST (48) Need more contacts (12)	Doesn't always measure up/use technology for records (4)
POST newsletters	Necessary/important/worthwhile (43) Combine into one (5)	POST produces too much paperwork; cut costs here (7)
Other POST publications	Essential info./great value (28)	Some value/put on bull. board? (5)
Research/dev. of technology	Need to continue/way of future (23) Essential to fund less costly/more efficient trng methods (15)	Costly and of limited value (2) Stick to basics (2) Limit to ways to improve trng (2)

The comments received for interactive multi-media training are noteworthy in that while many favorable comments were received, a substantial number of respondents stated that improvements are needed in the actual courseware that is being delivered.

Responses to Funding-Related Questions

The survey questionnaire also contained a number of open-ended questions regarding funding and general directions that should be taken by POST. Detailed summaries of the responses to these questions are provided in Attachment F. The most frequent responses to each question are summarized in Table 6. The numbers in parentheses are response frequencies.

Table 6: Summary of Responses to Funding-Related Questions

What impact, if any has the downturn in POST funding had on your agency? None/none yet (49); very little/little to date (69); reduced training (115); reduced non-mandated training (18; more selective in training attended (23); reduced training budget (38); reduced ability to travel for training (51); more difficult to find needed classes (18)
How important is it to maintain the present system of reimbursement (travel, per diem, and tuition)? Critically important/essential/vital (135); very important (206); without it, fewer trained, harder to obtain quality training, attend mandated courses only (75)
What additional thoughts do you have on this subject (i.e., current reimbursement system)? Provide regional training/bring training to officers (43); pursue ways to increase funding (31)
What are your views concerning continued reimbursement for the training of civilians? Important/continue (326); continue, but not at expense of sworn (54); as important as sworn (31); can't train without reimbursement (46); discontinue/not necessary/should be first to go (35)
What are your views concerning expanding the civilian job classes eligible for reimbursement? Strongly support (179); limited support (38); do not support (144); not at expense of sworn (44); not unless more funds (33)
If revenues continue at current levels, what general directions do you think POST should take? Increase emphasis on regional training/eliminate travel reimbursement to encourage (70); set priorities (53); increase telecourses, interactive programs, in-house training (41); continue same direction (32); concentrate on "basics"/cut "frills" (31); eliminate unnecessary/redundant training (21)
What suggestions do you have for restoring Funding? Tap other revenue sources (sales tax, gas tax, DUI fines, grant monies, etc.) (111); join with others in lobbying for restoration of POTF funds (CPOA, Cal Chiefs, Cal Sheriffs, League of Cities, PORAC, etc.) (101); don't know/not familiar enough to comment (40)
Other comments/suggestions POST does good job/responsible for professionalism (30); get back to "basics" (16)

Review of Table 6 shows the majority of respondents reported that the downturn in POST funding has had some effect on training (although over 100 respondents indicated that there has yet to be a noticeable impact); that maintenance of the current system of reimbursing for travel, per diem, and tuition is viewed as essential by the overwhelming majority of respondents; and that additional thoughts concerning the current reimbursement system focused on reducing training costs by minimizing travel, and pursuing additional revenues. While those who favor continued reimbursement for the training of civilians far outnumbered those who are opposed; approximately equal numbers of respondents supported and opposed expanding the program to provide reimbursement for additional civilian job classifications. With regard to restoring funding, the ideas mentioned were almost evenly split between working with various constituent groups to restore POTF revenues, and seeking additional funding from a myriad of other sources (various taxes and fines, grants, etc.).

Summary

A survey was conducted of all Chief Executives and training managers from POST-reimbursable agencies. The response rates for the two groups were 54.6% and 52.0%, respectively.

Results indicate that POST programs are generally viewed favorably. Those programs considered most important relate to the selection and training standards responsibilities of the Commission. Programs considered least important tended to be relatively new (agency accreditation, Labor/Management Institute, Master Instructor Program), although POST publications also received relatively low importance ratings. Among the specific training programs rated, the Supervisory Leadership Institute and POST telecourses were the most highly rated.

Few differences were found in the importance ratings of the two groups (i.e., Chief Executives and Training Managers), or by agency type (police departments, sheriffs' departments, or "other" departments) or agency size ("small", "medium", and "large"). POST telecourses received higher importance ratings from small agencies than from large agencies; interactive multi-media training received higher importance ratings from small agencies than from medium or large-sized agencies.

There was a small but statistically significant correlation between the two sets of ratings for the POST programs (i.e., importance and familiarity), indicating that the more familiar an individual was with a given program, the more likely he/she was to rate the program highly (in terms of importance).

Many positive comments were received for all but a few programs. Particularly noteworthy are the large number of favorable comments that were received for the Supervisory Leadership

Institute and POST telecourses. The Command College received a very divergent set of comments; many were very positive, and fewer but substantial in number were suggestions for change and expressions of concern that the program is too costly and benefits too few. Interactive multi-media training received both a large number of favorable comments, and numerous calls for improvement in the quality of the courses delivered. Approximately two-thirds of the comments relative to law enforcement accreditation suggested that the program is not necessary and/or should not be implemented unless additional funds become available. The study of officers killed or assaulted is viewed by many as a duplication of work being done by the FBI and others, and a number of respondents questioned the appropriateness of POST involvement in a Labor/Management Institute.

The majority of respondents indicated that the downturn in POST funding has had some impact on the frequency and availability of training for their officers, although a sizable number also reported that they have yet to experience much impact. Perhaps the most conclusive finding of the survey is the degree to which maintenance of the current system of reimbursing for travel, per diem, and tuition is perceived as being essential. Whereas a clear majority of respondents believe reimbursement for the training of civilians should be continued, there was an approximately 50-50 split with regard to favoring expansion of the program to cover other civilian job classes. Finally, ideas for generating additional revenues centered on either working with others to restore the lost POTF funding, or seeking other revenue sources.

In total, the survey results constitute a rich of source of information that should prove useful in guiding future Commission policy directions. The results also point to the need for improved communications. Not only did a number of POST programs receive relatively low familiarity ratings (indicating that many of the respondents had little or no knowledge of the programs), but some of the comments reflect misunderstandings about certain programs. An example of the later is the frequency with which respondents expressed the belief that the study of peace officer killings and assaults duplicates work done by the FBI..

In keeping with the Commission's intent to mail each agency a copy of the survey results, it is recommended that the Commission approve distribution of this report for that purpose.

RECOMMENDATION

Approve distribution of the staff report to all agencies in the POST reimbursable program.

Attachment A

February 3, 1995

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Dear 2~:

Enclosed is an important survey soliciting your views and opinions regarding POST funding and services. We need your views in order that we might seek consensus regarding critical decisions affecting the future of POST. Members of the Commission are concerned that the purposes for which POST was created are in serious peril.

POST has alerted law enforcement about steeply declining revenues for the past several years. Revenue to the Peace Officer Training Fund (POTF) dropped precipitously during FY 90/91, from $42.3 million to $31.8 million, has remained at essentially this level, and shows no signs of returning to 90/91 levels.

Initially, we were not sure how long the revenue shortfall would last. Our strategy was to support programs and services, travel, per diem, and tuition for departments while seeking restoration of funding for what was then salary reimbursement. Salary reimbursement was dropped in favor of Plan V (course presentation costs) reimbursement contingent on funding in FY 1993/94.

If revenues are not enhanced in FY 95/96, the Commission faces some choices in program configuration. The alternatives seem to include:

1. Seeking revenue to fund implementation of Plan V reimbursement;

2. Cutting some standards and training services provided by POST to the field to avoid a possible budgetary deficit;

3. Cutting services even deeper and seeking to increase reimbursement by some amount; or

4. Continuing the program as at present and working for better support over the long pull.

As noted, we have sought to retain the programs and services that only POST can provide for law enforcement statewide. This seems to make sense from a liability avoidance standpoint as well. If these programs were to be given up, they would be very difficult to restore.

Responses to this survey will be helpful to us in assessing future directions and options. We feel that the standards and training services of POST are critical to the future of professional law enforcement in California and we want your opinions. We have been working to restore reimbursement monies overall because we believe this was part of the original law enforcement/POST "contract."

However one looks at it, this is a pivotal time for law enforcement standards and training programs, and we need to know what you think. At the risk of asking you to fill out yet another survey, this is the best means for us to quickly learn the views of the many agencies served by POST. In order to have time to summarize the results for our April meeting, we ask that you please return the enclosed questionnaire in the envelope provided no later than February 20, 1995.

An identical questionnaire is provided for your training manager. We want to hear from this group because of their extensive personal knowledge of some POST programs and services. If you are also your agency's training manager, please discard the second questionnaire.

All law enforcement agencies will receive a summary of the survey results. As your POST Commission, we thank you for your assistance.

MARCEL LEDUC, Chairman

DEVALLIS RUTLEDGE, Vice Chairman

SHERMAN BLOCK

RONALD E. LOWENBERG

COIS BYRD

RAQUEL MONTENEGRO, Ph.D.

COLLENE CAMPBELL

MANUEL E. ORTEGA

JODY HALL-ESSER

DALE L. STOCKTON

GEORGE W. KENNEDY

LOU SILVA

POST Survey of Chief Executives

Listed below are programs and services provided by POST. Please use the scales provided to indicate how familiar you are with each program/service, and how important you believe each is to California law enforcement. Space is also provided for your comments. Please return your completed survey in the envelope provided no later than Monday, February 20. If you have any questions about the survey, please call POST at (916) 227-2803.

Familiarity with Program/Service:

Not at all Familiar	Somewhat Familiar	Very Familiar
1	2	3

Importance of Program/Service to California Law Enforcement:

Not Sure/ No Opinion	Of Little Importance	Of Some Importance	Important	Very Important	Critically Important
0	1	2	3	4	5

1. **Establishing and maintaining peace officer training standards:** Includes minimum statewide training standards for regular, reserve and specialized officers.

   Familiarity Rating: _____ **Importance Rating:** _____

   Your Comments: _____

2. **Establishing and maintaining peace officer selection standards:** Includes minimum statewide selection standards for regular, reserve and specialized officers.

   Familiarity Rating: _____ **Importance Rating:** _____

   Your Comments: _____

3. **Certifying and monitoring training courses:** Courses certified on basis of need as expressed by agencies, and submission of course outline, course budget and instructor qualifications per POST regulations; certified courses monitored for quality control.

   Familiarity Rating: _____ **Importance Rating:** _____

   Your Comments: _____

4. **Providing management counseling services:** Studies and services directed toward improving the administration, management, and operations of agencies in the POST program.

   Familiarity Rating: _____ **Importance Rating:** _____

   Your Comments: _____

Familiarity with Program/Service:		
Not at all Familiar 1	Somewhat Familiar 2	Very Familiar 3

Importance of Program/Service to California Law Enforcement:					
Not Sure/ No Opinion 0	Of Little Importance 1	Of Some Importance 2	Important 3	Very Important 4	Critically Important 5

5. **Professional certificate program:** Current certificates are peace officer Basic, Intermediate, Advanced, Management and Executive; reserve Level I; and dispatcher Basic.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

6. **Public safety dispatcher program:** Current statewide selection standards for medical, background investigation and oral communication; minimum basic training standard of 120 hours. Additional statewide selection standards under development, as well as job-related selection test for use by agencies in the POST program.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

7. **Robert Presley Institute of Criminal Investigation (ICI):** Comprehensive, experiential-based training program designed to improve skills of investigators.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

8. **Study of law enforcement officers killed or assaulted:** On-going data compilation and analysis of peace officer killings and assaults with the goal of establishing an information base from which to develop training, policies, and procedures to reduce injury and death of officers.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

9. **Establishing and implementing a law enforcement agency accreditation program:** POST required to establish and implement accreditation program by July 1996 per legislative mandate; agency participation to be voluntary.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

Familiarity with Program/Service:

Not at all Familiar	Somewhat Familiar	Very Familiar
1	2	3

Importance of Program/Service to California Law Enforcement:

Not Sure/ No Opinion	Of Little Importance	Of Some Importance	Important	Very Important	Critically Important
0	1	2	3	4	5

10. **Producing and broadcasting statewide telecourses:** Produce and broadcast monthly telecourses which may be viewed to satisfy, in part, continuing professional training credit (CPT) requirement.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

11. **Broadcasting training tapes:** One two-hour broadcast per month to disseminate training tapes produced by other agencies and to provide legal updates on recent case decisions.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

12. **Developing and distributing interactive multi-media training:** Three courses operational (P.C. 832 Course, CPR/First Aid and Driver Training), and two under development (Drug Recognition and revised P.C. 832 Course). Program software and supplemental training materials provided to certified presenters at no cost.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

13. **Command College:** Futures-oriented two-year program of study for law enforcement executives.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

14. **Supervisory Leadership Institute:** Experiential learning based, eight-month program of leadership training for supervisors.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

Familiarity with Program/Service:		
Not at all Familiar 1	Somewhat Familiar 2	Very Familiar 3

Importance of Program/Service to California Law Enforcement:					
Not Sure/ No Opinion 0	Of Little Importance 1	Of Some Importance 2	Important 3	Very Important 4	Critically Important 5

15. **Master Instructor Program:** Intensive, experiential learning based training program designed to improve skills of those teaching in POST-certified courses.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

16. **Team Building Workshops:** Facilitated workshops for agency managers designed to improve local agency operations.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

17. **Reading and Writing Testing Program:** Reading and writing tests maintained by POST and made available at no cost to local agencies for use in selecting entry-level officers.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

18. **Chief executive seminars/workshops:** Regional seminars/workshops to provide training and/or problem solving for groups of chief executives.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

19. **Sheriffs' workshop series:** Workshops designed specifically for the sheriff and the sheriff's command staff.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

Familiarity with Program/Service:		
Not at all Familiar 1	Somewhat Familiar 2	Very Familiar 3

Importance of Program/Service to California Law Enforcement:					
Not Sure/ No Opinion 0	Of Little Importance 1	Of Some Importance 2	Important 3	Very Important 4	Critically Important 5

20. **Labor/Management Institute:** A course designed to build upon and enhance the relationship between labor and management.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

21. **Field Services:** Area consultant services dedicated to training quality control, training needs assessment, agency liaison, and compliance with selection and training standards.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

22. **POST newsletters:** POSTScripts, Pacesetter (management-oriented newsletter) and The Follow-up (newsletter for investigators).

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

23. **Other POST publications:** Includes publications in support of selection and training standards, as well as publications dedicated to various agency operations.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

24. **Research and development of the application of technology to law enforcement training:** Includes simulator training, telecourses, teleconferences, and advanced technology classrooms.

Familiarity Rating: _____ **Importance Rating:** _____

Your Comments: _____

The remaining questions are devoted primarily to funding issues. Please consider each question carefully and respond in the space provided. Use the back of the page if necessary.

25. What impact, if any, has the downturn in POST funding had on your agency?

26. The Commission has for some time provided training reimbursement for civilian employees who are assigned to certain job classes. Examples include records clerk, evidence technician, and criminalist.

    What are your views concerning continued reimbursement for persons in these job classes?

    What are your views concerning expanding the civilian job classes eligible for reimbursement to include such positions as executive secretary and administrative assistant?

27. In the past, the Commission was able to accommodate unlimited access to the full array of reimbursable training courses; increases in training volume were absorbed through adjustments in the rate of salary reimbursement. Recently, the Commission eliminated salary reimbursement with the intention of shifting the money to reimburse agencies for their costs to present training (Plan V reimbursement). Without the ability to adjust rates for either salary or Plan V reimbursement, there is a risk of incurring deficits. Management of the fund may therefore require fundamental change in the way training reimbursement monies are granted to participating agencies.

    How important is it to you to maintain the present system of reimbursement for travel, per diem, and tuition?

    What additional thoughts or suggestions do you have on this subject?

28. Assuming revenues continue at current levels, what <u>general</u> directions do you think POST should take?

29. What suggestions do you have for restoring the funding?

_____
_____
_____
_____

30. Other comments/suggestions:

_____
_____
_____
_____
_____
_____

Background Information

Number of peace officers in your agency:

___ 0
___ 1 - 24
___ 25 - 49
___ 50 - 99
___ 100 - 199
___ 200 - 499
___ 500 +

Type of agency: ___ Police Department ___ Sheriff's Department

___ Other (specify) _____

Your position: ___ Chief Executive ___ Other (specify) _____

Are you also your department's training manager? ___ Yes ___ No

Your name (optional): _____

Your agency (optional): _____

Thank you for your answers to this important questionnaire.

Attachment B

Response Rates by Agency Size for Police and Sheriffs' Departments

Agency Type	Agency Size[1]	Chief Executives			Training Managers		
		Out	Back	% Return	Out	Back	% Return
Police[2]	1 - 24	186	90	48.4%	186	81	43.5%
	25 - 49	70	45	64.3%	70	37	52.9%
	50 - 99	76	52	68.4%	76	52	68.4%
	100 - 199	44	28	63.6%	44	26	59.1%
	200 - 499	15	10	66.7%	15	10	66.7%
	500+	7	4	57.1%	8	8	100.0%
Sheriff	1 24	6	4	66.7%	6	2	33.3%
	25 - 49	10	4	40.0%	10	4	40.0%
	50 - 99	15	11	73.3%	15	11	73.3%
	100 - 199	8	5	62.5%	8	4	50.0%
	200 - 499	9	5	55.5%	9	9	100.0%
	500+	10	8	80.0%	10	7	70.0%

Rank of Respondents to Chief Executive Survey

Rank	Number	Percent
Chief Executive	250	83.9%
Assistant Chief	3	1.0%
Undersheriff	3	1.0%
Assistant Sheriff	2	0.7%
Chief Investigator	5	1.7%
Captain	10	3.4%
Unknown	3	1.0%
Other	22	7.3%

[1]Number of sworn personnel.

[2]Excluding 12 school district police departments for which agency size is unknown.

Rank of Respondents to Training Manager Survey

Rank	Number	Percent
Captain	12	5.0%
Commander	7	2.3%
Lieutenant	41	17.1%
Chief/Sup Invest.	5	2.1%
Sr. Invest./Invest.	7	2.9%
Sergeant	115	47.9%
Corporal	5	2.1%
Officer/Deputy	11	4.6%
Unknown	1	0.4%
Other	42	17.5%

Importance Ratings By Agency Type for All Respondents

Police Departments				Sheriff's Departments				Other Agencies			
Mean	Count	STD	Item	Mean	Count	STD	Item	Mean	Count	STD	Item
4.7				4.7				4.7	46	0.6	1. Establish & maintain training standards
									46	0.6	2. Establish & maintain selection stndrds
4.6	413	0.6	1. Establish & maintain training standards	4.6				4.6			
4.5	412	0.7	2. Establish & maintain selection standards	4.5	74	0.6	1. Establish & maintain training standards	4.5			
4.4				4.4	74	0.8	2. Establish & maintain selection standards	4.4			
4.3				4.3				4.3			
4.2				4.2				4.2	47	0.8	5. Professional certificate program
4.1				4.1				4.1			
4.0				4.0	74	0.9	5. Professional certificate program	4.0	47	0.8	3. Certify & monitor training courses
									43	1.0	8. Study of officers killed or assulted
3.9	412	0.8	3. Certify & monitor training courses	3.9				3.9	38	0.9	6. Public safety dispatcher program
	411	0.9	5. Professional certificate program								
3.8	404	1.0	6. Public safety dispatcher program	3.8	74	0.9	3. Certify & monitor training courses	3.8	42	1	24. Rsh & Dev-technol application to tng
					70	1.0	6. Public safety dispatcher program				
3.7	412	0.9	10. Produce & brdcast statewide telecourses	3.7				3.7			
	394	1.1	14. Supervisory Leadership Institute								
3.6	402	0.9	11. Broadcast training tapes	3.6				3.6	47	1.0	10. Produce & brdcast state telecourse
	387	1.0	18. Chief executive seminars/workshops								
	397	1.0	21. Field Services								
	398	0.9	24. Rsh & Dev-technology application to trng								
3.5	402	1.1	8. Study of officers killed or assulted	3.5	72	1.1	8. Study of officers killed or assulted	3.5	44	0.9	11. Broadcast training tapes
					66	1.1	17. Reading & Writing Testing Program		43	1.0	12. Dev/dis interactive multi-media training
					63	0.9	19. Sheriff's workshop series		38	0.9	17. Reading & Writing Testing Program
					73	1.2	21. Field Services				
3.4	405	1.0	12. Dev/dis interactive multi-media training	3.4	69	0.9	10. Produce & brdcast statewide telecourse	3.4	47	1.0	21. Field Services
					70	0.9	11. Broadcast training tapes				
					65	0.8	18. Chief executive seminars/workshops				
					68	1.0	24. Rsh & Dev-technology application to tng				
3.3	397	1.1	16. Team building Workshops	3.3	64	1.1	14. Supervisory Leadership Institute	3.3	30	1.0	7. Robert Presley Inst. of Criminal Invest.
	390	1.1	17. Reading & Writing Testing Program								
3.2	396	1.0	4. Provide management counseling services	3.2	71	1.1	12. Dev/dis interactive multi-media training	3.2	44	1.0	4. Provide management counseling svcs
	216	1.2	19. Sheriff's workshop series								
3.1	396	1.2	13. Command College	3.1				3.1	37	1.0	15. Master Instructor Program
	383	0.9	23. Other POST publications						42	1.1	18. Chief executive seminars/workshops
3.0	326	0.9	7. Robert Presley Inst. of Criminal Invest.	3.0	71	1.0	23. Other POST publications	3.0	39	1.0	14. Supervisory Leadership Institute
	403	1.0	22. POST Newsletter						43	1.0	22. POST Newsletter
									40	1.2	23. Other POST publications
2.9	330	1.0	15. Master Instructor Program	2.9	69	1.0	4. Provide management counseling srvcs	2.9	37	1.0	13. Command College
	330	1.1	20. Labor/Management Institute		60	1.1	15. Master Instructor Program				
					65	1.0	16. Team building Workshops				
2.8				2.8	49	1.1	7. Robert Presley Inst. of Criminal Invest.	2.8	32	1.3	9. Estab/Implement agency accred. pgm
2.7	363	1.2	9. Estab/Implement agny accreditation pgm	2.7	67	1.0	13. Command College	2.7			
2.6				2.6	62	1.2	9. Estab/Implement agny accred pgm	2.6	41	1.2	16. Team building Workshops
					72	0.8	22. POST Newsletter		19	1.1	19. Sheriff's workshop series
2.5				2.5	55	1.0	20. Labor/Management Institute	2.5	31	1.0	20. Labor/Management Institute

Attachment C

Importance Ratings In Police and Sheriff's Departments Combined by Agency Size

Large Agencies				Medium Agencies				Small Agencies			
Mean	Count	STD	Item	Mean	Count	STD	Item	Mean	Count	STD	Item
4.6	59	0.6	Establish & maintain training standards	4.6	185	0.6	Establish & maintain training standards	4.6	243	0.7	Establish & maintin training standards
4.5	59	0.7	Establish & maintain selection standard	4.5	185	0.8	Establish & maintain selection standard	4.5	242	0.7	Establish & maintain selection stds
4.4				4.4				4.4			
4.3				4.3				4.3			
4.2				4.2				4.2			
4.1				4.1				4.1			
4.0				4.0				4.0	242	0.8	Certify & monitor training courses
3.9	58	1.0	Professional certificate program	3.9				3.9	243	0.8	Professional certificate program
3.8	57	1.2	Field Services	3.8	183	1.0	Public safety dispatcher program	3.8	234	1.0	Public safety dispatcher program
	59	0.9	Certify & monitor training courses		178	1.2	Supervisory Leadership Institute				
					184	0.9	Professional certificate program				
					185	0.8	Certify & monitor training courses				
3.7	57	0.9	Public safety dispatcher program	3.7				3.7	229	1.0	Chief executive seminars/workshops
									240	0.9	Produce & brdcast statewide telecours
									231	0.9	Rsh & Dev-technology apps to trng
3.6	54	1.1	Supervisory Leadership Institute	3.6	180	1.0	Rsh & Dev-technology application to trn	3.6	237	0.9	Dev/dis interactive multi-media trainin
	57	1.1	Study of officers killed or assulted		184	0.9	Produce & broadcast statewide telecours		234	1.0	Field Services
									226	1.1	Supervisory Leadership Institute
									240	1.1	Study of officers killed or assulted
									238	0.9	Broadcast training tapes
3.5				3.5	172	0.9	Chief executive seminars/workshops	3.5			
					171	1.1	Reading & Writing Testing Program				
					178	0.8	Broadcast training tapes				
					179	1.1	Field Services				
3.4				3.4	177	1.2	Study of officers killed or assulted	3.4	232	1.0	Reading & Writing Testing Program
3.3	56	1.0	Broadcast training tapes	3.3	182	1.1	Dev/dis interactive multi-media trainin	3.3	134	1.1	Sheriff's workshop series
	55	0.9	Rsh & Dev-technology application to trn						240	0.9	Provide mgmt counseling services
	57	1.0	Produce & broadcast statewide telecours						233	1.1	Team building Workshops
3.2	51	1.0	Chief executive seminars/workshops	3.2	110	1.2	Sheriff's workshop series	3.2			
					177	1.2	Command College				
					176	1.2	Team building Workshops				
3.1	57	1.0	Other POST publications	3.1				3.1	224	0.9	Other POST publications
	35	1.0	Sheriff's workshop series								
3.0	53	1.2	Reading & Writing Testing Program	3.0	141	1.0	Robert Presley Inst. of Criminal Invest	3.0	234	1.0	POST Newsletter
	56	1.1	Command College		173	1.0	Other POST publications		230	1.1	Command College
					172	1.1	Provide management counseling services		188	0.9	Master Instructor Program
2.9	53	1.1	Provide management counseling services	2.9	183	1.0	POST Newsletter	2.9	213	1.2	Estab/Implem agency accred pgm
	44	1.0	Robert Presley Inst. of Criminal Invest						202	1.1	Labor/Management Institute
	57	1.1	Dev/dis interactive multi-media trainin						190	0.9	Robert Presley Inst. of Criminal Invest
	53	1.1	Team building Workshops								
2.8	52	1.0	Master Instructor Program	2.8	141	1.1	Labor/Management Institute	2.8			
					150	1.0	Master Instructor Program				
2.7	58	0.9	POST Newsletter	2.7				2.7			
	42	1.1	Labor/Management Institute								
2.6	46	1.1	Estab/Implement agency accreditation pg	2.6	166	1.2	Estab/Implement agency accreditation pg	2.6			

Importance Ratings In Pol[illegible]epartments by Agency Size

Large Agencies				Medium Agencies				Small Agencies			
Mean	Count	STD	Item	Mean	Count	STD	Item	Mean	Count	STD	Item
4.7	30	0.5	1. Establish & maintain training standards	4.7	154	0.6	1. Establish & maintain training standards	4.7			
4.6				4.6				4.6	229	0.7	1. Establish & maintain training standards
4.5	30	0.6	2. Establish & maintain selection standards	4.5	154	0.8	2. Establish & maintain selection standards	4.5	228	0.7	2. Establish & maintain selection standards
4.4				4.4				4.4			
4.3				4.3				4.3			
4.2				4.2				4.2			
4.1				4.1				4.1			
4.0	30	0.7	3. Certify & monitor training courses	4.0				4.0			
3.9	29	1.0	5. Professional certificate program	3.9	153	1.0	6. Public safety dispatcher program	3.9	228	0.8	3. Certify & monitor training courses
					150	1.1	14. Supervisory Leadership Institute		229	0.8	5. Professional certificate program
3.8	28	1.1	21. Field Services	3.8	154	0.8	3. Certify & monitor training courses	3.8	221	1.0	6. Public safety dispatcher program
					153	0.9	5. Professional certificate program				
3.7				3.7				3.7	228	0.9	10. Produce & brdcast statewide telecourse
									216	1.0	18. Chief executive seminars/workshops
									220	0.9	24. Rsh & Dev-technology application to trng
3.6	29	1.2	8. Study of officers killed or assulted	3.6	154	0.8	10. Produce & brdcast statewide telecourse	3.6	226	1.1	8. Study of officers killed or assulted
	29	1.2	14. Supervisory Leadership Institute		150	0.9	24. Rsh & Dev-technology application to trng		225	0.9	11. Broadcast training tapes
									225	0.9	12. Dev/dis interactive multi-media training
									215	1.0	14. Supervisory Leadership Institute
									221	1.0	21. Field Services
3.5	30	0.9	6. Public safety dispatcher program	3.5	149	0.9	11. Broadcast training tapes	3.5			
					144	1.0	18. Chief executive seminars/workshops				
					148	1.1	21. Field Services				
3.4	28	1.0	11. Broadcast training tapes	3.4	147	1.2	8. Study of officers killed or assulted	3.4	220	1.1	16. Team building Workshops
					144	1.1	17. Reading & Writing Testing Program				
3.3	30	1.0	10. Produce & brdcast statewide telecourse	3.3	151	1.1	12. Dev/dis interactive multi-media training	3.3	226	0.9	4. Provide management counseling services
					150	1.2	13. Command College		219	1.0	17. Reading & Writing Testing Program
					150	1.2	16. Team building Workshops				
3.2	28	0.8	24. Rsh & Dev-technology application to trng	3.2				3.2	122	1.1	19. Sheriff's workshop series
3.1	28	1.2	13. Command College	3.1	142	1.1	4. Provide management counseling srvces	3.1	178	0.9	15. Master Instructor Program
	27	1.1	18. Chief executive seminars/workshops		83	1.2	19. Sheriff's workshop series		211	0.9	23. Other POST publications
	29	0.9	23. Other POST publications								
3.0	28	1.1	4. Provide management counseling services	3.0	121	1.0	7. Robert Presley Inst. of Criminal Invest.	3.0	218	1.1	13. Command College
	25	1.0	7. Robert Presley Inst. of Crinimal Invest.						221	1.0	22. POST Newsletter
	27	1.2	17. Reading & Writing Testing Program								
	24	1.1	20. Labor/Management institute								
	30	1.0	22. POST Newsletter								
2.9	29	1.1	12. Dev/dis interactive multi-media training	2.9	152	1.0	22. POST Newsletter	2.9	180	0.8	7. Robert Presley Inst. of Criminal Invest.
					143	1.0	23. Other POST publications		202	1.1	9. Estab/Implement agency accred pgm
									189	1.0	20. Labor/Management Institute
2.8	27	0.9	15. Master Instructor Program	2.8	125	1.0	15. Master Instructor Program	2.8			
	27	1.1	16. Team building Workshops		117	1.1	20. Labor/Management Institute				
	11	1.0	19. Sheriff's workshop series								
2.7	23	1.1	9. Estab/Implement agency accred pgm	2.7				2.7			
2.6				2.6				2.6			
2.5				2.5	138	1.2	9. Estab/Implement agency accred pgm	2.5			

Importance Ratings in Sheriff's Departments by Agency Size

Large Agencies				Medium Agencies				Small Agencies			
Mean	Count	STD	Item	Mean	Count	STD	Item	Mean	Count	STD	Item
4.6	29	0.6	1. Establish & maintain training standards	4.6				4.6			
4.5				4.5				4.5	14	0.9	2. Establish & maintain selection standards
4.4	29	0.7	2. Establish & maintain selection standards	4.4	31	0.7	1. Establish & maintain training standards	4.4	14	0.8	1. Establish & maintain training standards
4.3				4.3	31	0.8	2. Establish & maintain selection standards	4.3			
4.2				4.2				4.2			
4.1				4.1				4.1	14	1.1	5. Professional certificate program
4.0				4.0				4.0	14	1.0	3. Certify & monitor training courses
3.9	29	1.0	5. Professional certificate program	3.9	31	0.9	5. Professional certificate program	3.9			
	27	0.9	6. Public safety dispatcher program								
3.8	29	1.2	21. Field Services	3.8				3.8	13	1.2	6. Public safety dispatcher program
3.7	29	1.0	3. Certify & monitor training courses	3.7	31	0.8	3. Certify & monitor training courses	3.7	12	0.9	19. Sheriff's workshop series
	25	1.0	14. Supervisory Leadership Institute		30	1.0	6. Public safety dispatcher program				
					27	0.9	17. Reading & Writing Testing Program				
					27	0.7	19. Sheriff's workshop series				
3.6	28	1.0	8. Study of officers killed or assulted	3.6	30	1.2	8. Study of officers killed or assulted	3.6	12	1.1	12. Dev/dis interactive multi-media training
					30	0.9	10. Produce & brdcast statewide telecourse		13	1.3	17. Reading & Writing Testing Program
					29	0.7	11. Broadcast training tapes				
3.5				3.5				3.5	13	0.7	18. Chief executive seminars/workshops
									13	1.1	21. Field Services
3.4	27	1.0	24. Rsh & Dev-technology application to trng	3.4	28	0.8	18. Chief executive seminars/workshops	3.4	14	0.9	8. Study of officers killed or assulted
					31	1.2	21. Field Services				
					30	1.1	24. Rsh & Dev-technology application to trng				
3.3	27	0.9	10. Produce & broadcast statewide telecourse	3.3	31	1.1	12. Dev/dis interactive multi-media training	3.3	13	0.8	11. Broadcast training tapes
	28	1.0	11. Broadcast training tapes								
	24	0.9	18. Chief executive seminars/workshops								
3.2	24	1.0	19. Sheriff's workshop series	3.2				3.2	12	0.9	10. Produce & broadcast statewide telecourse
3.1	26	1.2	17. Reading & Writing Testing Program	3.1	28	1.1	14. Supervisory Leadership Institute	3.1	14	1.1	4. Provide management counseling services
					25	1.2	15. Master Instructor Program		11	1.0	14. Supervisory Leadership Institute
3.0	28	1.2	12. Dev/dis interactive multi-media training	3.0	30	0.9	23. Other POST publications	3.0	11	1.0	24. Rsh & Dev-technology application to trng
	26	1.0	16. Team building Workshops								
	28	1.1	23. Other POST publications								
2.9	28	1.0	13. Command College	2.9				2.9	10	1.1	7. Robert Presley Inst. of Criminal Invest.
2.8	25	1.0	4. Provide management counseling services	2.8	30	1.0	4. Provide mgt counseling services	2.8	13	0.7	23. Other POST publications
	25	1.1	15. Master Instructor Program		28	1.4	9. Estab/Implement agency accred pgm				
					26	1.0	16. Team building Workshops				
					31	0.9	22. POST Newsletter				
2.7	19	1.1	7. Robert Presley Inst. of Criminal Invest.	2.7	20	1.2	7. Robert Presley Inst. of Criminal Invest.	2.7	12	1.1	13. Command College
					24	1.0	20. Labor/Management Institute		10	1.1	15. Master Instructor Program
									13	1.0	16. Team building Workshops
2.6				2.6	27	0.9	13. Command College	2.6			
2.5	23	1.0	9. Estab/Implement agency accred pgm	2.5				2.5	11	1.3	9. Estab/Implement agency accred pgm
									13	1.2	20. Labor/Management Institute
2.4	28	0.6	22. POST Newsletter	2.4				2.4	13	0.9	22. POST Newsletter
2.3	18	0.8	20. Labor/Management Institute	2.3				2.3			

Familiarity Ratings by Chief Executives and Training Managers

Chief Executives					Training Managers				
Mean	Count	STD	Percent 2 or More	Item	Mean	Count	STD	Percent 2 or More	Item
2.9	289	0.4	98%	2. Establish & maintain selection standards	2.9	280	0.3	99%	5. Professional certificate program
	288	0.3	98%	5. Professional certificate program					
2.8	289	0.4	98%	1. Establish & maintain training standards	2.8	283	0.4	100%	1. Establish & maintain training standards
	289	0.5	97%	22. POST Newsletter		283	0.4	99%	2. Establish & maintain selection standards
						279	0.4	98%	10. Produce & broadcast statewide telecourse
2.7					2.7	282	0.6	95%	22. POST Newsletter
2.6	289	0.5	96%	10. Produce & broadcast statewide telecourse	2.6	280	0.6	93%	11. Broadcast training tapes
	290	0.6	95%	13. Command College		281	0.6	91%	21. Field Services
	290	0.6	91%	16. Team building Workshops					
	289	0.7	89%	18. Chief executive seminars/workshops					
	290	0.6	98%	21. Field Services					
2.5	291	0.5	97%	3. Certify & monitor training courses	2.5	280	0.5	96%	3. Certify & monitor training courses
	293	0.6	94%	6. Public safety dispatcher program		279	0.6	91%	12. Dev/dis interactive multi-media training
	288	0.6	92%	11. Broadcast training tapes					
	289	0.6	92%	12. Dev/dis interactive multi-media training					
	291	0.7	88%	14. Supervisory Leadership Institute					
2.4	291	0.6	91%	8. Study of officers killed or assulted	2.4	282	0.6	94%	8. Study of officers killed or assulted
	290	0.7	90%	23. Other POST publications		282	0.7	85%	16. Team building Workshops
						281	0.7	87%	23. Other POST publications
2.3	292	0.7	88%	4. Provide management counseling services	2.3	281	0.7	87%	6. Public safety dispatcher program
	292	0.7	87%	24. Rsh & Dev-technology application to trng		283	0.7	86%	13. Command College
						283	0.8	81%	14. Supervisory Leadership Institute
2.2	289	0.7	82%	17. Reading & Writing Testing Program	2.2	278	0.6	87%	24. Rsh & Dev-technology application to trng
2.1	289	0.7	78%	9. Estab/Implement agency accreditation pgm	2.1	282	0.7	78%	18. Chief executive seminars/workshops
2.0					2.0	281	0.7	74%	17. Reading & Writing Testing Program
1.9					1.9	280	0.6	75%	4. Provide management counseling services
1.8	269	0.9	44%	19. Sheriff's workshop series	1.8	283	0.7	58%	15. Master Instructor Program
	290	0.7	62%	20. Labor/Management Institute					
1.7	290	0.7	58%	15. Master Instructor Program	1.7	282	0.7	57%	9. Estab/Implement agency accreditation pgm
1.6	291	0.7	48%	7. Robert Presley Inst. of Criminal Invest.	1.6	283	0.7	47%	7. Robert Presley Inst. of Criminal Invest.
1.5					1.5	283	0.6	42%	20. Labor/Management Institute
1.4					1.4	272	0.6	28%	19. Sheriff's workshop series

Attachment D

Familiarity Ratings By Agency Type (All Respondents)

Police Departments				Sheriff's Departments				Other Agencies			
Mean	Count	STD	Item	Mean	Count	STD	Item	Mean	Count	STD	Item
2.9	405	0.3	5. Professional cert pgm	2.9	74	0.4	2. Es/maint selec stds	2.9			
					73	0.3	5. Professional cert pgm				
2.8	409	0.4	1. Est & main trng stds	2.8	74	0.4	1. Estab & maint trng stds	2.8	47	0.4	5. Professional cert pgm
	409	0.4	2. Est & maint selec stds								
2.7	405	0.5	10. Prod/ brdcst st telecrse	2.7	74	0.6	10. Prod/ bdcst state telec	2.7	46	0.5	1. Est & main trng stds
	408	0.5	22. POST Newsletter		74	0.5	22. POST Newsletter		46	0.5	2. Est/main select stds
2.6	407	0.6	11. Broadcast trng tapes	2.6	74	0.5	3. Cert/monitor trng cours	2.6	47	0.5	10. Prod/brdcst telecours
	406	0.6	12. Dev/dis int mult-m trng		72	0.6	11. Brdcast training tapes		47	0.6	21. Field Services
	409	0.7	16. Team build Workshops		74	0.5	21. Field Services		47	0.6	22. POST Newsletter
	408	0.6	21. Field Services								
2.5	408	0.6	3. Cert/monitor trng crs	2.5	74	0.6	12. Dev/dis multi-med trng	2.5	47	0.5	3. Cert/mon trng course
	409	0.6	13. Command College		74	0.6	23. Other POST pubs				
	410	0.7	14. Suprvis Lead Institute								
2.4	410	0.6	6. Public safety disp prgm	2.4	74	0.7	6. Public safety disp pgm	2.4	46	0.6	8. Study of offr kill/assult
	410	0.6	8. Study offr killed/assult		74	0.6	8. Study of offr kill/assult				
	408	0.7	18. Chief exec sem/wksps		74	0.7	13. Command College				
	408	0.7	23. Other POST pubs		73	0.7	16. Team building Wksp				
					74	0.6	24. Rsh/Dev tech app trng				
2.3	407	0.7	24. Rsh/ Dev-tech app trng	2.3				2.3			
2.2	408	0.7	17. Read & Writ Test Pgm	2.2	74	0.7	14. Supv Leade Institute	2.2	47	0.7	11. Broadcast trng tapes
					73	0.8	17. Read/Writ Test Pgm				
					73	0.7	18. Chief exec sem/wksp				
					73	0.8	19. Sheriff's wksp series				
2.1	408	0.7	4. Pvde mgmt couns svcs	2.1	74	0.6	4. Provide mgt couns svcs	2.1	47	0.7	12. Dev/dis multi-m trng
									47	0.8	13. Command College
									47	0.7	23. Other POST pubs
									47	0.7	24. Rsh/Dev tech ap trng
2.0				2.0				2	47	0.8	6. Public safet disp pgm
									47	0.7	14. Superv Lead Institute
									47	0.7	16. Team build Wksp
									47	0.7	18. Chief exec sem/wksp
1.9	410	0.7	9. Est/Imp ag accred pgm	1.9	74	0.7	9. Est/Imp ag acc pgm	1.9	47	0.6	4. Prov mgt couns svcs
					73	0.8	15. Master Inst Program				
				1.8				1.8	47	0.6	17. Read/ Writ Test Pgm
1.7	410	0.7	15. Master Ins Program	1.7	74	0.7	7. R Presley Inst. Crim Inv.				
	410	0.7	20. Labor/Mgmt Institute		74	0.7	20. Labor/Mgmt Institute				
1.6	411	0.7	7. R. Presley Inst. Crim Inv	1.6				1.6	46	0.7	9. Est/Imp ag acc pgm
									47	0.6	15. Master Instruct Pgm
1.5	380	0.7	19. Sheriff's wkshop series	1.5				1.5			
				1.4				1.4	46	0.6	7. Presley Inst Crim Inv
									47	0.5	20. Labor/Mgmt Institute
				1.3				1.3	47	0.5	19. Sheriff's wksp series

1. Establishing and maintaining peace officer training standards					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	(No ratings of 1 or 2)	---	---	---	---
3, 4, or 5	Need for professionalism/standardization	39	4	5	48
	POST's mission; foundation; essential	24	2	0	26
	Concerns w/ reserve training requirements (hours; proposed changes; don't reimburse)	12	1	0	13
	Necessary to minimize liability	3	3	1	7

2. Establishing and maintaining peace officer selection standards					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Depts. should set own standards	3	0	0	3
3, 4, or 5	POST's mission; essential; important to professionalism	42	8	3	53
	Keeps us informed about legal requirements/allows for disqualification of unsatisfactory applicants	14	0	0	14
	State set minimums, let depts. go higher	6	2	0	8
	More important for regulars; reserve standards too high	4	0	0	4

3. Certifying and monitoring training courses					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Monitoring is important, but not too often	1	0	0	1
	Involves a lot of time and paperwork	1	0	0	1
	Can be done by presenter agency	1	0	0	1
3, 4, or 5	Nec. to ensure quality; standardization	34	10	5	49
	Review procedures/relax restrictions	5	0	0	5
	Do better job to prevent duplication of course content	6	0	0	6
	Random reviews based on complaints	5	0	0	5

4.. Providing management consulting services					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Not a high priority; questionable effectiveness	10	0	0	10
	Depts. should look elsewhere for service; private consultants could do	7	1	0	8
	Services too traditional	3	0	0	3
3, 4, or 5	POST only agency that can credibly provide services	6	0	2	8
	Needed especially by smaller agencies; those that can't afford private consultants	5	1	0	6
	Could be reduced/eliminated if funding problems continue	3	0	0	3
	Depts could look elsewhere for services	2	0	0	2

5. Professional certificate program					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Serves as basis for incentive pay, raises, transfers, etc.	4	0	0	4
	Has merit; not given recognition it deserves by city/county politicians	2	0	0	2
3, 4, or 5	Demonstrates competency/proficiency; assists in hiring; professionalism; basis for pay raises; fosters continued training/educ.	25	9	4	38
	Valuable program; part of POST's basic mission to assure min. training standards	9	3	0	12
	Expand program/raise standards	5	0	0	5
	Our "licensing program"	3	0	0	3

6. Public safety dispatcher program					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Too many trng. hrs.; do not agree with increase from 80 to 120 hours	6	0	0	6
	Not at expense of peace officer trng.	6	0	0	6
	Other means of trng. available (in-serv)	3	0	0	3
3, 4, or 5	Critical function; need to upgrade skills	31	9	0	40
	Too many trng. hrs.; don't agree with increase from 80 to 120 hours	6	0	0	6
	Play a vital role; integral part of law enf.	6	0	0	6
	Need to expand/upgrade requirements	6	0	0	6
	Need to concentrate in this area for optimum police efficiency; progress	0	0	4	4

7. Robert Presley Institute of Criminal Investigation (ICI)					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	For "career" investigator; rotation policies make program too costly	4	0	0	4
	Training available elsewhere	5	0	0	5
	Nice to have but not critical; too costly	4	0	0	4
3, 4, or 5	Good concept; refine with experience	8	0	0	8
	Alternatives could be used (e.g., regional trng.; in-service trng.)	5	1	0	6
	Need to maintain/improve skills	3	0	0	3
	Received positive feedback from students	3	0	0	3
	Nice to have; less important than other programs	1	1	1	3

8. Study of law enforcement officers killed or assaulted					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Duplication of FBI studies/other sources	16	1	0	17
	Could be done by others (e.g., colleges)	7	0	1	8
	Interesting info., but agencies don't use	3	0	0	3
3, 4, or 5	Excellent for identifying training needs	17	8	3	28
	Duplication of FBI studies/other sources	10	2	0	12
	Important info. discourages complacency	12	1	0	13
	More timely/user friendly reports	3	0	0	3

9. Establishing and implementing a law enforcement agency accreditation program					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Not necessary; not unless additional funds	21	5	0	26
	Duplicates what POST already does	6	0	0	6
	Duplicates CALEA's effort	3	0	0	3
3, 4, or 5	Necessary; will increase professionalism	12	2	0	14
	Good program; gives CA its own stnds	7	0	0	7
	Not as important as officer training	3	0	0	3
	Reduces liability	0	2	0	2

10. Producing and broadcasting statewide telecourses					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Difficult to administer due to overtime/ paperwork required	3	0	0	3
	Low priority/nice amenity	2	0	0	2
	Tend to be agency specific issues/topics	2	0	0	2
3, 4, or 5	Excellent means of taking advantage of technology to provide trng during budget crisis; allows in-house trng	58	6	5	69
	Excellent way of providing timely updated information, especially to small agencies	20	0	0	20
	Should be provided in small blocks for roll call training	8	1	0	9
	Good for some CPT credit, but not all	5	3	0	8
	Improve/change program (e.g., improve videos)	4	1	0	5
	CPT requirements need to be relaxed so agencies can get credit	4	0	0	4

11. Broadcasting training tapes					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Nice to have but could be done by others	4	0	0	4
	Not done as well as telecourses; not used	3	1	0	4
3, 4, or 5	Invaluable way of providing quality/timely training during time budget times; takes advantage of technology	37	7	5	49
	Format tapes for use in roll-call training	10	1	0	11
	Allows agencies to build video libraries	6	0	0	6
	Excellent supplemental training	7	1	0	8
	Improve/change program (e.g., broadcast channels changed after notification; standardize channels)	5	1	0	6

12. Developing and distributing interactive multi-media training					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Difficult to train large grps; labr intensive	8	0	0	8
	Courses too basic/lengthy/out of date/limited value	8	2	3	13
	Not substitute for hands-on classroom trng.	2	0	0	2
3, 4, or 5	Excellent use of technology to provide timely/quality/cost effective training	30	5	0	35
	Programs need adjustments; courses to lengthy and basic; workbooks tough; development and implementation slow	23	3	0	26
	Wave of the future; effective for meeting CPT requirements	9	2	0	11
	Need to relax requirements for monitoring	3	0	0	3
	Expand programs/availability of equip	0	0	5	5

13. Command College					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Funding should be directed elsewhere	8	0	1	9
	Benefits only a few; depts not benefitting	7	0	0	7
	Too time consuming/expensive	3	0	1	4
	Too futures oriented/doesn't develop leadership skills	4	2	0	6
3, 4, or 5	Develops tomorrow's leaders; highly effective	33	4	0	37
	Changes needed; too regimented and expensive; futures overemphasized; more emphasis on leadership; too much time spent on research papers; offer once a year	14	0	0	14
	Other programs available; advanced learning should be own responsibility	4	0	0	4
	Re-evaluate; not as critical as other programs; put on hold for now	4	0	0	4

14. Supervisory Leadership Institute					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Training available through other sources	4	0	0	4
	Consider integrating w/ Command Col	0	0	2	2
3, 4, or 5	Great program; immediate results; "cutting edge"; should be required	73	8	2	83
	Offer more classes; expand to other personnel	11	1	0	12
	Can't participate due to staffing cnstraints	4	0	0	4
	Make program shorter	2	0	0	2
	Limited in content/not relevant to job	2	0	0	2

15. Master Instructor Program					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Has potential, but not at expense of POST's central mission	5	0	0	5
	Little benefit to organizations	3	0	0	3
	Trainers need skills but localize trng and have agencies and participants fund it	4	0	0	4
3, 4, or 5	Good program ; promotes in-house trng; develops qualified and effective trainers	16	2	4	22
	Needs some changes (open up enrollment, condense, have periodic updates, etc.)	5	0	0	5
	"Nice to have", but not critical; not essential function of POST	2	1	0	3

16. Team Building Workshops					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Can be provided by private sector at agency's expense; not proper function of POST	10	1	1	12
	Good in theory, but little real effect	4	1	0	5
	Beneficial but very costly	2	0	0	2
3, 4, or 5	Good resource to improve organizations; develops goals and unity	46	5	3	54
	Make changes (e.g., fund once every 3 years, extend time between workshops, conduct follow-ups , increase enrollment)	6	1	0	7
	If money is available, but not at expense of other programs	2	0	0	2
	Only as good as what agencies put into them	2	0	0	2

17. Reading and writing testing program					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Other agencies can do this	6	1	0	7
	Use our own test	4	3	0	7
	Training officers is more important	2	0	0	2
3, 4, or 5	Important to have standardized, valid tests; valuable/cost effective resource, especially for small agencies	33	5	5	43
	Don't use POST test	2	0	0	2

18. Chief Executive seminars/workshops					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Training can be obtained elsewhere; not a proper function of POST; nice but not critical	4	0	0	4
3, 4, or 5	Good for regional cooperation, networking; valuable and productive	36	4	1	41
	Reduce frequency/funding	4	0	0	4

19. Sheriffs' workshop series					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Other courses/conferences could serve this purpose	3	0	0	3
	Not proper function of POST; agencies should fund; too agency specific	5	0	0	5
	Schedule on as needed basis	2	0	0	2
3, 4, or 5	Beneficial; promotes communication and builds consensus	5	0	0	5
	Changes could be made (e.g., fund every 2 years, 2-3 days in length, more time between presentations)	3	0	0	3
	Important training that sheriffs need	0	3	0	3

20. Labor/Management Institute					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Can be done by others (CPOA, PORAC, etc.); not a proper function of POST	11	1	2	14
3, 4, or 5	Important in fostering better understanding; impressed with pilot; sounds good; excellent program	20	3	2	25

21. Field Services					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Doesn't always measure up; use technology for record keeping to reduce	4	0	0	4
	Needed to keep depts on track; audit is a motivator; yearly inspection good	3	0	0	3
3, 4, or 5	Critical link with POST; essential; needed to maintain standards; keeps agencies updated; important to monitor compliance	41	7	0	48
	Need more contacts/ visits/ consultants; underutilized	10	2	0	12
	Invaluable resource	0	0	4	4

22. POST newsletters (POSTScripts, Pacesetter, The Follow-up)					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	POST produces too much paper; cut costs here	7	0	0	7
	Combine into one	3	0	0	3
	Appear self-serving; eliminate	3	0	0	3
	Not as vital as training	3	0	0	3
3, 4, or 5	Necessary/important/worthwhile	32	4	7	43
	Combine into one	3	1	1	5

23. Other POST publications (i.e., other than newsletters)					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Some value; some informative articles; could some of this be done via the bulletin board?	5	0	0	5
3, 4, or 5	Essential program mgt. information; great value for developing stnds.; important as updates; vitally important; provides statewide uniformity; critical to POST's mission; have used time and again	18	5	5	28
	Depends on publication	2	0	0	2

24. Research and development of the application of technology to law enforcement training					
Importance	Comment	Police	Sheriffs	Other	Totals
1 or 2	Limit to ways to improve training delivery and reduce costs	2	0	0	2
	Costly and of limited use	1	0	1	2
	Not essential; stick to basics	1	1	0	2
3, 4, or 5	Need to continue; tech. way of future	23	0	0	23
	POST fills void/is only source	9	1	1	11
	Essential to fund less expensive/more efficient training methods	15	0	0	15
	Important	12	0	3	15
	Emphasize telecourses and IVD	3	0	0	3

What impact, if any, has the downturn in POST funding had on your agency?				
	Police	Sheriffs	Other	Totals
None/none yet	37	8	4	49
Very little/little to date	53	8	8	69
Significant/caused extreme hardship	27	3	9	39
Decreased training	86	23	6	115
More difficult to get officers trained	13	3	9	25
Reduced non-mandated training	16	2	0	18
Reduced ability to send people away for training	38	7	6	51
Reduced training budget	33	0	5	38
More difficult to find needed classes	15	0	3	18
More selective in training attended	23	0	0	23
Academy costs skyrocketed/reluctant to hire pre-academy	12	0	0	12

Views concerning continued reimbursement for training of civilians				
	Police	Sheriffs	Other	Totals
Important/continue	223	52	14	289
As important as sworn	27	4	0	31
Continue/allows more officers on street	30	0	7	37
Without reimbursement, can't train	42	0	4	46
Continue, but not at expense of sworn	37	7	10	54
Discontinue/not necessary/should be first to go	25	5	6	35
Limited positions (e.g., dispatch, evidence tech.)	8	3	0	11
Views concerning expanding civilian classes eligible for reimbursement				
	Police	Sheriffs	Other	Totals
Support strongly	149	20	10	179
Somewhat important; limited support	32	4	2	38
Do not support; not appropriate	101	25	18	144
Not at expense of sworn	31	11	2	44
Not unless funding is increased	28	1	4	33
Only law enforcement related training/position	12	0	6	18

How important to maintain present system of reimbursement (travel, per diem and tuition)?				
	Police	Sheriffs	Other	Totals
Critically important/essential/vital	105	14	16	135
Very important	161	30	15	206
Important/fairly important	20	3	0	23
Without it, fewer trained; harder to obtain quality training; mandated courses only	58	10	7	75
Not important/little importance	4	2	0	6
Can absorb salary, but not other costs	9	0	0	9
Maintain current system	0	3	0	3

What additional thoughts do you have on this subject?				
	Police	Sheriffs	Other	Totals
Provide training regionally; bring training to officers	34	7	2	43
Pursue ways to increase funding[1]	26	5	0	31
Maintain current system	8	2	1	11
Eliminate salary reimbursement	11	0	0	11
Stick to basics; train peace officers first	13	0	0	13
Reimburse mandates	10	2	0	12
Evaluate courses	6	0	0	6
Increase use of technology	4	0	1	5
Eliminate Plan V reimbursement	4	2	0	6
Block grants	4	0	0	4
Reduce POST's overhead/administrative costs	0	4	0	4

Assuming revenues continue at current levels, what general directions do you think POST should take?

[1]Raise penalty assessment; state initiative; go to voters; bigger share of Driver Training Fund; law enforcement must lobby; inform city managers and councils to lobby; asset forfeiture money; look for more money.

Assuming revenues continue at current levels, what general directions do you think POST should take?				
	Police	Sheriffs	Other	Totals
Continue same direction; maintain balanced approach	25	1	6	32
Prioritize (with priority often suggested as being first street cops, then supervisors, managers and executives)	41	9	3	53
Concentrate on basic, life-safety issues; cut "frill" items.	31	0	0	31
Increase emphasis on regional training; eliminate travel reimbursement to encourage	51	13	6	70
Seek additional funding	22	4	3	29
More telecourses, interactive programs, in-house training	32	5	4	41
Evaluate courses/eliminate unnecessary training	21	0	0	21
What suggestions do you have for restoring the funding?				
	Police	Sheriffs	Other	Totals
Don't know; not familiar enough to comment; know POST is doing all it can	35	0	5	40
Various lobbying efforts (work w/ CPOA, Cal Chiefs, Cal Sheriffs, PORAC, League of Cities, etc.; lobby governor and legis.; each agency contact state rep.; etc.)	77	17	7	101
Various suggestions for increasing funds[2]	91	12	8	111
Examine POST[3]	9	6	3	18

[2]Increase in sales tax; increase penalty assessments; 1 cent on gal. gas; special tax; % of asset seizure; federal grants; portion of Driver Training Fund; Indian casinos; DUI fines; larger share of VC violations; consolidate POST-STC-CHP funds; ballot initiative; % veh. regis. fees; lottery funds; % lawyers fees in police-related suits; restore 1/3 given to General Fund; require colleges to share ADA; etc.

[3]Eliminate programs designed to benefit only a few; limit reimb. for travel and per diem and spend more for class expense; annual training plan for each agency; review who's receiving reimbursement from POTF; limit reimbursement to required training; stop training specialized agencies; limit reimbursements to actual expenses; identify budgetary goals/mission and then enlist support of l.e. groups to restore budget; make POST a statewide community college and reimburse presenters directly; designate POST to guide all public safety training in California - consolidate; eliminate redundancy and "filler" in courses; emphasize training for line personnel over mgt./admin. related programs; examine importance of new programs..

Other comments/suggestions				
	Police	Sheriffs	Other	Total
POST does a good job/is responsible for high level of professionalism	27	2	1	30
Get back to basic mission; reevaluate purpose and goals; expand needed training and cut back non-basic; eliminate redundant/poor courses	14	0	2	16
Educate public; have chiefs lobby legis.; grassroots effort by l.e. to restore funding; use Chiefs' Task Force to publicize POST's funding needs; etc.	12	0	0	12
Take steps to increase accountability[4]	8	0	0	8
Regional training centers; local training development	4	1	1	6

[4]Depts. should have a training plan; use information from regional needs assessments; suspend reimbursement for non-complying agencies; make all students take tests; tests for certificates; check training liabilities; evaluate Command College.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title POST Certification for a Law Enforcement Executive Secretary Course		Meeting Date April 20, 1995
Bureau Training Delivery and Compliance Bureau	Reviewed By Ronald T. Allen	Researched By Gary C. Sorg
Executive Director Approval Norman C. Boehm	Date of Approval 4/5/95	Date of Report April 5, 1995
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.

ISSUES

Should the Commission change its existing policy to allow certification of the "Law Enforcement Executive Secretary Course" as a non-reimbursable course?

BACKGROUND

At the January, 1995 Commission meeting, the California Police Chiefs' Association appealed the denial of certification of the "Executive Secretary Course." Denial was based on a long standing Commission policy regarding certification and reimbursement of certain civilian training classes. At its January meeting, the Commission asked that this matter be addressed in the "POST Survey of Chief Executives."

ANALYSIS

The field survey has been completed and the "Executive Secretary Course" was used as an example in gathering opinions regarding expanding reimbursable civilian training. The question posed was "What are your views concerning expanding the civilian job classes eligible for reimbursement to include such positions as executive secretary and administrative assistant?" The survey findings indicated that law enforcement agencies were split on this issue. (See Attached).

This issue has been further discussed with James Nunes Chief of Pleasant Hill Police Department, Chairman of the California Chiefs' Training Committee. Chief Nunes believes an appropriate resolution would be to certify the "Executive Secretary Course" with no reimbursement for agencies. This appears to be an appropriate resolution and seems consistent with the survey responses. However, the Commission's current policy will need to be revised to allow staff to certify the training, even though it is a non-reimbursable course.

RECOMMENDATION

Allow POST certification of the requested course, but without reimbursement until such time as the Commission believes funds are available for this purpose.

Views concerning continued reimbursement for training of civilians				
	Police	Sheriffs	Other	Totals
Important/continue	223	52	14	289
As important as sworn	27	4	0	31
Continue/allows more officers on street	30	0	7	37
Without reimbursement, can't train	42	0	4	46
Continue, but not at expense of sworn	37	7	10	54
Discontinue/not necessary/should be first to go	25	5	6	35
Limited positions (e.g., dispatch, evidence tech.)	8	3	0	11

Views concerning expanding civilian classes eligible for reimbursement				
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Support strongly	149	20	10	179
Somewhat important; limited support	32	4	2	38
Do not support; not appropriate	101	25	18	144
Not at expense of sworn	31	11	2	44
Not unless funding is increased	28	1	4	33
Only law enforcement related training/position	12	0	6	18

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report and Recommendation to Contract for Consulting Services for Development of a Strategic Plan for POST		Meeting Date April 20, 1995
Bureau Executive	Reviewed By Glen Fine	Researched By Holly Mitchum
Executive Director Approval Norman C. Boehm	Date of Approval 4/5/95	Date of Report April 4, 1995

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 contract for consulting services, via the state's Master Service Agreement, to develop and implement a Strategic Plan for POST?

BACKGROUND

The Long Range Planning Committee, at its March 6, 1995 meeting, received a report on developing a strategic plan for POST. The Strategic planning have been used nationally for many years. It has been the prime focus of Command College instruction since the program's inception.

Currently, strategic planning is being embraced by State government. Legislation requires the Department of Finance to determine the status of strategic plan development by state agencies. The POST Review Task Force, chaired by Chief Rick TerBorch, Arroyo Grande, has also expressed interest in POST's strategic planning efforts.

Although POST has not adopted a strategic plan as such, we believe the Commission has consistently applied strategic thinking in its decision making. (See attached memo to the Office of State Audits and Evaluations. A similar memo was sent to Chief TerBorch.)

It is evident that energy is building in favor of developing a dynamic formal strategic plan for POST. Given these circumstances, it seems an appropriate time to move ahead with development of a more formal strategic plan for POST. As the Long Range Planning Committee report will indicate, the Committee fully supports development of the plan and recommended that the issue be referred to the Commission for approval to proceed.

ANALYSIS

Tom Esensten, lead Command College faculty member for strategic planning, met with POST's Management Team on March 27, 1995. The purpose of the meeting was to further explore the feasibility of

developing a strategic plan for POST. Mr. Esensten provided an overview of the strategic planning process, key considerations in implementing the plan, and how to avoid potential problems in development and implementation. Benefits for POST were discussed, including that the plan will help the Commission guide decisions that may be required related to program adjustments. The planning process should also serve as an effective consensus-building and communications tool related to POST directions, options, priorities and resources.

It is proposed that the Commission contract, through the State's Master Services Agreement (MSA), for needed assistance in developing and implementing POST's strategic plan. Use of the MSA will facilitate rapid commencement of project work as the competitive bid process is avoided. Contracting for consulting services is proposed in the belief that the Commission, the field, and the staff would benefit greatly from outside perspective and expertise. A competent consultant would shorten the learning curve and lend validity and experience to the process.

As of finalization of this agenda, staff is still exploring options and costs with vendors who are pre-approved by the state to contract for these services. A specific recommendation for a vendor and maximum dollar amount will be provided at the meeting.

If the Commission approves development of a POST strategic plan, it should be the Commission's plan. The spacing of Commission and Long Range Planning Committee meetings should lend ample opportunity for policy guidance and direction. The Commission would likely instruct that plentiful input from "stakeholders" in POST be invited.

State of California | Department of Justice

M E M O R A N D U M

To : Office of State Audits and Evaluations
915 L Street, 6th Floor
Sacramento, CA 95814
Attention: Sam Hull, Audit Manager
IMS - A-15

Date: February 9, 1995

From : NORMAN C. BOEHM
Executive Director
Commission on Peace Officer Standards & Training

Subject: POST STRATEGIC DIRECTIONS

The Commission on Peace Officer Standards and Training has pursued a consistent practical approach to strategic planning. We have not published, as yet, a formal document, but actions accumulated over the years and projected into the future can certainly be viewed as strategic directions.

Consistent with the mission of POST as spelled out in the Penal Code[1], the Commission has sought to improve the quality, effectiveness, and availability of training for California peace officers. POST's goals are to concentrate its services on the three ingredients believed to be most critical to effective law enforcement:

- Meeting the statewide need for consistent peace officer selection standards by developing and updating appropriate job-related selection standards.

- Assuring that each peace officer in California has access to appropriate training to acquire the skills, knowledge, attitudes and behaviors which are consistent with the requirements and expectations of professional competence associated with the job at each career and experience stage.

- Fostering and facilitating healthy and productive organizational environments in which the officers work by providing law enforcement with a system of leadership development programs and by offering management counseling services.

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[1]California Penal Code Section 13503 gives broad latitude and autonomy to the Commission in meeting its responsibilities and concludes by encouraging the Commission to do so assertively.

KEY STRATEGIES

Within the context of POST's mission and goals, there are several key strategic directions the Commission has embraced in practice. Each strategic direction, highlighted by bold type, is supported by a number of action indices representing work actually completed or currently underway. These include:

1. **Seeking financial resources sufficient to assure the continued voluntary participation of member agencies.**

   Action Indices:

   - A series of bulletins to the field over several years
   - Various proposals for legislation
   - Personal presentations to the field on the issue
   - Changing reimbursement formula from salary to presentation costs
   - Meetings with association boards and committees
   - Development of a "White Paper" on POST revenue with CPOA

2. **Positioning POST and law enforcement agencies to achieve more effective training in an era of shrinking resources and increasing demands by applying learning technology to all training courses as appropriate using the training effectiveness model as a guide.**

   Action Indices:

   - Completion of ACR 58 Report: A Vision of Excellence
   - Completion of *Partnerships for a Safer California* required by AB 492
   - Satellite antenna acquisition reimbursement program
   - Satellite telecourses delivered monthly
   - Satellite broadcasts of training videos and case law updates delivered monthly
   - Computer multimedia hardware program
   - Self-contained interactive video disk courses to each department (PC 832, Driver Training, First Aid/CPR)
   - Pilot testing of part-task driver simulators for pursuit training
   - Pilot testing of Interactive multi media classroom instruction
   - Research into shooting judgment simulators

3. **Working with colleges, trainers, and law enforcement administrators to reconfigure the Basic Course to improve quality and lower cost to POST and departments.**

   Action Indices:

   - Symposia on training issues report on Basic training alternatives
   - Conceptual development of pilot plan to make certain cognitive portions of the basic academy a pre-requisite rather than a part of it
   - Recommendation to pilot test the proposals are in preparation

4. **Meeting law enforcement's future needs for leadership by preparing today's supervisors, managers, and executives by way of a leadership development system:**

   Action Indices:

   - Command College
   - Supervisory Leadership Institute
   - Sheriffs' Workshop Series
   - Executive Workshops, etc.

5. **Promoting and recognizing excellence in law enforcement training programs.**

   Action Indices:

   - Inaugurating the Master Instructor Program
   - Course-specific instructor training (e.g. ICI; SLI)
   - Establishing Governor's Award for Excellence in Peace Officer Training
   - Improving systems for monitoring course presentations

6. **Working cooperatively with other agencies and organizations to explore and realize opportunities for cost sharing in areas of mutual interest and concern.**

   Action Indices:

   - Collaborating with UC Riverside in public safety technology
   - Lawrence Livermore National Laboratory liaison for sharing applicable technology
   - Attending National Institute of Justice workshop on technology transfer
   - Exploring opportunities with private vendors and suppliers
   - Collaborating with POST organizations in other states

on sharing initial investment costs for technology-based training programs

These strategies do not, of course, represent the entirety of POST's work. The Commission and its staff devote considerable attention to the areas of setting and maintaining selection and training standards in a program being joined by an increasing number and variety of agencies. In addition to maintaining current services, each year sees new statutory requirements for training and guidelines development. Management Counseling, maintenance of testing programs, professional certificate programs and a large diversified training program are major responsibilities.

The Commission's role is primarily one of performing unique services, that can only be done at a state level, for all of law enforcement statewide. In developing and delivering its services, POST always stays close to those being served in a posture of partnership. This is indicated by:

- o POST Advisory Committee
- o Attendance and liaison with CPOA, CPCA, CSSA, PORAC, CAPTO, and others
- o Regular workshops presented to regional groups of chief executives
- o Sponsorship of symposia on critical issues
- o Regular training needs assessments
- o Opinion surveys
- o Extensive involvement of local officers as SMEs to guide development efforts
- o Use of Management Fellowship Program to help assure contemporary thought within the organization

Most law enforcement people in California are quite familiar with these programs and efforts which are touched on only lightly here. A critical message being communicated now by the Commission is that the current level of funding has put the overall program of services in peril. Our strategies are jeopardized. Our ability to maintain existing services are jeopardized. We are not now able to provide appropriate financial incentive to all participating agencies. Funds are not available to continue the front end work necessary to capitalize on the benefits of technology.

These problems are mutually shared by POST and law enforcement. If the problems are resolved, the beneficiaries are law enforcement agencies, their personnel, and the public. If not, then it seems clear that professionalism of California law enforcement will decline in the future.

The POST Commission is now positioning itself to consider program changes that continuing revenue shortfalls may necessitate to assure proper management of the Peace Officer Training Fund (POTF). The Commission will work closely with local law enforcement agencies in order that their views on priorities are taken into account.

Copy: Carrie Nevans
Department of Finance

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

PETE WILSON, *Governor*
DANIEL E. LUNGREN, *Attorney General*

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

FINANCE COMMITTEE MEETING
April 19, 1995 - 2:00 P.M.
Holiday Inn By the Bay
1355 North Harbor Drive
San Diego, CA 92101
(619) 232-3861

AGENDA

A. CALL TO ORDER

B. Financial Report - Third Quarter FY 1995/96

A report on the status of the training reimbursement budget will be presented at the meeting. The report will include revenue and reimbursement paid through March 31, 1995. The report will also include projections of revenue and expenditures through the end of the Fiscal Year.

C. FY 95/96 Governor's Budget

A report will be made at the meeting on the status of the FY 95/96 budget now before the Legislature.

D. Results of Findings of Field Survey

This matter will be on the regular Commission agenda under Tab R. It is presented to the Finance Committee as an informational matter because of the financial implications addressed by the survey.

E. Review of Expenditure and Other Fiscal Proposals on the April 20, 1995 Commission Agenda

The following proposals are on the regular Commission agenda. It is appropriate for the Committee to review these items and consider a recommendation for the full Commission:

- Report on Proposal to Modify Reimbursement Levels for the Regular Basic Course, the Marshals' Basic Course, and the District Attorney Investigators Basic Course (Tab G)

- Report and Recommendation for a $30,000 Augmentation to the CSU San Diego Contract to Cover the Cost of Extra Television/Video Work (Tab M)

- Report and Recommendation on the Potential for a Marketing Agreement with Times Warner Interactive for Use of POST Driver Simulator Scenarios (Tab Q)

- Report and Recommendation to Contract for Consulting Services for Development of a Strategic Plan for POST (Tab T)

D. Marketing Agreement for POST Interactive Multimedia Courseware

Since July 1994, the Commission has been seeking a single vendor to market all of POST's IVD courseware. SWL, currently under contract to develop POST's IVD courseware on Alcohol and Other Drugs, is the only qualified bidder for marketing rights. The enclosed report evaluates their proposal and concludes that consideration should be given at this time only to their marketing of the Alcohol/Drugs courseware. Negotiations are not complete as this agenda is finalized. Hopefully, final recommendations will be available at the Committee meeting.

E. Committee Review of Training, Standards, and Administrative Contracts for Fiscal Year 1995/96 for Recommendation to the Commission

The Committee met on January 11, 1995 and recommended that the Commission authorize the Executive Director to negotiate a number of contracts. The Commission accepted the Finance Committee recommendations. The contracts have been negotiated and are now before the Finance Committee for review at this meeting. Among the Committee's purposes is formulation of recommendations to the Commission on these contracts for FY 1995/96. An overview of each of the contracts is under this tab.

F. ADJOURNMENT

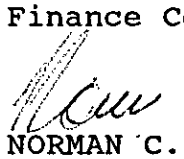
State of California

Department of Justice

M E M O R A N D U M

To : Finance Committee

Date: April 7, 1995



NORMAN C. BOEHM
Executive Director
From : **Commission on Peace Officer Standards & Training**

Subject: MARKETING AGREEMENT FOR POST INTERACTIVE MULTIMEDIA COURSEWARE

At its July 1995 meeting the Commission authorized the release of a Request for Proposal (RFP) to market POST-developed interactive multimedia courseware. In August 1994 RFP packages were sent to over 165 vendors on our state list. At the conclusion of the process the Commission received two proposals. One of the proposals was deemed non-responsive. Additionally nine vendors sent letters declining to respond to our RFP for a variety of reasons (no marketing unit, custom designer only, etc.).

POST staff has reviewed the proposal submitted by Specialized Warfare Labs Inc. (SWL) to market all of the courseware. SWL, Inc. is the contractor that is developing the *Alcohol and Other Drugs* interactive courseware. SWL, Inc. has proposed to aggressively market all POST training courseware over an initial three-year marketing agreement. They have proposed the following for the marketing agreement terms for all courses:

- A 10% royalty payment per unit on any courseware that is sold without modification;
- A 5% royalty payment per unit on any courseware that is sold to foreign markets, and a 5% royalty payment on any modified courseware sold anywhere.

A plan to modify the courseware to be sold outside of California is included in their proposal. That may include packaging it in CD-ROM and videotape versions. It also may include segmenting the courseware into specific packages. SWL has proposed an estimated pricing structure for each of the courseware sets it will market for POST.

It is premature to negotiate any marketing agreement that includes the *First Aid/CPR* and new version of *PC 832 Introduction to Law Enforcement* until SWL has reviewed both

of the courseware packages and has provided POST with the design changes necessary to accomplish any course modifications. If does seem appropriate, however, to consider an agreement now with SWL to market the *Alcohol and Other Drugs* courseware currently being developed by SWL.

With respect to that courseware, SWL has proposed that royalty payments commence only after the first 25 sets of the *Alcohol and Other Drugs* courseware is sold. Then, POST would receive 5% royalty for each additional modified set or component sold, and 10% for each unmodified set or component. SWL wants to be able to market the first 25 sets without royalty to cover anticipated costs they will have incurred in the modification of this courseware for sales nationally and internationally.

POST staff has been negotiating with SWL and has counter-proposed a flat eight percent (8%) royalty on gross sales of the courseware in any form. SWL, Inc. would be allowed to sell the first 25 components, rather than sets, of this courseware royalty free. Outside of that, POST would receive revenues across the board on anything else sold by SWL outside of California subject to specific terms and conditions outlined in the written agreement. At the time of this report, SWL has not responded to our counter-proposal. Results of these negotiations will be reported at the Committee meeting on April 19, 1995.

This item is before the Finance Committee for discussion and recommendation contingent upon the outcome of current negotiations.

State of California **Department of Justice**

MEMORANDUM

TO : Finance Committee **DATE:** April 17, 1995

NORMAN C. BOEHM, Executive Director
FROM : **Commission on Peace Officer Standards & Training**

SUBJECT: MARKETING AGREEMENT FOR POST INTERACTIVE COURSEWARE

As previously reported to the Committee, POST staff has been negotiating with SWL, Inc. on the final terms of a marketing agreement for the *Alcohol and Other Drugs* interactive multimedia courseware that SWL is developing for the Commission.

Two of the outstanding issues revolve around the royalty percentage that SWL would pay POST for both original and modified versions of the courseware, and the fact that SWL wants to have the first 25 sets of courseware royalty free to help offset costs associated with modifications to the original interactive videodisc courseware that is being used in California.

POST counter-proposed a flat eight percent (8%) royalty of gross sales of the courseware in any form (original version or modified version). POST also proposed that SWL be allowed to sell the first 25 modified components, rather than sets, of this courseware royalty free.

SWL has countered on the issue involving the first 25 sets of courseware. The first 25 customers that purchase any of the courseware components would constitute the royalty free portion of this agreement. Beginning with the 26th customer, POST would receive six or six and one half percent (6 or 6 1/2%) for each courseware component sold by SWL. SWL has indicated that they want to market the courseware for POST and have agreed to be flexible in further negotiations on the royalty issue to be included in the final version of the marketing agreement. The indication is that they would likely agree to 7% as a royalty.

In light of the adjusted royalty payments it may be prudent to negotiate a marketing agreement for an initial period of two years (rather than a proposed three years). At the end of the two year period, POST would review the agreement based upon the vendor marketing performance and sales generated during the initial agreement period. The Commission would have the option of adjusting the agreement in any of the areas, and amending the agreement to reflect any changes at that time.

This agenda item is before the Committee for information, discussion and recommendations.

8100 OFFICE OF CRIMINAL JUSTICE PLANNING—Continued

903 State Penalty Fund *	1993–94	1994–95	1995–96
BEGINNING BALANCE	–	–	–
REVENUES AND TRANSFERS			
Receipts:			
Operating Revenues:			
217500 Penalties on traffic violations and felony convictions	$120,894	$134,078	$143,224
Totals, Receipts	$120,894	$134,078	$143,224
Less Revenues Collected for Other Funds:			
Restitution Fund (Indemnity Fund)	39,984	42,951	45,974
Peace Officers Training Fund	30,459	32,038	34,249
Fish and Game Preservation Fund	419	440	471
Corrections Training Fund	10,151	10,523	11,250
Driver's Training Penalty Assessment Fund	26,848	34,322	36,690
Local Public Prosecutors/Defenders Training Fund	850	850	850
Victim/Witness Assistance Fund	10,798	11,539	12,335
Traumatic Brain Injury Fund	500	500	500
Totals, Revenues Collected for Other Funds	$120,009	$133,163	$142,319
Totals, Revenues and Transfers	$885	$915	$905
Totals, Resources	$885	$915	$905
EXPENDITURES			
Disbursements:			
0840 State Controller (State Operations)	$885	$915	$905
FUND BALANCE	–	–	–

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The Commission on Peace Officer Standards and Training (POST) is responsible for raising the level of competence of law enforcement officers in California by establishing minimum selection and training standards, improving management practices and providing financial assistance to local agencies relating to the training of their law enforcement officers.

SUMMARY OF PROGRAM REQUIREMENTS

	93–94	94–95	95–96	1993–94	1994–95	1995–96
10 Standards	24.5	24.5	24.5	$3,327	$3,798	$3,849
20 Training	43.2	43.4	43.4	12,046	10,247	10,343
30 Peace Officer Training	–	–	–	14,150	19,579	25,944
40.01 Administration	47.3	45.8	45.8	3,405	3,720	3,811
40.02 Distributed Administration	–	–	–	−3,405	−3,720	−3,811
TOTALS, PROGRAMS	115.0	113.7	113.7	$29,523	$33,624	$40,136
001 General Fund				*1,866*	*1,453*	–
268 Peace Officers' Training Fund				*27,497*	*32,171*	*40,136*
995 Reimbursements				*160*	–	–

10 STANDARDS

Program Objectives Statement

The standards program establishes job-related selection standards for peace officers and dispatchers. It also provides management consultation to local agencies. Activities include development of examinations and counseling local law enforcement agencies on ways to improve management practices. The Commission also develops professional standards for the operation of law enforcement agencies and administers an agency accreditation program.

Applied research is conducted in the areas of peace officer selection and training, operational procedures and program evaluation in order to meet statutory requirements and to provide management guidance to local law enforcement agencies. The program also provides local agencies with information and technical expertise in the development and installation of new programs.

Authority

Penal Code Sections 13503, 13512, 13513, and 13551.

20 TRAINING

Program Objectives Statement

POST's training program increases the effectiveness of law enforcement personnel by developing and certifying courses that meet identified training needs, by providing scheduling and quality control of such courses, and by assisting law enforcement agencies in providing necessary training and career development programs. POST assesses training on a continuing basis to assure that emerging needs are met. Courses are offered through local community colleges, four-year colleges, universities, police academies, private trainers and training centers. The curricula cover a wide variety of technical and special courses necessary for effectiveness in police work and

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING—Continued

address the training needs of recruit, officer, advanced officer, supervisor, manager, executive-level, and other law enforcement agency personnel. Curricula content is updated regularly. The Commission is increasing the use of proven advanced technologies such as satellite broadcast and computer/video interactive in the delivery of training. POST also presents advanced leadership training for law enforcement supervisors and executives through its Command College and the Supervisory Leadership Institute.

The Commission establishes the basic criteria that must be met by each course in order to obtain POST's certification. Assistance is given to applicable educators and police trainers in preparing and implementing courses and training plans. Evaluation mechanisms are employed to ensure that training instructors and coordinators are adhering to established course outlines and are meeting instruction standards. Failure to meet these standards may cause revocation of course certification.

Job-related selection and training standards for peace officers and dispatchers, established by the Standards Program, are enforced through compliance procedures. This is accomplished through inspections of local agencies receiving state aid to assure they are adhering to minimum state standards.

Authority

Penal Code Sections 13503 and 13508.

30 PEACE OFFICER TRAINING

Program Objectives Statement

The enforcement of laws and the protection of life and property without infringement on individual liberties is one of modern government's most pressing problems. Carefully selected, highly trained and properly motivated peace officers are important factors in the solution of this problem. To encourage and assist local law enforcement agencies to meet and maintain minimum standards in the selection and training of law enforcement officers, financial assistance is provided to all 58 counties, approximately 346 cities, and numerous specialized districts and local agencies which have agreed to meet POST's standards. Financial assistance to participating jurisdictions is provided for the purchase of training courses and related tasks of course development and evaluation. Funding is also provided for the cost of student travel and per diem associated with training presentations.

Authority

Penal Code Sections 13500 to 13523, Health and Safety Code 11489.

PROGRAM BUDGET DETAIL

	1993–94	*1994–95*	*1995–96*
PROGRAM REQUIREMENTS			
10 STANDARDS			
State Operations:			
268 Peace Officers' Training Fund	$3,263	$3,798	$3,849
Reimbursements	64	-	-
Totals, State Operations	$3,327	$3,798	$3,849
PROGRAM REQUIREMENTS			
20 TRAINING			
State Operations:			
268 Peace Officers' Training Fund	*$11,950*	*$10,247*	*$10,343*
Reimbursements	*96*	-	-
Totals, State Operations	$12,046	$10,247	$10,343
PROGRAM REQUIREMENTS			
30 PEACE OFFICER TRAINING			
State Operations:			
268 Peace Officers' Training Fund	*$77*	*$87*	*$88*
Totals, State Operations	$77	$87	$88
Local Assistance:			
001 General Fund	*1,866*	*1,453*	-
268 Peace Officers' Training Fund	*12,207*	*18,039*	*25,856*
Totals, Local Assistance	$14,073	$19,492	$25,856
TOTAL EXPENDITURES			
State Operations	$15,450	$14,132	$14,280
Local Assistance	14,073	19,492	25,856
TOTALS, EXPENDITURES	$29,523	$33,624	$40,136

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING—Continued

SUMMARY BY OBJECT
1 STATE OPERATIONS

PERSONAL SERVICES	93–94	94–95	95–96	1993–94	1994–95	1995–96
Authorized Positions	115.0	119.5	119.5	$5,461	$5,702	$5,751
Total Adjustments	–	–	–	–	86	173
Estimated Salary Savings	–	–5.8	–5.8	–	–220	–269
Net Totals, Salaries and Wages	115.0	113.7	113.7	$5,461	$5,568	$5,655
Staff Benefits	–	–	–	1,443	1,310	1,310
Totals, Personal Services	115.0	113.7	113.7	$6,904	$6,878	$6,965
OPERATING EXPENSES AND EQUIPMENT				$2,653	$3,154	$3,215
SPECIAL ITEMS OF EXPENSE (Training Contracts)				5,893	4,100	4,100
TOTALS, EXPENDITURES				$15,450	$14,132	$14,280

total personal services

contract

RECONCILIATION WITH APPROPRIATIONS
1 STATE OPERATIONS
268 Peace Officers' Training Fund

APPROPRIATIONS	1993–94	1994–95	1995–96
001 Budget Act appropriation	$9,463	$9,946	$10,180
011 Budget Act appropriation (contractual services)	4,100	4,100	4,100
Allocation for employee compensation	143	86	–
Transfer from Local Assistance	2,890	–	–
Totals Available	$16,596	$14,132	$14,280
Unexpended balance, estimated savings	–1,306	–	–
TOTALS, EXPENDITURES	$15,290	$14,132	$14,280

995 Reimbursements

Reimbursements	$160	–	–
TOTALS, EXPENDITURES, ALL FUNDS (State Operations)	$15,450	$14,132	$14,280

SUMMARY BY OBJECT
2 LOCAL ASSISTANCE

	1993–94	1994–95	1995–96
661701 Grants and Subventions (expenditures)	$14,073	$19,492	$25,856

RECONCILIATION WITH APPROPRIATIONS
2 LOCAL ASSISTANCE
001 General Fund

APPROPRIATIONS	1993–94	1994–95	1995–96
111 Budget Act appropriation (transfer to Peace Officers' Training Fund)	–	$1,453	–
Allocation for contingencies or emergencies	$1,866	–	–
TOTALS, EXPENDITURES	$1,866	$1,453	–

196 Asset Forfeiture Distribution Fund

APPROPRIATIONS			
102 Budget Act appropriation (transfer to the General Fund) (expenditures)	($711)	–	–

268 Peace Officers' Training Fund

APPROPRIATIONS			
101 Budget Act appropriation	$22,588	$19,492	$25,856
102 Budget Act appropriation (transfer to the General Fund)	(2,220)	–	–
Transfer to State Operations	–2,890	–	–
Totals Available	$19,698	$19,492	$25,856

(1) 25,856 - total local Assistance

6,965 - total personal Services
3,215 - operating Expense/Equipment
4,100 - training Contracts
(2) 14,280 - State Operations

Total: 40.1 million

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING—Continued

	1993–94	1994–95	1995–96
Less funding provided by the General Fund	–	–$1,453	–
Unexpended balance, estimated savings	–$7,491	–	–
TOTALS, EXPENDITURES	$12,207	$18,039	$25,856
TOTALS, EXPENDITURES, ALL FUNDS (Local Assistance)	$14,073	$19,492	$25,856
TOTALS, EXPENDITURES, ALL FUNDS (State Operations and Local Assistance)	$29,523	$33,624	$40,136

FUND CONDITION STATEMENT

268 Peace Officers' Training Fund	1993–94	1994–95	1995–96
BEGINNING BALANCE	$4,115	$5,350	$5,552
Prior year adjustments	259	–	–
Balance, Adjusted	$4,374	$5,350	$5,552
REVENUES AND TRANSFERS			
Receipts:			
Revenues:			
125600 Other regulatory fees	172	175	175
130700 Penalties on traffic violations	30,459	32,038	34,249
141200 Sales of documents	21	23	23
142500 Miscellaneous services to public	35	35	35
150300 Income from surplus money investments	93	95	95
161000 Escheat of unclaimed checks and warrants	6	7	7
Totals, Revenues	$30,786	$32,373	$34,584
Transfers to Other Funds:			
800102 General Fund per Item 8120-102-268, Budget Act of 1993	–2,220	–	–
800103 General Fund per Section 13.50, Budget Act of 1993 (interest)	–93	–	–
Totals, Transfers to Other Funds	–$2,313	–	–
Totals, Revenues and Transfers	$28,473	$32,373	$34,584
Totals, Resources	$32,847	$37,723	$40,136
EXPENDITURES			
Disbursements:			
8120 Commission on Peace Officer Standards and Training:			
State Operations	15,290	14,132	14,280
Local Assistance	12,207	18,039	25,856
Totals, Expenditures	$27,497	$32,171	$40,136
FUND BALANCE	$5,350	$5,552	–
Reserve for economic uncertainties	5,350	5,552	–

8140 STATE PUBLIC DEFENDER

Program Objectives Statement

The Office of the State Public Defender was established in July 1976 by Chapter 1125, Statutes of 1975, to represent persons entitled to representation at public expense. The State Public Defender has offices in Sacramento and San Francisco.

The State Public Defender, in conjunction with court appointed legal counsel, represents persons who are financially unable to employ counsel in: (a) An appeal, petition for hearing or rehearing to an appellate court or petition for certiorari to the United States Supreme Court or a petition for executive clemency from a judgment relating to criminal or juvenile court proceedings; (b) Petitions for an extraordinary writ or action for relief relating to a final judgment of conviction or wardship; (c) Proceedings after a judgment of death; (d) Proceedings in which an inmate of a state prison is charged with an offense where the county public defender has declined to represent the inmate; and (e) Any proceeding where a person is entitled to representation at public expense. In addition, the Legislature has designated the State Public Defender as the representative for indigents at hearings to extend their commitments as persons found not guilty by reason of insanity.

The enabling legislation specifically provides that the State Public Defender: (1) may employ such deputies and other employees and establish and operate such offices as deemed necessary for the proper performance of the office, (2) may contract with county public defenders, private attorneys and nonprofit corporations, (3) may enter into reciprocal or mutual assistance agreements with the board of supervisors of one or more counties to provide for exchange of personnel, and (4) shall formulate plans for representation of indigents in the Supreme Court and in each appellate district.

Although authorized to provide representation as stated above, since 1989 the State Public Defender has focused its resources on proceedings after a judgement of death. This focus has been necessitated by the growing number of unrepresented inmates on death row and the difficulty in securing private appointed counsel to represent them.

Authority

Government Code Sections 15400–15404, 15420–15425; Penal Code Sections 1026.5 and 1240.

ATTACHMENT J

BILL ANALYSIS

State of California — Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Reduced Penalty Assessments	Caldera	AB 1061
	RELATED BILLS	DATE LAST AMENDED 2-23-95

SPONSORED BY Assembly Member Caldera

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

1) Have the effect of reducing revenue to POST and other users of PAF by as much as two-thirds (in excess of 20 million loss to POST)
2) Eliminate special Fund status - POST would rely on the annual allocation of funds by the legislature

GENERAL

Assembly Bill 1061 would:

1. Reduce penalty assessments on criminal and parking offenses from $17 for each $10 or fraction thereof to $10 for each $10 or fraction thereof.

2. Provide the total amount of any penalty assessments imposed and collected for criminal or Vehicle Code offenses shall not exceed one hundred dollars ($100) regardless of the amount of the base fine.

3. Eliminates the existing special funds in the State Penalty Fund and instead substitutes the requirement that monies deposited in the State Penalty Fund shall be limited to: (1) traffic safety; (2) victim and witness assistance; and (3) peace officer training. Monies transferred from the State Penalty Fund for these purposes would be determined annually by the Legislature.

ANALYSIS

The intent of this bill is to reduce the financial burden on criminal and traffic offenders by reducing penalty assessments. A similar bill (AB 148) by Assembly Member Caldera was unsuccessful during the 1994 legislative session.

Currently, penalty assessments (including state and local) are $17 on every $10 fine or fraction thereof. This amounts to 170 percent assessment which was instituted with the passage of the 1991 Trail Court Funding and Realignment Act. This act not only increased penalty assessments, but also expanded the purposes of state penalty assessments to include partial funding of California's trial courts. The result of this act had a deleterious effect on POST's revenue by reducing it by 32 percent.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Hal Snow	4-4-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
Norman C. Boehm	4-5-95		

POST 1-159 (Rev. 1/89)

AB 1061 presents a dilemma in that few could argue that penalty assessments have gotten excessively high and, unfortunately, expanded the purpose of financial sanctions from one of crime prevention to becoming another form of tax collection. On the other hand, the bill would have the drastic effect of reducing revenue to POST and the other state penalty assessment users by as much as two-thirds. In POST's case, annual revenue would be reduced by in excess of $20 million and, thus, devastate law enforcement training.

Eliminating POST's special fund status as proposed by AB 1061 would be highly detrimental to law enforcement training. The level of funding could drastically fluctuate from year to year which is inconsistent with need for a stable funding source. The cycle of developing and implementing training programs is generally long term in nature (3-5 years) and the proposed year to year funding is inconsistent with this. The effectiveness of California's law enforcement training program has been based upon consistency of revenue.

COMMENTS

It is recommended the bill be opposed.

As a part of the budget process the Legislative Analyst office recommends as options for balancing budget

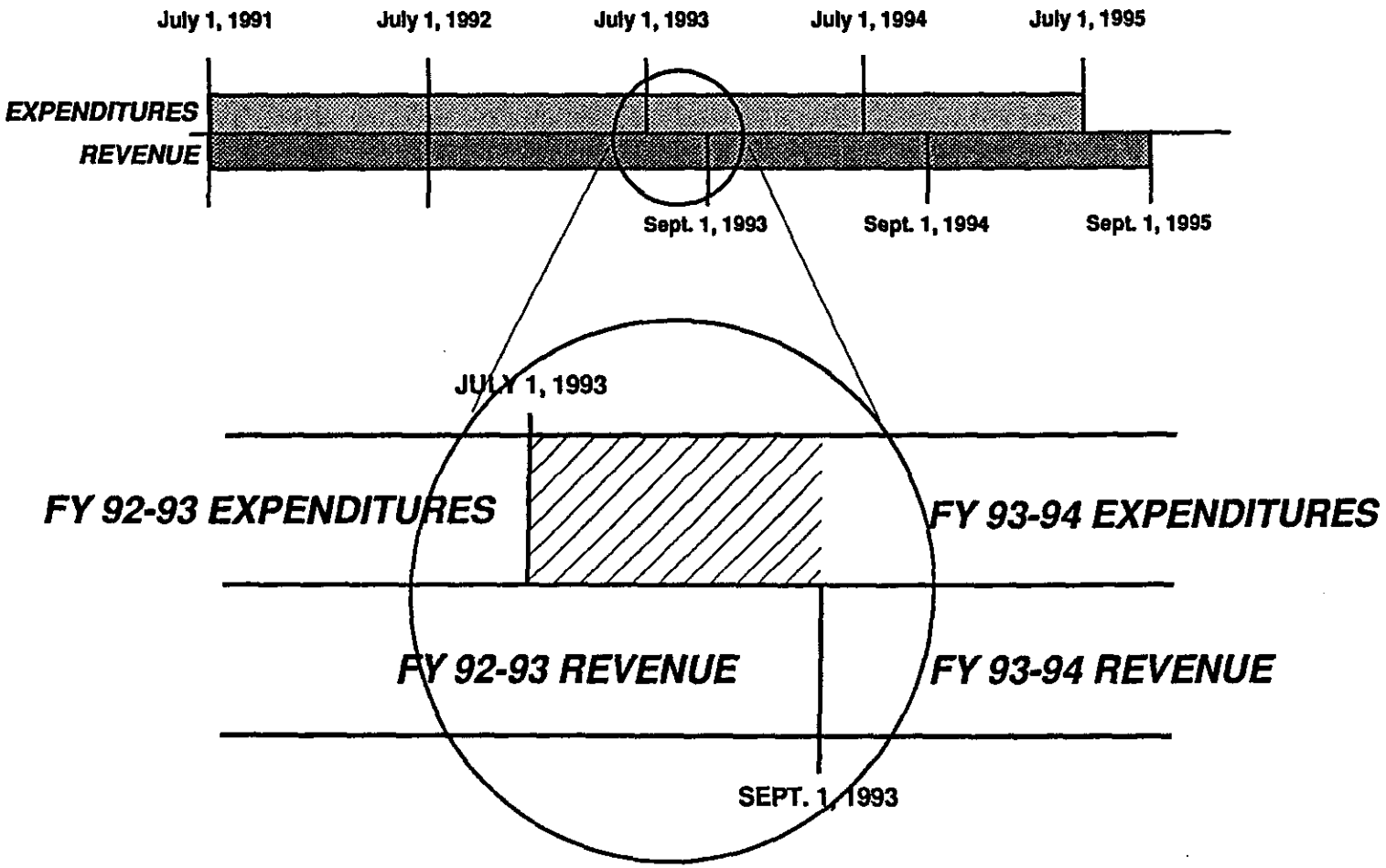
Proposal	Savings	Comments
Trial Court Funding Program		
Eliminate state funding for court-appointed counsel for juveniles for certain civil actions.	$38	Funds provided by state under Court Appointed Counsel function provide attorney services to juveniles for certain civil actions, such as child custody and visitation disputes. Because these actions are civil and not criminal, the state does not have legal obligation to provide the service.
Eliminate funding for Assigned Judges Program.	12	This option would result in the Trial Court Funding (TCF) Program absorbing the costs of the Assigned Judges Program. The services provided by the program are part of trial court operations and, therefore, could be financed by the TCF Program.
Department of Justice		
Eliminate the Bureau of Narcotic Enforcement.	24	Bureau duplicates local law enforcement function.
Eliminate the Violent Weapon Suppression Program.	4	Same as above.
Require local agencies to reimburse the Department of Justice for forensic laboratory services.	11	Criminalistic laboratory work provided to local law enforcement primarily benefits local governments.
Commission on Peace Officer Standards and Training		Commend
Eliminate local assistance training programs for law enforcement.	26	Costs for training and equipment for local law enforcement primarily benefits local agencies and should be funded by local governments.
Board of Corrections		
Eliminate local assistance training programs for law enforcement.	11	See Commission on Peace Officer Standards and Training above.

Continued

Commission on Peace Officer Standards and Training

CONTINUING EFFECT OF THE 14 MONTH 1992-93 REVENUE YEAR

The POTF is continuously funded and is in a "pay as you go" mode. The 14 month revenue year took FY 93-4 revenues for July and August and moved them to FY 92-3. This left the first 2 months of FY 93-4 unfunded. The solution was to "reappropriate" the 2 months' revenue as though it were a reserve in order to pay ongoing bills. This process must now be repeated annually. The process creates the false impression of a reserve.

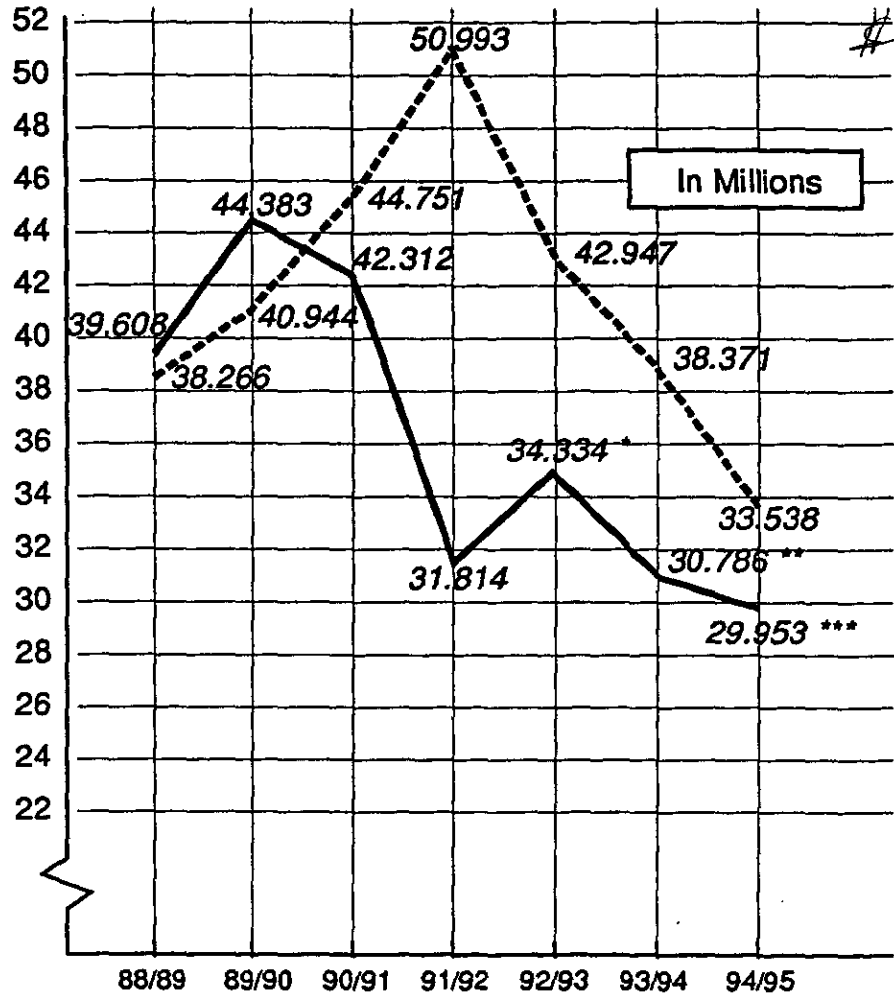


EXP.ai

Shows Decline of Post Revenue from High of $44.3 million in 89/90 to Low of 29.9 projection for 94/95

29.9 has been revised to $30.1 projection

REVENUE SUMMARY
FY 1988/89 - 1994/95



-------- = Proposed Gov. Budget

——— = POST Actual Revenue

* Actual 12 months revenue. Governor's Budget reflects 14 months revenue of $39.203.

** Transfer to the General Fund of $2.313 m and a General Fund augmentation of $1.866 m results in net resources of $30.339 m.

*** POST staff projection. $1.453 m General Fund augmentation results in net resources of $31.406 m.

7yrs.ai

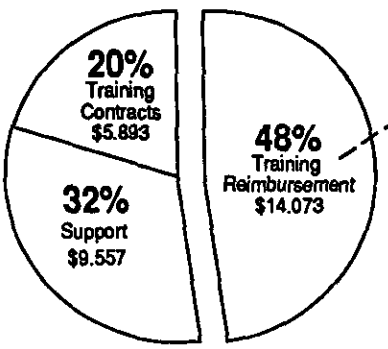
PIE CHART

Commission on Peace Officer Standards and Training

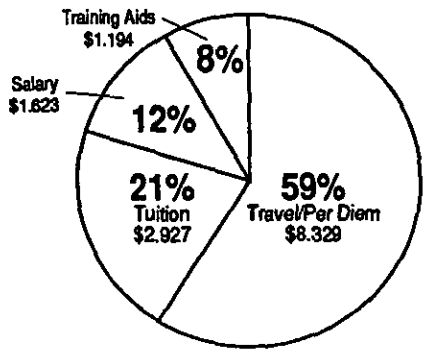
THREE YEAR OPERATION BUDGET AND TRAINING REIMBURSEMENTS

FY 1993 - 94

Budget
$29.523 million

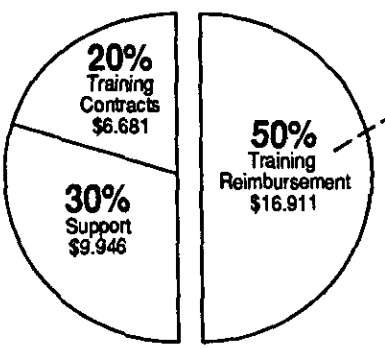


Breakdown of the 48% ($14.073 million) for Training Reimbursements

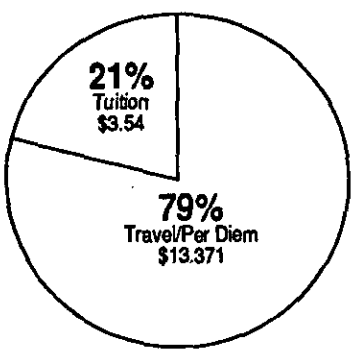


FY 1994-95 (Revised)

Budget
$33.538 million

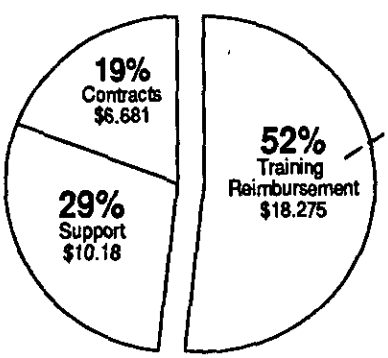


Breakdown of the 50% ($16.911 million) for Training Reimbursements

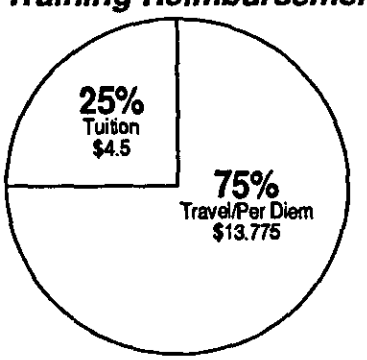


FY 1995-96 (Proposed)

Budget
$35.136 million



Breakdown of the 52% (18.275 million) for Training Reimbursements



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FILE IN BINDER

FILE: PROSUM

Discuss ~~[illegible]~~ EXPENDITURE SUMMARY DATA

COMMISSION ON POST
FISCAL YEAR 1994-95
(as of 3-31-95)

WALK thru Resources and Expenditure Items & comparing January (PROJECTION) Status with April ~~status~~ or today's projections.

EXPENDITURE SUMMARY

	JANUARY	APRIL	DIFFERENCE	
RESOURCES	32,393,000	31,554,312	-838,688	A
Revenue Projection	30,940,000	30,101,312	-838,688	
Transfer from the General Fund	1,453,000	1,453,000	0	
EXPENDITURES:				
ADMINISTRATION	10,032,000	9,946,000	-86,000	
TRAINING CONTRACTS/LA	7,791,350	6,840,567	-950,783	B
Contracts	6,681,350	5,730,567	-950,783	
Letters of Agreement	1,000,000	1,000,000	0	
Conf Room Rental	110,000	110,000	0	
TRAINING REIMBURSEMENT	13,624,019	14,415,530	791,511	C
Trainees	(47,215)	(48,610)	(1,395)	D
Subsistence	7,092,197	7,490,639	398,442	
Commuter meals	669,852	810,783	140,931	
Travel	2,385,896	2,482,304	96,408	
Tuition	2,999,438	3,158,261	158,823	
Training Aids Residual	8,357	5,264	-3,093	
sub-total	13,155,740	13,947,251	791,511	
Reimbursement Resources Available for				
Training Development	(0)	(0)	(0)	
Training Presentation (Plan V)	0	0	0	
Satellite Antennas/IVD	0	0	0	
REIMBURSEMENT CLAIMS FROM FY 93-4	468,279	468,279	0	
EXPENDITURES, TOTAL	31,447,369	31,202,097	-245,272	E
RESERVES/DEFICIT	945,631	352,215	-593,416	F

anticipated $31.8

THE REASON FOR THIS

switch to Expenditures

See Contracts and Local assistance

Comment

Balance of $352,215

We also had anticipated a reserve of $945,631 in January at the end of fiscal year - Now revised downward by ~~some~~ nearly 600,000 to $352,215 = Bottom Line is ~~the~~ year-end projection is now for a balance between Resources and Expenditures

the reason for this

EXPENDITURE SUMMARY DIFFERENCES

A. The revenue projection for January was based on 6 months actual revenue. Revenue dropped below $2 million for the first time in January and only made a slight recovery to $2.3 million in February. The average monthly revenue was therefore lower in April which results in a lower annual projection. (See pages 2 and 3.)

B. The Commission has approved $6,681,350 for Training Contracts, the amount shown in January. As of ~~the~~ this date, ~~of this report~~, actual contracts written only total $5,730,567. It is now appropriate to ~~only~~ reflect actual contracts rather than approved contracts. ~~for~~ With less than 3 months remaining in the fiscal year, it is not possible to obligate the remaining balance. (See pages 4-6 for a comparison of budgeted to actual contracts.)

C. The projection for Training Reimbursements has increased by almost $800,000. This is due to an increase in the annual trainee projection which increases various categories of expense. The projection is based on actual cost per trainee per course category, to date.

D. The annual trainee projection has increased as a result of the last 3 months being above average, which increases the monthly average. The projection is based on a comparison of the actual percentage to date for the last 3 fiscal years in relation to the actual number of trainees reimbursed this fiscal year. ~~(See pages 7-8 to see how the January projection was arrived at. Pages 9-10 are for April.)~~

E The net result of the various expenditure projections is a reduction in expenditures.

F. The "bottom line" of a significant shortfall in revenues and a decrease in expenditures is a reduction in the projected reserve by almost $600,000. The good news is that we are still projecting a reserve of approximately $350,000.

training Contract Savings:
- POSTAC testing System - 230,000
- Basic Narcotic, Basic Motorcycle and Driver training areas.

Thru Dec.

Attachment 1A

File: 9495REV

COMPARISON OF REVENUE BY MONTH

FISCAL YEARS 1993-94 AND 1994-95

	1993-94			1994-95						
MO	PENALTY ASSESMENT FUND	OTHER	CUMULATIVE TOTAL	CUMULATIVE MONTHLY ESTIMATE	PENALTY ASSESSMENT FUND	OTHER **	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST
JUL	2,239,254		2,239,254	2,634,000	2,435,532	2,592	2,438,124	92.56%	2,438,124	92.56%
AUG	2,659,494		4,898,748	5,268,000	2,829,120	4,678	2,833,798	107.59%	5,271,922	100.07%
SEP	2,679,980	3,565	7,582,293	7,902,000	2,666,819	6,558	2,673,377	101.49%	7,945,299	100.55%
OCT	2,670,736		10,253,029	10,536,000	2,488,567	27,102	2,515,669	95.51%	10,460,968	99.29%
NOV	2,559,159	24,366	12,836,554	13,170,000	2,550,039	25,449	2,575,488	97.78%	13,036,456	98.99%
DEC	2,454,936	8,595	15,300,085	15,804,000	2,375,259	12,174	2,387,433	90.64%	15,423,889	97.59%
JAN	2,660,390	31,787	17,992,262	18,576,000			0	0.00%	15,423,889	83.03%
FEB	2,014,175	74,772	20,081,209	21,210,000			0	0.00%	15,423,889	72.72%
MAR	2,421,259	22,851	22,525,319	23,844,000			0	0.00%	15,423,889	64.69%
APR	2,493,236	14,001	25,032,556	26,478,000			0	0.00%	15,423,889	58.25%
MAY	2,216,512	89,476	27,338,544	29,112,000			0	0.00%	15,423,889	52.98%
JUN	3,389,329	46,981	30,774,854	31,884,000			0	0.00%	15,423,889	48.38%
TOT	30,458,460	316,394	30,774,854	31,884,000	15,345,336	78,553	15,423,889	48.38%	15,423,889	48.38%

** - Includes $67,051 from coroner permit fees (per Ch 990/90)

FY 94-5 REVENUE PROJECTION

First 6 months ($15,423,889) x 2=	30,847,778
Projected SMIF	92,222
Total	30,940,000

2

Thru March

File: 9495REV

COMPARISON OF REVENUE BY MONTH

FISCAL YEARS 1993-94 AND 1994-95

	1993-94				1994-95					
MO	PENALTY ASSESMENT FUND	OTHER	CUMULATIVE TOTAL	CUMULATIVE MONTHLY ESTIMATE	PENALTY ASSESSMENT FUND	OTHER **	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST
JUL	2,239,254		2,239,254	2,634,000	2,435,532	2,592	2,438,124	92.56%	2,438,124	92.56%
AUG	2,659,494		4,898,748	5,268,000	2,829,120	4,678	2,833,798	107.59%	5,271,922	100.07%
SEP	2,679,980	3,565	7,582,293	7,902,000	2,666,819	6,558	2,673,377	101.49%	7,945,299	100.55%
OCT	2,670,736		10,253,029	10,536,000	2,488,567	27,102	2,515,669	95.51%	10,460,968	99.29%
NOV	2,559,159	24,366	12,836,554	13,170,000	2,550,039	25,449	2,575,488	97.78%	13,036,456	98.99%
DEC	2,454,936	8,595	15,300,085	15,804,000	2,375,259	12,174	2,387,433	90.64%	15,423,889	97.59%
JAN	2,660,390	31,787	17,992,262	18,576,000	1,952,219	212,516	2,164,735	78.09%	17,588,624	94.68%
FEB	2,014,175	74,772	20,081,209	21,210,000	2,267,572	25,589	2,293,161	87.06%	19,881,785	93.74%
MAR	2,421,259	22,851	22,525,319	23,844,000	2,635,857	49,711	2,685,568	101.96%	22,567,353	94.65%
APR	2,493,236	14,001	25,032,556	26,478,000			0	0.00%	22,567,353	85.23%
MAY	2,216,512	89,476	27,338,544	29,112,000			0	0.00%	22,567,353	77.52%
JUN	3,389,329	46,981	30,774,854	31,884,000			0	0.00%	22,567,353	70.78%
TOT	30,458,460	316,394	30,774,854	31,884,000	22,200,984	366,369	22,567,353	70.78%	22,567,353	70.78%

** - Includes $150,403 from coroner permit fees (per Ch 990/90)

FY 94-5 REVENUE PROJECTION

First 9 months: ($22,200,984) /9 x 12 =	29,601,312
Projected Other Rev (interest & fees)	500,000
Total	30,101,312

w

COMMISSION ON POST
CONTRACT SUMMARY
FISCAL YEAR 1994-95

FILE: 945CONTR

A. BUDGETED TRAINING CONTRACTS		BUDGET	ACTUAL
Management Course		308,892	
011-05	CSU Humboldt		63,636
011-04	CSU Long Beach		80,695
011-03	CSU Northridge		28,622
011-06	SDRTC		81,255
011-07	San Jose State Foundation		57,188
Executive Training		534,453	
011-01	SDRTC		534,453
Supervisory Ldrship Inst		406,357	
011-13	CSU Long Beach Foundation		406,357
DOJ Training Center		927,884	
011-08	Dept of Justice		927,884
Satellite Video Tng		54,000	
011-14	San Diego State Univ		54,000
Case Law Updates		52,000	
011-17	Alameda County DA		25,000
011-18	Golden West College		25,000
Telecourse Programs		530,000	
011-12	San Diego State		530,000
Basic Course Prof Exam		37,290	
011-10	CPS		40,374
Misc		139,124	
	Various contracts under $10,000		66,110
		2,990,000	2,920,574

B. ADDITIONAL AUTHORIZED TRAINING CONTRACTS	BUDGET	ACTUAL
1. POSTRAC Testing System	(230,000)	deferred
2. Master Instructor Program	90,513	
011-24 San Diego Regional Tng Center		90,513
3. ICI Instructor Dev	45,000	
011-49 SDRTC		45,000
4. PC 832 IVD Revision	266,806	
011-25 CAE Link		266,806
5.	0	
6. PC 832 Exam	78,470	
011-11 CPS		78,880
7.	0	0
8. Driver Tng Simulators	259,818	
011-48 County of San Bern		104,495
011-50 Los Angeles County		83,993
011-51 San Jose PD		71,330
9. ICI Core Course		
011-45 SDRTC	120,000	105,756
011-53 Sac Pub Saf Cntr	120,000	108,600
10. Fellowship (LA County #94-011-81)	0	60,005
11. Spanish Language Training	127,000	0
12. Reserve for misc contracts (011-20)	186,530	99,381
13. Cultural Diversity Training (011-16, SDRTC)	53,800	53,799
Sub-total, B	1,347,937	1,168,558

Savings
230,500

C. TUITION COURSES TO CONTRACTS		2,343,413	
1. Basic Narcotics			
011-19	Gavilan College		33,660
011-37	Orange Co SD		59,625
2. Basic Motorcycle			
011-36	San Mateo PD		55,660
011-46	San Bern PD		(See #3)
011-	San Diego PD		pending
011-44	San Diego PD		69,060
011-41	Los Angeles PD		72,510
011-43	Long Beach PD		55,484
011-42	CHP		196,380
3. Driver Training			
011-46	San Bern PD		644,196
011-15	Alameda County SD		22,610
011-35	Oakland PD		30,400
011-60	Los Medanos		38,760
011-61	SF PD		32,300
011-66	Evergreen Valley College		64,600
011-67	Gavilan College		16,150
011-68	Allan Hancock College		3,230
011-69	SD PD		87,210
011-70	Ventura Co CJPT		95,000
011-76	Butte Center		64,600
	Sub-total, C	2,343,413	1,641,435
	Sub-total, B & C	3,691,350	2,809,993
	TOTAL, ALL CONTRACT	6,681,350	5,730,567

FUNDING SOURCES

Training Contracts Budget	3,100,000
Transfer from Trng Reimb	3,581,350

File: REIMTRN3

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
PERCENT OF ANNUAL TOTAL
REIMBURSED TRAINEES THRU DECEMBER

COURSE CATEGORY	1991-92	1992-93	1993-94	AVERAGE	TOTALS TO DATE	FY 94-5 ANNUAL PROJECTION
BASIC	46%	54%	53%	51%	451	884
DISPATCHERS BASIC	48%	45%	42%	45%	172	382
ADVANCED OFF	34%	30%	48%	37%	1,541	4,128
SUPERVISORY CRS	39%	43%	45%	42%	160	378
SUP SEMINARS	46%	46%	41%	44%	1,573	3,548
MGMT COURSE	26%	25%	44%	32%	90	284
MGMT SEMINARS	43%	43%	45%	44%	764	1,750
EXEC DEV CRS	39%	34%	50%	41%	200	488
EXEC SEMINARS	47%	43%	41%	44%	142	325
OTHER REIMB CRS	69%	37%	94%	67%	0	~~0~~ 36
TECH SKILLS	50%	44%	42%	45%	15,274	33,693
FIELD MGMT	46%	43%	38%	42%	7	17
TEAM BLDG	39%	41%	33%	38%	255	677
POST SPEC SEM	36%	46%	34%	39%	214	553
APPROVED CRS	47%	67%	15%	43%	31	72
TOTALS	50%	50%	47%	44%	20,874	~~47,179~~ 47,215
ANNUAL TOTAL	60,055	54,015	45,658			
TOTAL THRU DEC	30,208	25,531	19,628			

COMMISSION ON POST
REIMBURSEMENT BY CATEGORY OF EXPENSE
FY 94-95 REIMBURSEMENT PROJECTION
(AS OF 12-31-94)

COURSE CATEGORY	## OF TRAINEES	RESIDENT SUBSIST	CMTR MEAL ALLOWANCE	TRAVEL	TUITION	TOTAL
BASIC CRS	884	269,148	206,170	159,377	232,120	866,814
DISPATCHERS BASIC	382	153,317	17,590	39,899	0	210,806
AO COURSE	4,128	164,702	103,058	68,563	0	336,324
SUPV CRS	378	221,331	7,794	43,198	0	272,323
SUPV SEM & CRS	3,548	726,596	17,900	337,922	401,391	1,483,808
MANAGEMENT CRS	284	226,373	3,282	41,600	0	271,255
MGMT SEM & CRS	1,750	161,985	12,699	76,061	245,404	496,149
EXEC DEV COURSE	488	209,437	0	81,547	0	290,985
EXEC SEM & CRS	325	49,633	1,520	15,650	0	66,804
OTHER REIMB CRS	36	9,180	720	2,880	0	12,780
TECH SKILLS	33,693	4,681,459	289,591	1,448,245	1,957,666	8,376,961
FIELD MGMT TNG	17	13,530	0	6,560	0	20,090
TEAM BLDG WKSHPS	677	111,856	3,823	6,608	162,858	285,145
SPECIAL SEMINARS	553	90,242	2,212	55,827	0	148,282
APPROVED COURSES	72	3,407	3,493	1,958	0	8,858
TOTAL	47,215	7,092,197	669,852	2,385,896	2,999,438	13,147,383
					Misc	8,357
						13,155,740

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

File: REIMTRN3

PERCENT OF ANNUAL TOTAL

REIMBURSED TRAINEES THRU MARCH

COURSE CATEGORY	1991-92	1992-93	1993-94	AVERAGE	TOTALS TO DATE	FY 94-5 ANNUAL PROJECTION
BASIC	78%	79%	66%	74%	1,109	~~1,492~~ 1,542
DISPATCHERS BASIC	61%	69%	70%	67%	209	314
ADVANCED OFF	46%	58%	78%	61%	2,586	4,263
SUPERVISORY CRS	55%	74%	61%	63%	290	458
SUP SEMINARS	70%	69%	71%	70%	2,351	3,359
MGMT COURSE	60%	64%	78%	67%	164	244
MGMT SEMINARS	71%	69%	65%	68%	1,297	1,898
EXEC DEV CRS	63%	58%	71%	64%	375	586
EXEC SEMINARS	68%	59%	63%	63%	255	403
OTHER REIMB CRS	79%	72%	100%	84%	0	10
TECH SKILLS	74%	67%	68%	70%	23,929	34,348
FIELD MGMT	83%	70%	84%	79%	8	10
TEAM BLDG	76%	71%	78%	75%	434	579
POST SPEC SEM	71%	64%	65%	67%	355	533
APPROVED CRS	64%	78%	39%	60%	38	63
TOTALS	65%	65%	68%	69%	33,400	~~48,557~~ 48,610
ANNUAL TOTAL	60,055	54,015	45,658			
TOTAL THRU MAR	38,888	34,896	31,254			

COMMISSION ON POST
REIMBURSEMENT BY CATEGORY OF EXPENSE
FY 94-95 REIMBURSEMENT PROJECTION
(AS OF 3-31-95)

FILE: 945PROJ3

COURSE CATEGORY	## OF TRAINEES	RESIDENT SUBSIST	CMTR MEAL ALLOWANCE	TRAVEL	TUITION	TOTAL
BASIC CRS	1,542	424,587	349,257	240,305	391,489	1,405,637
DISPATCHERS BASIC	314	145,409	13,942	35,105	0	194,456
AO COURSE	4,263	130,839	106,453	57,664	0	294,956
SUPV CRS	458	234,728	13,549	47,965	0	296,242
SUPV SEM & CRS	3,359	679,335	14,745	319,231	386,345	1,399,656
MANAGEMENT CRS	244	191,351	2,857	35,869	0	230,077
MGMT SEM & CRS	1,898	201,298	11,976	88,877	264,343	566,493
EXEC DEV COURSE	586	263,412	425	95,055	0	358,893
EXEC SEM & CRS	403	81,586	1,100	25,553	9,921	118,160
OTHER REIMB CRS	10	9,180	720	2,880	0	12,780
TECH SKILLS	34,348	4,931,566	287,393	1,474,514	1,960,677	8,654,148
FIELD MGMT TNG	10	13,530	0	6,560	0	20,090
TEAM BLDG WKSHPS	579	99,495	2,914	5,383	145,487	253,279
SPECIAL SEMINARS	533	81,087	2,654	45,144	0	128,885
APPROVED COURSES	63	3,236	2,799	2,198	0	8,233
TOTAL	48,610	7,490,639	810,783	2,482,304	3,158,261	13,941,987
			MISC (SALARY & TRAINING AIDS TECH)			5,264
						13,947,251

FILE: PROSUM

COMMISSION ON POST
FISCAL YEAR 1994-95
(as of 3-31-95)

EXPENDITURE SUMMARY

	JANUARY	APRIL	DIFFERENCE	
RESOURCES	32,393,000	31,554,312	-838,688	A
Revenue Projection	30,940,000	30,101,312	-838,688	
Transfer from the General Fund	1,453,000	1,453,000	0	
EXPENDITURES:				
ADMINISTRATION	10,032,000	9,946,000	-86,000	
TRAINING CONTRACTS/LA	7,791,350	6,840,567	-950,783	B
Contracts	6,681,350	5,730,567	-950,783	
Letters of Agreement	1,000,000	1,000,000	0	
Conf Room Rental	110,000	110,000	0	
TRAINING REIMBURSEMENT	13,624,019	14,415,530	791,511	C
Trainees	(47,215)	(48,610)	(1,395)	D
Subsistence	7,092,197	7,490,639	398,442	
Commuter meals	669,852	810,783	140,931	
Travel	2,385,896	2,482,304	96,408	
Tuition	2,999,438	3,158,261	158,823	
Training Aids Residual	8,357	5,264	-3,093	
sub-total	13,155,740	13,947,251	791,511	
Reimbursement Resources Available for				
Training Development	0	0	0	
Training Presentation (Plan V)	0	0	0	
Satellite Antennas/IVD	0	0	0	
REIMBURSEMENT CLAIMS FROM FY 93-4	468,279	468,279	0	
EXPENDITURES, TOTAL	31,447,369	31,202,097	-245,272	E
RESERVES/DEFICIT	945,631	352,215	-593,416	F

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Management Course Contracts for Fiscal Year 1995/96		Meeting Date April 20, 1995
Bureau Center for Leadership Development	Reviewed By Tom Hood for Bob Fuller	Researched By Tom Hood
Executive Director Approval Norman C. Boehm	Date of Approval 4-4-95	Date of Report April 4, 1995
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 Management Course contracts for fiscal year 1995/96 are presented to the Commission for review and final approval. Total maximum cost is $308,649 for 20 presentations.

BACKGROUND

Staff has contacted each coordinator representing the five contract presenters for the Management Course. A need has been identified for 20 contract course presentations during fiscal year 1995/96.

ANALYSIS

Course costs are consistent with POST guidelines. Required learning goals are being satisfactorily presented by each contractor. The fiscal year 1995/96 contract costs for presentations will not exceed a total of $308,649. This represents a slight decrease over the fiscal year 1994/95 amount of $308,892. Administrative adjustments on the part of some presenters accounts for this decrease. The following costs have been agreed to by the presenters:

California State University - Long Beach Beach Foundation: 5 presentations	$80,695.
California State University - Northridge Foundation: 2 presentations	$28,166.
Humboldt State University: 4 presentations	$64,208.
San Diego Regional Training Center: 5 presentations	$77,960.
San Jose State University Foundation: 4 presentations	$57,620.

The costs are for instructors, site, travel, and materials. A minimum of 400 law enforcement middle managers will attend the 20 presentations during fiscal year 1995/96.

RECOMMENDATION

Authorize the Executive Director to enter into contract agreements with the five contractors to present 20 presentations of the Management Course during fiscal year 1995/96 not to exceed total contract costs of $308,649.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Command College, Executive Training, and Executive Development Course Contract FY 1995/96		Meeting Date April 20, 1995
Bureau Center for Leadership Development	Reviewed By Robert D. Fuller	Researched By Beverly Short
Executive Director Approval Norman C. Boehm	Date of Approval 3-28-95	Date of Report March 3, 1995

Purpose:

[X] 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 Command College and Executive Training Contract in the amount of $537,629 for fiscal year 1995/96 is presented to the Commission for review and approval.

BACKGROUND

Nineteen classes have now graduated from the Command College. Four classes are continually in session. Class 24 will begin July 9, 1995. A total of 19 workshops are scheduled for presentation during the 1995/96 fiscal year.

The contract will provide the necessary support to present the 19 Command College workshops which include site, materials, facilitators, continuous development and faculty costs. In addition, funds will be used for Independent Study Project Committee meetings, academic consultants, and project grading; grading of intersession (homework) assignments; training of academic consultants; continuous redesign of workshops and keeping instruction current with case studies, writing special study briefs, etc; selection and orientation of new instructors; and completion of semi-annual assessment centers for the selection of students.

The contract also includes funds for the development and presentation of training seminars for sheriffs, chiefs of police, and senior managers; includes development and presentation of five 80-hour Executive Development Courses; and development and presentation of an annual Leadership Conference.

ANALYSIS

The two-year Command College continues to receive widespread support from law enforcement both nationally and internationally.

Chiefs and sheriffs continually request management and executive training seminars on a variety of contemporary issues. Seminars continue to be presented in response to training needs for the Sheriffs' Workshop Series, New Police Chiefs' Orientation, Area Training Seminars, Problem-solving Seminars, Small Agency Chiefs,

Contract City Commanders, and Large City Commanders. The newly designed Labor Management Institute is another example of the ongoing training and development being conducted in response to local law enforcement's needs.

The contract cost for five presentations of the Executive Development Course for fiscal year 1995/96 under the San Diego contract is the same as the past two fiscal years and covers costs for instructors, coordination, facilities, and materials as allowed by tuition guidelines.

The combined total contract maximum cost for the Command College, management and executive training seminars, and the Executive Development Course is $537,629, only $3,176 more than 1994/95 F.Y.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the San Diego Regional Training Center to provide support for the Command College, management and executive training seminars, and Executive Development Course at a maximum cost of $537,629 for fiscal year 1995/96.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Supervisory Leadership Contract Fiscal Year 1995/96		Meeting Date April 20, 1995
Bureau Center for Leadership Development	Reviewed By Robert H. Fuller	Researched By Tom Hood
Executive Director Approval Norman C. Boehm	Date of Approval 4/4/95	Date of Report April 4, 1995

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 Supervisory Leadership Institute contract for fiscal year 1995/96 is presented to the Commission for review and final approval. The total maximum cost is $473,320.

BACKGROUND

The Commission expanded the Supervisory Leadership Institute from four classes to six classes in fiscal year 1990/91. The cost for six classes in fiscal year 1993/94 was $406,357. The Commission approved the addition of one more class in January 1995. Each class of the Institute is eight months in length with eight three-day workshops presented at monthly intervals.

The fiscal year 1995/96 contract in the amount of $473,320 reflects the addition of one class and provides for seven classes to run throughout the year.

ANALYSIS

The Supervisory Leadership Institute continues to receive widespread support from law enforcement. The number of applications, awaiting class assignment, is approaching seven hundred. Applications continue to arrive weekly.

The seven classes will continue to provide law enforcement with a cadre of first line supervisors who have an opportunity to incorporate and practice the values and principles of leadership within their respective agencies.

The 1995/96 contract reflects an increase over fiscal year 1994/95 due to the addition of one additional class per eight month session.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the CSU, Long Beach Foundation to provide administrative services for the Supervisory Leadership Institute. These services include instructors, facility rental, coordination, instructor development, supplies and equipment at a maximum cost of $473,320 for fiscal year 1995/96.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Department of Justice Contract for Fiscal Year 1995/96		Meeting Date: April 20, 1995
Bureau: Training Delivery & Compliance Bureau	Reviewed By: Ronald T. Allen	Researched By: Bob Spurlock
Executive Director Approval: Norman C. Boehm	Date of Approval: 3.31.95	Date of Report: March 29, 1995

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

Approval of an Interagency Agreement (IAA) between POST and the Department of Justice Advanced Training Center in the amount of $1,024,803 to cover the cost of training delivery services for Fiscal Year 95/96.

BACKGROUND

POST has contracted with the Department of Justice to present certified courses since 1974. The amount of the agreement each year has been based upon actual presentation costs to DOJ for instruction, coordination, clerical support, supplies and travel. Courses included in the contract are based on training needs assessment information and agency feedback. Individual course budgets are developed in accordance with existing certification requirements.

ANALYSIS

The amount proposed this year, $1,024,803, represents an increase of $78,403. This amount reflects direct and indirect costs to train 3,067 students in 21 different technical courses (as detailed in attachments A and B).

The cost changes are due largely to increases in hotel meeting room costs. Changes in number of course offerings, and minor salary adjustments for instructors who are state employees.

Increases in individual course costs reflect changes in presentation locations initiated at POST's request, direct increases in the cost of student materials and rental costs for essential instructional support equipment. Changes to certification conditions are limited to minor adjustments to total numbers of students, total instructional hours, or to the aggregate number of course presentations authorized.

A summary of the proposed changes from last year are:

- An increase in conference room rates from $100 to $200 per day and instructor travel to remote locations.
- Reduction in number of offerings of the Crime Analysis and Officer Involved Shootings courses and increases in the number of offerings of the Basic Elements of Criminal Intelligence Course, Dignitary Security Course, and Electronic Surveillance Course.
- Certification of two new and highly requested courses in Community Oriented Policing and Drug Traffic Interdiction.
- Decreased number of offerings of Modular training from 35 to 25 to closely reflect projected demand.
- Increase in hourly instructional costs for State employee instructors by 3 percent.

The proposed changes are described in Attachment A and projected presentation costs are detailed in Attachment B.

RECOMMENDATION

Authorize the Executive Director to enter into an interagency agreement with the Department of Justice to present the described training courses for an amount not to exceed $1,024,803.

ATTACHMENT A

DOJ CONTRACT FOR FISCAL YEAR 1995/96
DESCRIPTION OF PROPOSED CHANGES

COURSE TITLE	CURRENT STATUS	PROPOSED CHANGE	1994/95 CONTRACT	1995/96 PROPOSED
Advanced Financial Investigation	32 hrs/1 class 24 students/class 24 total trainees	Increase to 25 students	$ 6,945	$ 6,864 **<-$ 81>**
Basic Elements of Criminal Intell.	36 hrs/3 classes 30 students/class 90 total trainees	Increase to 4 classes	$23,832	$35,952 **(+$12,120)**
CAMP Supervision and Field Ops	53 hrs/1 class 24 students/class 24 total trainees	Helicopter Fuel & Instr. Donated	$9,727	$2,643 **<-$ 7,084**
Clandestine Lab Investigation	32 hrs/5 classes 30 students/class 150 total trainees	Increase room rental/Instr. Travel	$48,300	$52,686 **(+$ 4,386)**
Commander (Vice/ Narcotics/Intell)	36 hrs/3 classes 20 students/class 60 total trainees	No change	$23,943	$23,943 **(+$ 15)**
Crime Analysis, Expanded Applic.	36 hrs/2 classes 20 students/class 40 total trainees	Decrease to 1 class	$18,184	$ 8,723 **<-$ 9,461>**
Dignitary Security	36 hrs/5 classes 28 students/class 140 total trainees	Increase to 6 classes	$53,375	$63,798 **(+$10,423)**

COURSE TITLE	CURRENT STATUS	PROPOSED CHANGE	1994/95 CONTRACT	1995/96 PROPOSED
Drug ID/Influence (11550)	32 hrs/5 classes 50 students/class 300 total trainees	Increase Instr. Salary & travel	$62,380	$65,790 **(+ $ 3,410)**
Economic Crime Investigation	36 hrs/3 classes 24 students/class 72 total trainees	Increase due to more handouts	$23,181	$25,341 **(+$ 2,160)**
Electronic Surveillance	24 hrs/2 classes 24 students/class 48 total trainees	Increase 3 classes & classroom Rental	$ 8,556	$ 16,428 **(+$ 7,872)**
Financial Invest/ Asset Forfeiture	36 hrs/5 classes 30 students/class 150 total trainees	Reduce to 3 classes	$ 54,885	$ 27,990 **<$26,985>**
Informant Development	32 hrs/8 classes 26 students/class 208 total trainees	Increase in Instr. travel	$ 59,976	$ 61,856 **(+$ 1,880)**
Investigation of Homicide	36 hrs/4 classes 24 students/class 96 total trainees	Transi-tion to ICI course	$ 56,992	$ 71,036 **(+$ 14,044)**
Investigation of Officer-Involved Shootings	32 hrs/10 classes 24 students/class 240 total trainees	Decrease to 8 classes	$ 86,540	$ 79,912 **<-$ 6,628>**
Modular Training (Various Topics)	8 hrs/35 classes 30 students/class 1050 total trainees	Decrease 25 classes	$ 42,385	$ 40,500 **<-$ 1,885>**
Narcotics Investigation	80 hrs/11 classes 24 students/class 264 total trainees	Increase in Instr. Travel & Handouts	$249,183	$254,562 **(+$ 5,379)**
Narcotics Trng. Training for Trainers	60 hrs/2 classes 16 students/class 32 total trainees	Increase in Instr. Travel	$ 36,966	$37,588 **(+$,622)**

COURSE TITLE	CURRENT STATUS	PROPOSED CHANGE	1994/95 CONTRACT	1995/96 PROPOSED
Specialized Surveillance Equipment	36 hrs/7 classes 16 students/class 112 total trainees	Increase due to classroom rental	$48,664	$ 55,468 **(+$ 6,824)**
Thermal Imagery	50 hrs/2 classes 22 students/class 44 total trainees		$ 32,386	$ 32,386
Drug Traffic Interdiction	32 hrs/2 classes 24 students/class 48 total Trainees	New course	$ 0	$ 18,500
Community Oriented Policing for Managers	16 hrs/10 classes 24 students/class 240 students	New course		$ 42,820

CURRENT CONTRACT AMOUNT 1994/95	$ 946,400
PROPOSED CONTRACT FOR FISCAL YEAR 1995/96	$1,024,803
NET DIFFERENCE	**(+$ 78,408)**

POST CONTRACT - 1995/96 FISCAL YEAR

	NBR PRS	INSTRU	GEN.	PRESEN	CLERIC	PRINT.	SUPPLI	EQUP	COOR. TRAVEL	INST. TRAVEL	MISC	SUB-TOTAL	15% IND	PER PRES	TOTAL COST
Adv. Financial Inv.	1	1952	200	640	500	450	351	-	785	690	400	5968	896	6864	6864
Basic Elements	4	1688	250	720	500	840	1004	-	703	1610	500	7815	1173	8988	35952
CAMP Survival	1	-	-	-	100	84	284	-	1830	-	-	2298	345	2643	2643
Clan Drug Lab.	6	1872	200	640	500	900	713	-	440	1570	800	7635	1146	8781	52686
Commander	3	2002	250	720	500	160	185	100	618	1909	500	6944	1042	7986	23958
Crime Ana-Ex.App.	1	2790	250	720	500	240	25	-	910	1650	500	7585	1138	8723	8723
Dignitary Security	6	3600	250	720	500	140	259	500	677	1420	1180	9246	1387	10633	63798
Drug Ident. & DI	5	2229	250	720	500	975	1363	-	760	3544	1100	11441	1717	13158	65790
Economic Crime Inv.	3	2056	200	720	500	768	534	-	617	1450	500	7345	1102	8447	25341
Electronic Surv.	3	880	150	320	400	461	822	25	404	1099	200	4761	715	5476	16428
Finan. Invest./Drug	3	2112	250	720	500	1488	414	-	670	1459	500	8113	1217	9330	27990
Homicide/Death Inv.	4	5288	500	1600	1000	1004	558	-	1260	3232	1000	15442	2317	17759	71036
Informant Dev.& Ma.	8	1940	200	640	500	200	241	100	760	1742	400	6723	1009	7732	61856
Inv. of Officer Inv.	8	3064	250	640	500	1056	750	38	667	1221	500	8686	1303	9989	79912
Modular Training	25	440	50	-	120	-	548	-	-	250	-	1408	212	1620	40500
Narcotic Invest.	11	10418	500	1600	1000	1001	786	-	351	3827	640	20123	3019	23142	254562
Narc. Trng.-T-4-T	2	3634	375	1200	1000	6096	2250	-	20	1520	247	16342	2452	18794	37588
Spec. Surv. Equip.	7	2366	250	720	500	300	644	-	-	1610	500	6890	1034	7924	55468
Thermal Imagery	2	762	500	1000	500	836	578	1895	950	5425	1635	14081	2113	16194	32388
													Sub-Total		(963483)
PROPOSED NEW COURSES:															
Comm.Orn.Po..(COP)	10	880	100	320	400	480	518	-	345	480	200	3723	559	4282	42820
Drug Trafficking	2	652	200	640	500	564	342	2280	925	1540	400	8043	1207	9250	18500

TOTALS GRAND TOTAL 1024803

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Authority to Broadcast Video Training Tapes		Meeting Date April 20, 1995
Bureau Training Program Services	Reviewed By Otto Saltenberger	Researched By Bill Masters
Executive Director Approval Norman C. Boehm	Date of Approval 3-30-95	Date of Report March 1, 1995

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

Request Commission review and final approval of an interagency agreement with San Diego State University for an amount not to exceed $60,000 to assemble and broadcast twelve videotape training programs during Fiscal Year 1995-96.

BACKGROUND

The Commission approved a $54,000 contract with San Diego State University for 12 satellite broadcasts of videotape training programs during 1994-95. Eight of the broadcasts have been completed with the remaining four scheduled for one each month through June 1995. The broadcasts are being recorded and used by law enforcement agencies for training of their personnel. Feedback from the field continues to be highly commendatory, and the Commission is encouraged to continue this program.

In March of this year, satellite transponder time increased by $500 per program or $6,000 per year for twelve programs. The increase is due to a current capacity shortage and increased demand for both C-band and Ku-band frequencies. An additional $6,000 will be necessary in the 1995-96 budget for satellite broadcasts.

ANALYSIS

Broadcasting of training programs via satellite has proven to be an effective method of delivery. Each two-hour broadcast contains at least four agency-produced videotapes and four segments of Case Law Updates, two each produced by the Alameda County District Attorney's Office and Golden West College. Over 400 tapes have been presented via satellite since the series began in December of 1988. This method of distribution has greatly expanded the use of existing videotaped material and helped to improve the effectiveness of training programs overall.

RECOMMENDATIONS

It is recommended that the Executive Director be authorized to sign a new contract with San Diego State University in an amount of $60,000 for the assembly and transmission of twelve training tape satellite broadcasts during the 1995-96 fiscal year.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Authority to Produce Case Law Update Satellite Programs		Meeting Date April 20, 1995
Bureau Training Program Services	Reviewed By Otto Saltenberger	Researched By Bill Masters
Executive Director Approval Norman C. Boehm	Date of Approval 3.31.95	Date of Report March 1, 1995
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

Request Commission review and final approval to enter into contracts with Alameda County District Attorney's Office and Golden West College for an amount not to exceed $52,000 to produce 24 Case Law Update training programs each during Fiscal Year 1995-96.

BACKGROUND

The Commission approved $52,000 for contracts with Alameda County District Attorney's Office and Golden West College for the production of 24 Case Law Update training programs each during 1994-95. Sixteen programs from each producer have been included in monthly POST videotape training broadcasts so far, with eight from each producer scheduled for use during the remainder of this fiscal year. The reaction to the new segments has been favorable, and the Commission is encouraged to continue this program.

ANALYSIS

Case Law Updates were added to POST satellite broadcasts to provide current information on recent court decisions to all California law enforcement agencies. The presenters include three assistant district attorneys and an Orange County Superior Court judge. The subject matter has been coordinated by POST staff to avoid duplication of production efforts. Cases chosen are recent and applicable to the needs of the law enforcement community. The addition of these updates has greatly increased the effectiveness of the videotape training broadcasts.

RECOMMENDATIONS

It is recommended that the Executive Director be authorized to sign new contracts with the Alameda County District Attorney's Office and Golden West College each in the amount of $26,000, for a total of $52,000, for the production of 24 Case Law Updates each during the 1995-96 fiscal year.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Authority to Produce and Broadcast the 1995-96 Telecourse Programs		Meeting Date April 20, 1995
Bureau Training Program Services	Reviewed By Otto Saltenberger	Researched By Ray Bray
Executive Director Approval Norman C. Boehm	Date of Approval 3.31.95	Date of Report February 15, 1995

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

Request authority for the Executive Director to enter into an interagency agreement with San Diego State University, for distance learning telecourse training programs for fiscal year 1995-96 in an amount not to exceed $530,000.

BACKGROUND

During fiscal year 1994-95, POST will have produced and presented a total of 12 telecourses. At this time it appears that the costs for producing these programs will not exceed the costs allocated for the current fiscal year of $530,000.

One specialized training video (News Media Relations) was completed during the 94/95 fiscal year. Additionally, the contract resources were used to accommodate an increase in duplication charges. It is assumed that the existing need to complete additional, but unspecified projects and training broadcasts in the upcoming fiscal year will continue.

The production and presentation of satellite telecourses continues to be a valuable, effective training medium. The law enforcement community has enthusiastically accepted the medium, as evidenced by positive evaluations and many unsolicited calls requesting topics for future broadcasts. Moreover, 429 law enforcement agencies currently possess satellite receivers provided by the Commission and each year program demand increases.

ANALYSIS

It is proposed to again produce 12 telecourses and specialized videos during the 1995/96 fiscal year. Subject matter for the planned telecourses programs are drawn from a variety of contemporary law enforcement issues, legislative mandates and from topics requested by officers on their evaluations of recently viewed telecourses.

San Diego State University's KPBS Public Broadcasting has provided POST with excellent production capability. Their management, scriptwriters, producers, directors, and camera operators have adapted well and support POST's demand for high quality law enforcement programming.

RECOMMENDATION

Authorize the Executive Director to contract with San Diego State University for production of telecourses and specialized training videos in an amount not to exceed $530,000.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Master Instructor Development Program Contract for 1995-96		Meeting Date April 20, 1995
Bureau Training Program Services	Reviewed By Otto Saltenberger	Researched By Don Moura
Executive Director Approval Norman C. Boehm	Date of Approval 4-4-95	Date of Report March 27, 1995
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

Request the Commission review and authorize the Executive Director to enter into a contract for the Master Instructor Development Program in the amount of $78,839 for fiscal year 1995-96.

BACKGROUND

This is a renewal of the contract that was in effect for FY 1994-95, for which eight Master Instructor Development Program Workshops were conducted. The San Diego Regional Training Center (SDRTC) was granted a contract for FY 1994-95, and effectively presented all of the program offerings. The current year contract amount is $90,513.

Each Master Instructor Program Class consists of five workshops over a twelve month period which transcends fiscal years. The program trains and develops instructors to the Master Instructor level. Individuals completing the program then train novice and journeymen level instructors in POST developed instructor development courses. The Master Instructor Program is the key to the Commission's emphasis on improving the quality of instruction for law enforcement.

The San Diego Regional Training Center has provided POST with superior presentation support and meets POST's demand for high quality law enforcement training.

ANALYSIS

The Master Instructor Development Program continues to receive support from the law enforcement training community. The program is starting to receive recognition nationally as evidenced by the enrollment and pending graduation of one candidate from the Federal Law Enforcement Training Center (FLETC), and many inquiries from other states.

This 1995-96 contract would provide for approximately 45 total trainees four of five workshops needed for Class #4, two of five workshops for class #5, and an annual update for graduates of Classes #1, #2, and #3 of the Master Instructor Development Program (See Attachment A). The contract will provide the necessary support to present the program workshops which include site, facilitator, facilities, materials, equipment, academic consulting during and between workshops, project/elective review, student and class progress reports, student recruitment and selection, program assignments review, and continuous program development and update.

It is proposed this contract be continued in Fiscal Year 1995-96 with costs not to exceed $78,839. The reduced amount reflects a reduction in the number of projected annual workshops for Fiscal Year 1995-96.

RECOMMENDATION

Authorize the Executive Director to enter into a new contract with the San Diego Regional Training Center to provide support for the Master Instructor Development Program in an amount not to exceed $78,839 for Fiscal Year 1995-96.

San Diego Regional Training Center
Contract #

Attachment A

REGIONAL TRAINING CENTER

DESCRIPTION OF SERVICES AND BUDGET

1. Contractor will provide Master Instructor Development Program workshops, facilitator, facilities, materials, equipment, academic consulting during and between workshops, project/elective review, student and class progress reports, program assignments review, and continuous program development and update. There are seven (7) workshops scheduled for the Master Instructor Development Program between July 1, 1995 and June 30, 1996.

2.

Master Instructor Development Workshops	Costs
Class #4, Master Instructor Core Course September 11-22, 1995	$ 17,136
Class #4, Project/Learning Contract Development Workshop November 6-9, 1995	8,300
Class #4, Progress Workshop #1 January 17-19, 1996	7,400
Class #5, Master Instructor Core Course March 11-22, 1996	17,136
Class #4, Progress Workshop #2 April 17-19, 1996	7,400
Class #5, Project/Learning Contract Development Workshop May 20-23, 1996	8,300
Master Instructor Update May 15-17, 1996	6,000
TOTAL	$ 71,672
INDIRECT COSTS @ 10%	7,167
CONTRACT TOTAL	$ 78,839

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Robert Presley Institute of Criminal Investigation Core Course Contract FY 1995/96		Meeting Date: April 20, 1995
Bureau: Training Program Services	Reviewed By: Otto Saltenberger	Researched By: Neil Zachary
Executive Director Approval: Norman C. Boehm	Date of Approval: 3.31.95	Date of Report: February 22, 1995
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

Request Commission review and authorize the Executive Director to enter into a contract for the delivery of the Robert Presley Institute of Criminal Investigation (ICI) Core Course in the amount not to exceed $300,000 for fiscal year 1995-96.

BACKGROUND

This is a renewal of the contract that was in effect for FY 1994/95, for which eight presentations of the ICI Core Course were conducted. The San Diego Regional Training Center (SDRTC) and the Sacramento Public Safety Center (SPSC) were granted contracts for FY 1994-95, and effectively presented all of the Core Course offerings. SPSC presented four offerings in the north central part of the state and SDRTC presented four offerings in the southern.

All sessions of the Core Course in FY 1994/95 are full, and there is currently a waiting list of 80 students to take the course. During the first two years of the ICI program, there has been a lack of participation by agencies surrounding the San Francisco Bay, possibly due to the geographic offerings of the course. Therefore, to accommodate the abundance of students and to encourage involvement of Bay Area agencies, it is recommended that two additional offerings be presented in the Bay Area. SDRTC has consented to sponsor the Bay Area offerings.

It is requested that the Executive Director be authorized to enter into contract with SDRTC and SPSC for the delivery of ten offerings of the Core Course, four in the southern part of the state, four in the north central part, and two in the Bay Area, in the amount not to exceed $300,000.

ANALYSIS

The ICI Core Course is presented using the adult experiential learning concepts which have proven to be an excellent method of instruction. Trainees are challenged to learn and perform in realistic role-play exercises and practical simulations. The Core Course is a recommended prerequisite to all other

courses in the ICI program and is therefore the foundation upon which all other courses are built.

Because local agencies are currently experiencing fiscal constraints, they are finding it difficult to front tuition costs for the Core Course. It is requested that the Commission continue to approve paying the presentations costs of the Core Course directly to the presenter, on a per student basis.

RECOMMENDATION

Authorize the Executive Director to enter into a new contract with the San Diego Regional Training Center and Sacramento Public Safety Center, for delivery of ten ICI Core Courses. Payment for course delivery will be made directly to the presenter on a per student basis.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Request for Contract to Continue the Institute of Criminal Investigation Instructors' Update Workshops		Meeting Date: April 20, 1995
Bureau: Training Program Services	Reviewed By: Otto Saltenberger	Researched By: Neil Zachary
Executive Director Approval: Norman C. Boehm	Date of Approval: 3.31.95	Date of Report: February 22, 1995

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

Request the Commission review and authorize the Executive Director to enter into a contract with the San Diego Regional Training Center to continue the Robert Presley Institute of Criminal Investigation (ICI) Instructors' Update Workshops and conduct six course evaluation meetings at a cost not to exceed $46,000.

BACKGROUND

The Commission authorized special training during FY 1994-95, for instructors of the Robert Presley Institute of Criminal Investigation (ICI) so that the ICI Core and Foundation Specialty Courses are designed and taught using the adult experiential learning concepts. To ensure that all ICI instructors understand and are competent with the adult experiential learning concept, a 40-hour ICI Instructors' Update Workshop was designed and presented. There are approximately 25 instructors and group facilitators required for the Core Course, and the 11 Foundation Specialty Courses require approximately 100 additional instructors.

Three ICI Instructors' Update Workshops were presented under FY 1994/95 contracts and Several instructor evaluation meetings have been completed, with others scheduled for this fiscal year. A total of 175 instructors have been trained during the nine workshops to date. These instructors have also assisted in the design of all eleven Foundation Specialty Courses using the adult learning concepts. Instructors have commented that employing adult experiential learning concepts in the class room make teaching more effective and there is more sharing of knowledge among students.

Students completing the ICI Core and Foundation Specialty Courses have favorably evaluated the program which encompasses adult experiential learning techniques. Students have written on

course evaluations that they appreciate the opportunity of sharing and learning from other students.

In addition, periodic meetings of instructors teaching in ICI courses are required to maintain the dynamic nature of the course work and to make recommended changes in the curriculum.

ANALYSIS

In order to train additional instructors to fill vacancies, it is proposed that three ICI Instructors' Update Workshops be conducted during FY 1995-96. Also, the ICI program has grown, requiring the addition of two Core Course offerings and adding presenters to conduct ICI Foundation Specialty Courses. Additionally, instructors currently teaching in the ICI program have requested one meeting per year to evaluate the courses and adopt recommended changes. It is proposed that one Core Course meeting and five Foundation Specialty Course meetings be conducted for this purpose.

Adult experiential learning concepts have proven to be an excellent method of instruction; it requires total involvement by instructor and student. Trainees are challenged to learn and perform in realistic role-play exercises and practical simulations. All ICI instructors work in the criminal justice system. They range from case-carrying detectives to crime scene analysts to assistant district attorneys and judges. Although they are subject-matter experts in their various fields of instruction and experienced instructors, they do not have the time to complete the entire Master Instructor Development Program. Therefore, the abbreviated, concentrated ICI Instructors' Update Workshop was developed.

The 40-hour ICI Instructors' Update Workshop is presented in two modules. The first 24-hour block is designed to familiarize participants with the adult experiential learning model and identify activities which instructors may use in delivering subject matter for maximum student retention. Between modules, participants prepare a practicum of what they have learned for presentation during Module 2. In Module 2 (16 hours), participants present a portion of a block of instruction using the adult experiential learning model. This provides an excellent opportunity to practice experiential learning and take advantage of a relatively risk-free environment and the feedback from their peers.

Current Core Course instructors will meet once a year to evaluate the course and adopt recommended changes in the course. Foundation Specialty Courses will be grouped in five different categories and current instructors for each category will evaluate and adopt changes in their course curriculum.

RECOMMENDATION

Authorize the Executive Director to contract with the San Diego Regional Training Center to coordinate three ICI Instructors' Update Workshops and conduct six course evaluation meetings during FY 1995-96, at a cost not to exceed $46,000.

ICI INSTRUCTOR'S UPDATE WORKSHOP BUDGET

5-Day Workshop

Lead instructor salary ($700 per day for 3 days)	$ 2,100.00
Group facilitator salary ($360 per day X three facilitators)	5,400.00
Lead instructor/group facilitator travel and per diem	3,000.00
Class room facility rental ($100 per day)	500.00
Audio-visual equipment rental	100.00
Indirect costs (10% of contract)	1,095.00
TOTAL PER WORKSHOP	$12,250.00
Three workshops conducted at total cost of:	$36,585.00

INSTRUCTOR MEETINGS BUDGET

Two-day meetings

Group Facilitator ($500 per day)	$ 1,000.00
Travel and per diem	$ 290.00
Meeting Facility Rental ($100 per day)	$ 200.00
Audio-visual equipment	$ 100.00
Indirect Costs (10% of Real Costs)	$ 159.00
TOTAL PER MEETING	$ 1,749.00
Five meetings conducted at cost of:	$ 8,745.00
TOTAL CONTRACT (Workshops and Meetings)	$45,330.00

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Approvals - Basic Driver Training, Motorcycle, & Narcotic courses		Meeting Date April 20, 1995
Bureau Training Delivery and Compliance Bureau	Reviewed By Ronald T. Allen	Researched By Gary C. Sorg
Executive Director Approval Norman C. Boehm	Date of Approval 3-22-95	Date of Report March 8, 1995

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.

ISSUES

Approval to enter into contract agreements with certain POST certified presenters of the Basic Driver Training, the Basic Motorcycle, and the Basic Narcotic Courses to provide training to California law enforcement for fiscal year 1995/1996.

BACKGROUND

Traditionally, these courses have been presented as a Plan III tuition courses. Shrinking County and City budgets have made it difficult for law enforcement agencies to up-front the tuition costs for these programs.

At the April 1993 Commission meeting, staff was directed to transfer some categories of training identified as high cost and needed statewide from Plan III to contract. Basic Course Driver Training, Basic Motorcycle Training, and Basic Narcotics Training, have been identified as meeting this category. The Commission has since authorized the Executive Director to negotiate contracts with presenters of these courses for the 1994/1995 and 1995/1996 Fiscal Years.

Although switching from Plan III to contracts has not appreciably increased or decreased the cost to POST of providing these courses, agencies have benefitted by the elimination of up-front costs and some reduction in their administrative processing.

This proposal would allow contractual agreements with presenters of these courses for Fiscal Year 1995/1996.

ANALYSIS

The amount proposed represents the same amount allocated through terms of certification for tuition under Plan III and should not increase the fiscal impact to the Peace Officer Training Fund.

These agreements with the participating presenters is intended to make these training programs more convenient for law enforcement.

Contractual agreements would be made with the following agency and college presenters:

- Alameda County Sheriff's Department
- Alan Hancock College
- Butte College
- California Highway Patrol
- Long Beach Police Department
- Los Medanos College
- Modesto Junior College
- Oakland Police Department
- Orange County Sheriff's Department
- Redwoods Center - College of the Redwoods
- Sacramento Police Department
- San Bernardino Sheriff's Department
- San Diego Police Department
- San Mateo Police Department
- Ventura County Sheriff's Department

The Commission, at the April 1995 meeting, is being asked for actual contract approval for the agencies and amounts described in this report for Fiscal Year 95/96.

It should be noted that the contracts for these categories of training is nearly $600,000 less than the previous fiscal year. This is due to some presenters deciding they prefer not to enter into a contractual agreement and remain with the Plan III tuition reimbursement system. As stated above, this will have no appreciable increase or decrease in the cost for POST providing these courses.

RECOMMENDATION

Authorize the Executive Director to enter into contracts with the agencies and colleges as described above to train a maximum of 125 students in the Basic Narcotic, 408 students in the Basic Motorcycle, and 3215 students in the Basic Driver Training courses. The total amount of these contracts are not to exceed $1,657,876 for the period starting July 1, 1995 and ending June 30, 1996.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Contract for Administration of POST Proficiency Examination		April 20, 1995
Bureau	**Reviewed By**	**Researched By**
Standards & Evaluation		John Berner
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Boehm		March 13, 1995

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

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST Proficiency Examination.

BACKGROUND

Penal Code Section 832(b) requires POST to develop and administer a basic training proficiency test to all academy graduates. POST has contracted with Cooperative Personnel Services (CPS) for the administration of the examination each of the last 12 years.

ANALYSIS

CPS has done an acceptable job of administering the POST Basic Course Proficiency Examination. Moreover, CPS can administer the examination for less than it would cost if POST staff were to assume this function.

The amount of the 1994/95 fiscal year contract is $37,253.61. The proposed contract for fiscal year 1995/96 is for an amount not to exceed $45,000. The increase is due in part to an overall billing rate increase of approximately 2.0%, and an estimated increase in the number of basic academy graduates of 15%. The remainder of the increase (approximately $1,100) is for the printing of test booklets, which were heretofore printed by the state printing office, but which can be printed at a lesser cost by CPS.

RECOMMENDATION

Authorize the Executive Director to negotiate a contract with CPS for administration of the POST Proficiency Examination during fiscal year 1995/96 for an amount not to exceed $45,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST Entry-Level Reading and Writing Test Battery		Meeting Date April 20, 1995
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner
Executive Director Approval Normand C. Boehm	Date of Approval 3-28-95	Date of Report March 22, 1994

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

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST entry-level reading and writing test battery.

BACKGROUND

Since 1983, the Commission has authorized that the POST entry-level test battery be made available to agencies in the POST program at no cost. During this period, all test administration services associated with the testing program have been provided under contracts with CPS.

ANALYSIS

All contract services provided by CPS have been acceptable, and POST lacks the staff to perform these services. The 1994/95 fiscal year contract amount is $78,880.30. The proposed contract for fiscal year 1995/96 is for an amount not to exceed $94,000. The increase is due to an overall billing rate increase of approximately 1%, an estimated increase in the number of test candidates of 15%, and an increase in the number of test booklets printed (to restore inventories) of approximately 30%.

RECOMMENDATION

Authorize the Executive Director to negotiate a contract with CPS for administration of the POST test battery during fiscal year 1995/96 for an amount not to exceed $94,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Contract for POST PC 832 Written Test Examination Services		April 20, 1995
Bureau	**Reviewed By**	**Researched By**
Standards & Evaluation		John Berner
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Boehm	3.22.95	March 13, 1995

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

Continuation of POST contract with Cooperative Personnel Services (CPS) for PC 832 written test examination services.

BACKGROUND

Penal Code Section 832(a) requires that persons must pass a POST-developed or POST-approved examination to successfully complete the PC 832 course. POST has contracted with CPS for PC 832 written test examination services each of the last six years.

ANALYSIS

CPS has done an acceptable job of providing the contract services. The amount of the 1994/95 fiscal year contract is $40,373.63. The proposed contract for fiscal year 1995/96 is for an amount not to exceed $39,100. The proposed amount reflects a billing rate increase of 2.8%, and an estimated increase in test candidates of approximately 15%. These increases are offset by a savings of approximately $7,300 due to the delegation of actual administration of the test to course presenters effective October 1, 1994.

RECOMMENDATION

Authorize the Executive Director to negotiate a contract with CPS for PC 832 written test examination services during fiscal year 1995/96 for an amount not to exceed $39,100.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
State Controller's Office Agreement for Auditing Services FY 1995/96		April 20, 1995
Bureau	**Reviewed By**	**Researched By**
Administrative Services Bureau	Frederick Williams	Staff
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Boehm	3-28-95	March 23, 1995

Purpose:

[XX] Decision Requested [ ] Information Only [ ] Status Report

Financial Impact: [XX] 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

Commission review and final approval of an interagency agreement for auditing services with the State Controller's Office for Fiscal Year 1995/96.

BACKGROUND

There is a need to selectively audit the training reimbursement claims made by local agencies against the Peace Officer Training Fund. These audits have been conducted by the State Controller's Office on a yearly basis. The Commission approved an agreement not to exceed $85,000 for current Fiscal Year 1994/95.

ANALYSIS

Each year for the past several years POST has negotiated an interagency agreement with the State Controller's Office to conduct audits of selected local agencies which receive POST reimbursement funds. The Controller's Office continues to do an acceptable job in auditing selected jurisdictions to assure that reimbursement funds are being appropriately expended.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to enter into an interagency agreement with the State Controller in an amount not to exceed $85,000 to audit local agency reimbursement claims for Fiscal Year 1995/96.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Interagency Agreement with Teale Data Center		April 20, 1995
Bureau	**Reviewed By**	**Researched By**
Computer Services Unit	Glen Fine	Mitch Coppin
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Boehm	4-4-95	April 3, 1995

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

Authorize the Executive Director to negotiate an Interagency Agreement with the Teale Data Center in FY 95/96 for computer services.

BACKGROUND

POST has an Interagency Agreement with Teale Data Center (a State agency) for computer services. The contract provides for a link between POST's computer and the Teale Data Center's mainframe computer. This allows POST to utilize the mainframe's power for complex data processing jobs and the storage of large data files that require more resources than POST's minicomputer or PC's can provide. Teale Data Center staff also provides communications and Local Area Network (LAN) support and consulting services. The current year's contract is for $65,000.

ANALYSIS

POST uses the Teale Data Center mainframe computers for processing large statistical jobs and the storage of large test score data files. POST will also need support services for maintaining and troubleshooting our LAN system. This agreement will give POST the processing power, storage capabilities, and technical LAN support that is needed during FY 95/96. Costs are expected to be similar to this year's ($65,000).

RECOMMENDATION

Authorize the Executive Director to sign an Interagency Agreement with the Teale Data Center for computer services in FY 95/96 for an amount not to exceed $65,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Contract for Computer Software Maintenance and Support - Ingres		Meeting Date: April 20, 1995
Bureau: Computer Services Unit	Reviewed By: Glen Fine	Researched By: Mitch Coppin
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-4-95	Date of Report: April 3, 1995
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

Authorize the Executive Director to negotiate a contract for Ingres computer software maintenance and support through Computer Associates, Inc., for FY 95/96.

BACKGROUND

POST will use Ingres database software to maintain peace officer records on POST's DEC Alpha 2100/M500P minicomputer. The current year contract for telephone support and maintenance for Ingres software is $12,071.

ANALYSIS

POST is currently in the process of replacing its DEC VAX 8350 minicomputer with a DEC Alpha 2100/M500P minicomputer. Support and maintenance for the existing VAX had been contracted annually for approximately $8,500. The proposed annual support and maintenance contract for the new Alpha computer is $12,800.

RECOMMENDATION

Authorize the Executive Director to sign a contract with Computer Associates, Inc., for Ingress software support and maintenance for FY 94/95 for an amount not to exceed $12,800.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Health and Welfare Data Center - CALSTARS Support FY 1995/96		April 20, 1995
Bureau	**Reviewed By**	**Researched By**
Administrative Services Bureau	Frederick Williams	Staff
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Boehm	3-28-95	March 23, 1995

Purpose:

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

Financial Impact: [XX] 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

Commission review and approval of an interagency agreement with the Health and Welfare Agency Data Center for computer linkage in support of the State Accounting System (CALSTARS).

BACKGROUND

The mandated California Accounting and Reporting System (CALSTARS), implemented in 1986, requires that POST enter into a yearly contract with the Health and Welfare Data Center to provide data processing services during the year. The Commission approved an agreement not to exceed $25,000 for current Fiscal Year 1994/95.

ANALYSIS

Without the continuation of an agreement with the Health and Welfare Data Center, POST will not be able to perform necessary state accounting functions and will be out of compliance with accounting requirements.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to enter into an interagency agreement with the Health and Welfare Agency Data Center in an amount not to exceed $25,000 for computer services during Fiscal Year 1995/96.

FINANCE COMMITTEE MEETING MINUTES
April 19, 1995
San Diego, CA

The Committee met Wednesday, ~~July~~ April 19, 1995 in San Diego. In attendance were myself and Commissioners Dale Stockton, Lou Silva, and Raquel Nontenegro. Also present were POST staff members Norman Boehm, Glen Fine, Ken Whitman, Frederick Williams, and Vera Roff.

In addition to matters already addressed on the agenda, the Committee discussed the following items:

1. Staff reported that there has been a slight increase in reimbursed trainees and a corresponding increase in reimbursement through the third quarter, as compared to this time last year. Revenue has lagged by some $1.2 million behind what was projected. However, because of uncommitted allocated training contract funds, current projections are that we will end the fiscal year with a balance between revenue and expenditures.

2. The FY 1995-96 Governor's Budget has not been signed. The budget has been heard in the Senate and is scheduled to be heard in the Assembly on April 25, 1995. Proposed spending authority is $35.136 million, a $1.598 million increase over the 33.538 appropriation for FY 94/95.

3. The Committeee recommends that consideration be given to SWL for the marketing rights to the POST Alcohol/Drugs IVD courseware.

   Since July 1994, the Commission has been seeking a single vendor to market all of POST's IVD courseware. SWL, currently under contract to develop POST's IVD courseware on Alcohol and Other Drugs, is the only qualified bidder for marketing rights. SWL has proposed to aggressively market all POST training courseware over an initial three-year marketing agreement.

   After discussion, the Committee proposes that the Executive Director be authorized to enter into a marketing agreement with SWL with the following specific terms and discussion.

   1. Agreement to be for the Alcohol and Other Drugs courseware only;

   2. Royalty to be paid to POST on all sales of courseware at 7% of gross sales per unit;

   3. SWL allowed to sell 25 components of Alcohol and Other Drugs courseware royalty free;

4. Initial agreement to be for a two-year period; and

5. SLW deliver an acceptable course to POST for marketing.

4. Contracts and Interagency Agreements that exceed $10,000 are approved by the Commission. The Executive Director has been delegated the authority to enter into contracts and agreements to a lesser amount. The total number of contracts and interagency agreements are annually reported to the Commission, showing the purpose of each and the money encumbered. On January 12, 1995, the Commission directed the Executive Director to negotiate the contracts and agreements for the FY 1995/1996. The Committee has reviewed the report of these contracts and agreements and recommends their approval. (MOTION)

5. <u>ADJOURNMENT</u>

State of California **Department of Justice**

M E M O R A N D U M

To : POST Commissioners **Date:** March 4, 1995

Marcel Leduc, Chairman
Long Range Planning Committee
From : **Commission on Peace Officer Standards and Training**

Subject : REPORT OF THE LONG RANGE PLANNING COMMITTEE

The Committee met in the office of Commissioner Block in Monterey Park on March 6, 1995 at 10:10 a.m. Present, in addition to myself, were Commissioners Block, Campbell, Ortega, and Rutledge. Staff present were Norman Boehm, Glen Fine, and John Berner.

Basic Course Transition Pilot Project

The Committee received an update on this project that included tentative proposals for Commission approval of a pilot project. Following discussion regarding a variety of related issues, there was consensus that a pilot appeared warranted. The proposal is described in detail on the regular agenda.

Distance Learning Bachelor's Degree Program

The Executive Director briefed the Committee on a state university (Chico State) proposal to commence a distance learning bachelor's degree program. The program would be directed to California's law enforcement officers who could receive the programs at their agency via the POST satellite system.

There was consensus that the matter be pursued by sponsoring a meeting with law enforcement officials, to verify interest and feasibility with the understanding that POST would have no future financial involvement.

The Committee also raised a concern regarding FLSA requirements if off duty officers were viewing educational programs at department facilities. (POST's attorney has subsequently advised that such activities are permissable under the FLSA).

Results of Field Survey

A preliminary briefing was received on survey results. A more complete report is on the regular agenda.

Sexual Harassment Complaints in POST Certified Courses

A tentative staff proposal for enactment of regulations was received and discussed. The proposal would require certified presenters to provide their policies concerning sexual harassment and other forms of discrimination to instructors and students. With some recommended modifications, there was consensus that this proposal be presented to the Commission.

(Subsequently, POST's legal counsel has concluded that POST lacks statutory authority to enact regulations that directly or indirectly require public and private agencies to establish policies in this area. Staff will communicate with presenters to seek less formal means of preventing acts of harassment in POST courses.)

Alternative Plans for Symposium on Training and Technology

The Committee reviewed and discussed a report on this subject. The report is before the Commission on the agenda.

A video tape on the AB 492 report was also viewed. The tape describes the *Partnerships for a Safer California* report submitted to the Legislature.

The video tape was considered to be an excellent vehicle for communicating needs and benefits for technology in training and the passage of a bond bill to fund regional training centers. The video will be sent to all legislators and public safety executives.

Proposal for an Entry-Level Dispatcher Test and Additional Selection Standards for Dispatchers

A full report on this matter is on the regular agenda for Commisison consideration.

Committee consensus was that the proposals be set for public hearing if the full Commission concurs.

Proposed Reserve Officer Training Standards

This matter is before the Commission as a public hearing on the regular agenda. The Committee reviewed regulation

language changes that were recommended at the January 1995 meeting.

Proposal for Development of a POST Strategic Plan

This matter is also before the Commission on the regular agenda. Committee consensus was that the Commission should move ahead with the planning with reports back through the Long Range Planning Committee.

Vehicle Pursuit Guidelines

A status report was received that included complaints received that the proposed guidelines would enhance liability for agencies. POST's legal counsel continues to advise that the proposed guidelines and related commentary are consistent with the intent of law and would impose no significant new liabilities. Consensus was to proceed as planned by the Commission to have the matter aired at the informal hearing on April 20.

The matter is before the Commission on the regular agenda.

ADJOURNMENT - 1:10 p.m.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
Legislative Review Committee
Thursday, April 20, 1995
Holiday Inn On-The-Bay
1355 North Harbor Dr.
Bay Room
San Diego, CA 92101

AGENDA

8:30 A.M.

Attachment

Pending Legislation

A. **AB 26 (Willard Murray) - Peace Officer Disqualification for Felony Conviction in Another State** - Attachment A provides analysis of this bill which requires POST to review peace officer applicants with a felony conviction in another state that is not a felony in California. Recommended Position: Oppose — **A**

B. **AB 51 (Johnson) - Verification of Sheriff's Qualifications** - Attachment B provides an analysis of this bill which would require district attorneys, judges, and sheriffs to present documentation of their minimum qualifications at time of filing. Recommended Position: Neutral — **B**

C. **SB 132 (Watson) - Mandatory Domestic Violence Training** - Attachment C provides an analysis of this bill which would require law enforcement officers as defined to complete domestic violence training of unspecified length as determined by POST every two years. Recommended Position: Neutral — **C**

D. **AB 176 (Bowler) - Custodial Officers Required Tear Gas Training** - Attachment D provides analysis of this bill which would require custodial officers who work jails to complete chemical agent training if they purchase, possess, transport, or use tear gas weapons. Recommended Position: Neutral — **D**

E. **AB 574 (Villaraigosa) - Safety Police Officers and Park Rangers of Los Angeles County** - Attachment E provides analysis of this bill which would require POST to develop selection and training standards for this group and to reimburse for their training. Recommended Position: Neutral — **E**

F. **AB 854 (Hoge) - State Department of Insurance -** Attachment F provides analysis of this bill which would extend peace officer status to the Insurance Commissioner and reclassify the Chief of the Fradulent Claims of the Department of Insurance and designated investigators from Penal Code Section 830.3 to 830.2. F
Recommended Position: Neutral

G. **AB 858 (Isenberg) - Fines and Penalty Assessments** Attachment G provides analysis of this bill which would revise state and local penalty assessments and remove penalty assessment revenue for certain Vehicle Code violations going to the State Penalty Assessment Fund. G
Recommended Position: Neutral

H. **SB 932 (Polanco) - Law Enforcement Apprenticeship Program -** Attachment H provides analysis of this bill which would establish the Law Enforcement Apprenticeship Program within the Office of Criminal Justice Planning. H
Recommended Position: Neutral

I. **SB 1008 (Costa) - Custodial Officers of Fresno County -** Attachment I provides analysis of this bill which would provide peace officer status to custodial officers of Fresno County supervised by the Sheriff. I
Recommended Position: Oppose

J. **AB 1061 (Caldera) - Reduction of Penalty Assessments -** Attachment J provides analysis of this bill which would reduce penalty assessments on criminal and traffic fines and abolish POST's special fund status. J
Recommended Position: Oppose

K. **SB 1134 (Hayden) - Health Facilities -** Attachment K provides analysis of this bill which requires: 1) POST to develop guidelines and a course of training on responding to and enforcement of state and federal laws governing access and security of health care facilities and hospitals and 2) the basic course to include adequate instruction relating to clinic violence. K
Recommended Position: Neutral

L. **SB 1204 (Hughes) - Peace Officers: California Museum of Science and Industry -** Attachment L provides analysis of this bill which would authorize its executive director to appoint L

other peace officers.
Recommended Position: Neutral

M. Status of Active Legislation **M**

Attachment M is a chart showing 1995 active legislation of interest to the Commission which is updated on a regular basis and distributed to Commissioners with the monthly Administrative Progress Reports.

N. Informational Legislation for 1995 **N**

Attachment N is a listing of Informational Bills of Interest to POST that are outside the scope of the Commission's purview of responsibility but are tracked because of their potential impact upon law enforcement or the Commission.

Attachment A

BILL ANALYSIS

State of California — Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Peace Officer Disqualification on Felony Conviction in Another State	Murray	AB 26
	RELATED BILLS	DATE LAST AMENDED 4-3-95

SPONSORED BY Assemblyman Willard Murray

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

GENERAL

Assembly Bill 26 would:

1. Establish an exception to existing law (Governmental Code Section 10-29(a) which disqualifies a person from holding office as a peace officer if she or he has been convicted of a felony in this state or any other state. The exception would be an applicant who has been convicted of an offense in any other state that is a felony in that state but is not a felony in this state.

2. Require POST to consider the following factors in determining whether to disqualify that person:

   a. The extent of the person's criminal record, including misdemeanor convictions.
   b. Whether the person has committed any offense involving moral turpitude.
   c. Whether the person has held a position of trust.
   d. Whether the person has subsequently led a crime-free life.
   e. The length of time between the felony conviction in another state and application for the position in this state

ANALYSIS

The purpose of the bill, according to the author's office, is to accommodate a constituent who was convicted in 1966 of a felony (carrying a concealed weapon in a vehicle) in another state, and now wishes to become a peace officer in California. The constituent is reportedly a good candidate otherwise, but is currently prohibited from becoming a peace officer in California because of Penal Code Section 1029. This section disqualifies persons from holding office or becoming employed as a peace officer, whether with or without compensation, in the following circumstances:

1. Any person who has been convicted of a felony in this state or any other state.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Jim Snow	4-5-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
Norman C. Boehm	4/5/95		

POST 1-159 (Rev. 1/89)

2. Any person who has been convicted of any offense in any other state which would have been a felony if committed in this state.

The Assembly Public Safety Committee held this bill in committee because it was designed originally to address a single person. The Commission had a "neutral" position on this bill when it was in its original form. The latest amendments propose to involve POST in the screening process of persons convicted of a felony in other states but is not a felony in California.

As such, AB 26 as amended on April 3, 1995, is a different bill from its original form. AB 26 as amended raises the following concerns:

(1) The above approach of having POST screen potential candidates creates an uncertainly about how many such cases would materialize annually. However, it is not expected the volume would be very high with the narrowly described circumstance of a felony conviction in another state that would not be in California. Whatever the number, having POST screen these applicants represents an increased workload for POST for which there is limited staff capability to accommodate.

(2) AB 26 raises a concern about the difficulty of interpreting some of the enumerated criteria including offenses involving moral turpitude, whether the person held a position of trust, and the length of time between the felony conviction in another state and the application for a peace office position in this state.

(3) AB 26 proposes to make an exception to the felony disqualifier for peace officers. The felony conviction disqualifier is considered the most important criteria for becoming a peace officer. It symbolizes more than any other criteria the integrity that California has come to expect from its law enforcers.

(4) Perhaps the most serious concern is the precedent setting nature of making exceptions to the felony disqualifier for peace officers. The concern is that this bill may trigger other similar legislative proposals now that the bill has been amended to establish a process for reviewing persons convicted of certain felonies. Granted this bill is limited to only persons convicted of a felony in another state for which it is not a felony in California. However, the concern is that legislation will follow to broaden the kinds of felony convictions to be reviewed.

RECOMMENDATION

It is recommended that AB 26, as amended, be opposed because of the principle of making exceptions to the felony conviction disqualifier for peace officers.

ATTACHMENT B

BILL ANALYSIS

State of California — Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Qualification Verification for District Attorneys, Judges & Sheriffs	Johnson	AB 51
	RELATED BILLS	DATE LAST AMENDED 12-15-95

SPONSORED BY California State Sheriffs' Association

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

GENERAL

Assembly Bill 26 would:

1. Require that a person may not be considered a legally qualified candidate for the offices of county district attorney, judge, or sheriff, unless the person has filed a declaration of candidacy, nomination paper, or statement of write-in candidacy accompanied by documentation sufficient to establish, in the determination of the official with whom the declaration or statement is filed, that the person meets each qualification established by law.

ANALYSIS

There is increasing evidence that persons are filing for and running for these offices, especially for the office of sheriff, who do not meet the minimum qualifications required by law. This often creates unnecessary confusion among voters and potential legal challenges should an unqualified candidate be elected. AB 51 seeks to remedy this by establishing some measure of enforcement of state law at the front end of the election process.

With the Office of Sheriff documentation of qualifications (per Government Code Section 24004.3) can include a POST Advanced Certificate or various education degrees, depending upon the level of law enforcement experience attained. See attached copy of GC 24004.3.

One of the advantages of this legislation is to help professionalize these county elections and to help maintain the dignity of such offices. The public has a right to know and expects that candidates are minimally qualified. Some county clerks responsible for elections have already begun to screen candidates at the time of filing even though there is no specific authority in law to do so. AB 51 would make specific this responsibility.

Because AB 51 does not relate specifically to a POST standard or program, a neutral position is recommended for the Commission.

Attachment

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Hal Snow	2-7-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
Norman Boehm	2-14-95		

POST 1-159 (Rev. 1/89)

ATTACHMENT C

BILL ANALYSIS

State of California — Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Mandatory Domestic Violence Training	Senator Watson	SB 132
	RELATED BILLS: SBX 52 (Watson) (1994)	DATE LAST AMENDED: 3-16-95

SPONSORED BY: California Alliance Against Domestic Violence

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

GENERAL

Senate Bill 132 would:

1. Require each peace officer below the rank of supervisor to complete, every two years, an updated course of instruction on domestic violence.

2. Specific certain information to be included in a domestic violence incidence report.

ANALYSIS

Existing law (Penal Code Section 13519) requires supplementary training in handling domestic violence calls for in-service officers and for appropriate training to be included in the Basic Course. POST has developed and certified this eight-hour training. Existing law also "encourages local law enforcement agencies to include periodic updates and training on domestic violence." Existing law requires the Commission to assist where possible.

SB 132, as amended on March 21, would mandate completion of an updated domestic violence training course every two years for "law enforcement officers" as defined below the rank of supervisor. According to the bill's sponsors, the purpose of the bill is to strengthen the response of law enforcement to domestic violence calls.

The original form of this bill would have required six hours to be included in every advanced officer course. The bill was amended as above after considerable opposition was expressed by law enforcement groups. The amendments taken on March 21 in part address these concerns. The current version of the bill gives POST, in concert with organizational input from law enforcement and other groups, considerable flexibility in determining the length and method of presentation.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Jal Snow	3-22-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
Norman C. Boehm	3-28-95		

POST 1-159 (Rev. 1/89)

This bill, as amended, continues to raise some issues including:

1. POST has received no negative information about law enforcement's handling of domestic violence calls, although there may be concerns that have not come to POST's attention. POST's annual training needs assessments do not identify domestic violence as a priority training need.

2. **POST**, in concert with training presenters, **already provides update training on this subject.** For example, a two-hour telecourse on domestic violence update was broadcast by POST to all law enforcement agencies and presenters during 1994.

3. SB 132 would reduce flexibility of law enforcement and course presenters to meet changing and local training needs. This bill would cause training in domestic violence to replace training on other subjects that might be of equal or greater importance to the public.

4. Requiring domestic violence update training every two years will increase costs to local and state law enforcement agencies by an unspecified amount. To accommodate this problem, the author has taken an amendment to require the training to be funded with existing local resources.

SB 132 continues to pose a problem of requiring domestic violence training of officers who are assigned to non-patrol duties such as the courts, jails, etc. In some cases, these assignments are permanent and are not likely be reassigned to patrol where domestic violence calls are encountered. Representatives of law enforcement organizations are developing a further amendment to exempt law enforcement officers not scheduled for assignment within the next two years.

RECOMMENDATION

By virtue of the Commission's policy to remain neutral on bills mandating law enforcement training, a neutral position is recommended on SB 132.

Attachment D

BILL ANALYSIS

State of California — Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Custodial Officers: Tear Gas	Bowler	AB 176
	RELATED BILLS	DATE LAST AMENDED 1-23-95

SPONSORED BY San Joaquin Sheriff's Dept/Calif. State Sheriffs' Assn.

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

GENERAL

Assembly Bill 176 would:

1. Authorize any custodial officer, as defined, to purchase, possess, transport, or use any tear gas weapon.

ANALYSIS

Existing law (Penal Code Section 12403) authorizes peace officers to purchase, transport, or use any tear gas weapon certified as acceptable if the person has satisfactorily completed a POST-approved course of instruction in the use of tear gas. The Commission has recently updated this training requirement by dividing the training into three parts including:

1. Part 1 is four hours and concerns hand held aerosol dispensers;
2. Part 2 is two hours and concerns use of gas masks, particularly in crowd and riot control circumstances; and
3. Part 3 is four hours and concerns use of special weapons, including grenades and projectiles.

Parts 1 and 2 are presented in the basic academy and elsewhere, while Part 3 is made available to patrol supervisors and SWAT assigned personnel.

AB 176 would add jail custodial officers to Penal Code Section 12403 and thus subject them to this training depending upon their assignment. Custodial officers are typically assigned to maintain control of jail inmates of county jails. Custodial officers are not peace officers, but can make arrests and are called upon to defend themselves. Even though the California Attorney General's Office has indicated in a 1993 bulletin to law enforcement agencies that chiefs and sheriffs could issue chemical agents to non-sworn personnel for use on duty, the bill's proponents consider this legislation necessary to reduce liability from civil litigation.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Joel Snow	3-31-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
Norman C. Boehm	3-31-95		

POST 1-159 (Rev. 1/89)

Many sheriff's departments assign deputy sheriffs, who are peace officers, to custodial jail assignments rather than custodial officers. It would appear to be consistent to authorize custodial officers to carry tear gas when their counterparts, deputy sheriffs, in other counties (performing identical duties), have the authority.

COMMENTS

There appears to be good reason for this legislation. However, recent Commission policy change calls for a neutral position on legislation mandating training requirements. Therefore, a neutral position is recommended.

BILL ANALYSIS

State of California Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
LA County Safety Police and Park Rangers - POST Reimbursement	Villaraigosa	AB 574
	RELATED BILLS	DATE LAST AMENDED 4-4-95

SPONSORED BY Los Angeles County

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

GENERAL

Assembly Bill 574 would:

1. Require POST to establish minimum selection and training standards for safety police officers and park rangers of Los Angeles.

2. Make safety police officers and park rangers of Los Angeles County eligible for POST training reimbursement.

ANALYSIS

The Los Angeles County safety police officers already voluntarily participate in POST's Specialized Program which includes local and state law enforcement agencies not statutorily eligible for POST reimbursement. Los Angeles County's safety police actually consists of two separate departments: (1) Internal Services Division with 132 officers; and (2) Health Services Division with 280 officers. These safety officers meet the same selection and training requirements as those participating in POST's regular reimbursement program. Los Angeles County also has 80 park rangers who work for the Parks Service Division, which is in the process of making application to enter the POST Specialized Program.

The safety police officers and park rangers of Los Angeles County are peace officers under Penal Code Section 830.32. Their duties include the enforcement of law in or about properties owned, operated, or administered by the county. The primary duties of park rangers is the protection of parks and other property and the preservation of peace.

With regard to establishing minimum selection and training standards for these safety police officers and park rangers, POST's existing requirements appear to be appropriate and no further development of new standards is needed.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Hal Snow	4-5-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
Norman C. Boehm	4-5-95		

POST 1-159 (Rev. 1/89)

To accommodate the requirement to reimburse for their training expenses, this would require an estimated added cost to POST of $246,000 annually, which is based upon an average annual reimbursement and training contracts expenditure of $500/eligible reimbursable trainee participating in the POST Regular Reimbursement Program.

COMMENTS

O April 4, 1995, the Assembly Public Safety Committee amended AB 574 to make POST reimbursement contingent upon POST finding that its revenue would not be reduced below that permitted by its 1995/96 state budget. This approach to such legislation has not been considered by the Commission when it adopted its policy to oppose legislation making new categories of new agencies eligible for POST reimbursement without additional revenue. The amended AB 574 does not appear to detrimentally impact the Peace Officer Training Fund, and therefore, a neutral position is recommended.

RECOMMENDATION

A neutral position is recommended.

BILL ANALYSIS

State of California Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Peace Officers: Department of Insurance	Hoge	AB 854
	RELATED BILLS	DATE LAST AMENDED 2-22-95

SPONSORED BY
Department of Insurance

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

GENERAL

Assembly Bill 854 would:

1. Reclassify the chief and designated investigators of the Bureau of Fraudulent Claims, Department of Insurance, from Penal Code Section 830.3 to Section 830.2.

2. Authorize the Insurance Commissioner for the first time to have peace officer status.

ANALYSIS

Penal Code Section 830.3 authorizes peace officer status for certain state agencies and limits their authority to "any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to Section 836 of the Penal Code as to any public offense with respect to which there is immediate danger to person or property ...". These peace officers may carry firearms only if authorized and under the terms and conditions as specified by their employing agencies.

Penal Code Section 830.2 defines peace officer authority as extending to anywhere in the state and for the Department of Insurance, Bureau of Fraudulent Claims, "provided that the primary duty of any of these officers shall be the enforcement of the laws relating to insurance fraud, as that duty is set forth in this code and the Insurance Code." No limits are placed on these peace officers on the carrying of firearms on or off duty. The change from Section 830.3 to 830.2 provides a small broadening of enforcement powers. POST has received no evidence of need for this change.

Designating the Insurance Commission with peace officer powers would appear questionable on its face because it is a high level executive position and very few state agency administrators are given peace officer powers.

COMMENTS

POST ordinarily has not taken positions on bills to move peace officer groups from category to category. Therefore, a neutral position is recommended for AB 854.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Jal Snow	3-14-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
Norman C. Boehm	3-14-95		

POST 1-159 (Rev. 1/89)

BILL ANALYSIS

State of California Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Fines and Penalty Assessments	Isenberg	AB 858
	RELATED BILLS	DATE LAST AMENDED 2-22-95

SPONSORED BY
Assembly Member Isenberg

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

GENERAL

Assembly Bill 858 would:

1. Reduce the state penalty assessment on criminal and traffic fines from $10 for every $10 of each fine to $7 for every $10 thereof and eliminate the deposit of 30% of these assessments to the General Fund.

2. Increase local penalty assessments for non-parking offenses from $7 for every $10 of each fine to $10 for every $10 fine and require 30% of this revenue be deposited in the county treasury.

3. Eliminate revenue to the State Penalty Fund from convictions of Vehicle Code Sections 12500 (Driving Without Driver's License), 12951 (Driver's License in Immediate Possession), and 40610 (Notice to Correct Violation).

ANALYSIS

According to the author's office, this bill will continue to be dramatically amended in this legislative session as he and the legislative leadership work to develop restructure on county and state responsibilities. The state continues to have as an immediate and long term goal of funding the costs of California's trial courts. The 1995-96 Governor's proposed budget calls for the state to assume 75% of these costs.

The provisions to reduce and increase state and local penalty assessments by $3 and transfer the 30% going to the State General Fund should theoretically be revenue neutral to the POST fund.

The real concern in the current version of AB 858 is provision #3 that seeks to eliminate revenue to the State Penalty Fund for the above traffic violations. It is uncertain how much revenue is currently generated from these violations, but whatever the amount, it will have a detrimental effect on the training of California's peace officers.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Joel Snow	3-28-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
Norman C. Boehm	3-31-95		

COMMENTS

Because the bill continues to be amended, it is recommended staff be directed to work with the author's office and seek amendments to remove negative impacts upon peace officer training.

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
601 ALHAMBRA BOULEVARD
SACRAMENTO, CA 95816-7083
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(916) 227-3909
FAX (916) 227-3895
EXECUTIVE OFFICE
(916) 227-2802

PETE WILSON, *Governor*
DANIEL E. LUNGREN, *Attorney General*

April 3, 1995

The Honorable Phillip Isenberg
California State Assembly
State Capitol, Room 6005
Sacramento, CA 95814

Dear Assemblyman Isenberg:

I am writing to you expressing concern about one provision in your AB 858 that could have a detrimental impact on revenue to POST for law enforcement training. Specifically, I refer to Section 8 beginning on page 16 that diverts penalty assessment revenue for certain Vehicle Code offenses from the State Penalty Fund to county general funds.

I realize that AB 858 is in its formative stages and will undergo many changes before its passage, but I thought you should be aware of this concern early in the process.

We know that the overall intent of your bill is to restructure state-county responsibilities and not to harm law enforcement training. This legislative session, like most in the past, has at least two bills mandating new training for law enforcement. It is imperative that revenue to POST be sufficient to allow the Commission to meet its standards and training requirements.

Hal Snow, our Assistant Executive Director, will be in touch with your staff and will be pleased to provide input so that reform will not cripple the selection and training of peace officers. Thank you for your consideration on this important matter.

Sincerely,

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

Attachment H

BILL ANALYSIS

State of California — Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Law Enforcement Apprenticeship Program	Senator Polanco	SB 932
	RELATED BILLS ----	DATE LAST AMENDED 2-23-95

SPONSORED BY California Organization of Police and Sheriffs (COPS)

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

GENERAL

Senate Bill 932 would:

1. Appropriate $500,000 from the General Fund to the Office of Criminal Justice Planning for the purpose of establishing the Law Enforcement Apprenticeship Program pilot project.

2. The California Police and Sheriffs' Foundation would be required to organize and operate the program. It would also be required to evaluate the program and present its findings to the Legislature.

3. The project would be repealed on January 1, 1988.

ANALYSIS

According to the bill's sponsors, COPS, the intent of the pilot project is to recruit qualified candidates from disadvantaged families without regard to race, sex, or economic status. Although it is unclear from the bill's proposed language, the intent would be to establish a pre-academy education/training program using the so-called "boot camp" model.

Although the bill's sponsors have expressed a desire to work with POST to develop more definitive language for the bill, several uncertainties and concerns are raised from the bill including:

1. The need for such a pilot program has not been made known. In fact, there exists in several of POST's 36 certified basic academies what are known as pre-academy orientation or training programs that serve to improve the success of academy applicants regardless of their disadvantage status. Also, many agencies and regions conduct periodic job faires to recruit peace officer candidates.

2. The proposed program may also be duplicative of law enforcement agencies that have "police cadet" or "internship" programs that target selected groups. At least one agency operates a high school education program to recruit law enforcement applicants.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
[signature]	3-28-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
[signature]	3-28-95		

POST 1-159 (Rev. 1/89)

3. The proposal to have California Police and Sheriffs' Foundation operate such a program is questionable since it is not an established basic academy which currently recruits trainees for their training programs. Basic academies are operated by either employing law enforcement agencies or community colleges with local regional advisory committees of law enforcement agency administrators and training managers. In either case, these academies are in a position to know the expectations of law enforcement in regard to peace officer qualifications. An argument could be made that the academies could implement such programs at no additional cost to the state.

4. The bill makes no reference to POST and its selection and training standards setting responsibilities for peace officers. Therefore, there is considerable uncertainty as to what degree this proposed project might conflict with POST's responsibilities.

5. The bill appears to suggest that the program would be operated "without regard to minority hiring practices or affirmative action hiring programs." Again, it is unclear what is meant by this.

6. The bill is also somewhat duplicative of a POST program that will proposed in April to establish a pre-basic academy on a pilot basis. Community college Administration Justice Programs will teach the knowledge portions in the pre-basic academy while the academy would teach the skill portions.

SB 932 evokes some questions including:

1. What is the need for this program?

2. Does this program hold out false hope or promise to individuals who are not otherwise qualified to be a peace officer?

3. Should such a program have broad based input from all interested and concerned parties, i.e., POST, academy trainers, law enforcement managers, citizens, etc.

COMMENTS

Without major changes and clarifications to SB 932, the Commission should withhold taking a position on the bill.

BILL ANALYSIS

State of California Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Peace Officers: Correctional Officers of Fresno County	Senator Costa	SB 1008
	RELATED BILLS	DATE LAST AMENDED 2-24-95

SPONSORED BY
Fresno Correctional Officers' Association

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

GENERAL

Senate Bill 1008 would:

1. Provide peace officer status to correctional officers employed by the County of Fresno and supervised by the Sheriff of Fresno County.

ANALYSIS

Under current law (Penal Code Section 831.5), a custodial officer employed by a law enforcement agency of Fresno County who has authority and responsibility for maintaining custody of prisoners and performs tasks related to the operation of a local detention facility is a public officer and not a peace officer. These officers have no right to carry or possess firearms in the performance of their prescribed duties, except as specified.

The proponents of SB 1008, Fresno Correctional Officers' Association, indicate the need for the bill is to provide greater authority for their correctional officers to match the duties they are expected to perform.

SB 1008 provides these peace officers would have no right to carry or possess a firearm in the performance of his or her duties, except under the direction of the Sheriff of Fresno County, while engaged in transporting prisoners, guarding hospitalized prisoners, or suppressing riots, lynchings, escapes, or rescues in or about a detention facility. This represents no change in their current authority to carry firearms on duty, but would enable them to carry firearms off duty.

SB 1008 raises the question as to the necessity for a POST-conducted peace officer feasibility study which is required by Penal Code Section 13540. It would appear that this is a new group seeking peace officer status, and thus are required to comply with this requirement.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
[signature]	3-21-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
[signature]	3-30-95		

POST 1-159 (Rev. 1/89)

SB 1008 also raises the question of whether other counties will seek the same peace officer status. If correctional officers in Fresno County are given peace officer status, this would create an inconsistency in status for other correctional officers throughout the state. Because a status change for one group of correctional officers (in Fresno) might be applied as an argument for a change in status generally, it appears that a feasibility study, as required by law, would have increased importance.

It is recommended POST oppose SB 1008 on the basis that no feasibility study has been conducted as required by Penal Code Section 13540.

ATTACHMENT J

BILL ANALYSIS

State of California — Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Reduced Penalty Assessments	Caldera	AB 1061
	RELATED BILLS	DATE LAST AMENDED 2-23-95

SPONSORED BY Assembly Member Caldera

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

GENERAL

Assembly Bill 1061 would:

1. Reduce penalty assessments on criminal and parking offenses from $17 for each $10 or fraction thereof to $10 for each $10 or fraction thereof.

2. Provide the total amount of any penalty assessments imposed and collected for criminal or Vehicle Code offenses shall not exceed one hundred dollars ($100) regardless of the amount of the base fine.

3. Eliminates the existing special funds in the State Penalty Fund and instead substitutes the requirement that monies deposited in the State Penalty Fund shall be limited to: (1) traffic safety; (2) victim and witness assistance; and (3) peace officer training. Monies transferred from the State Penalty Fund for these purposes would be determined annually by the Legislature.

ANALYSIS

The intent of this bill is to reduce the financial burden on criminal and traffic offenders by reducing penalty assessments. A similar bill (AB 148) by Assembly Member Caldera was unsuccessful during the 1994 legislative session.

Currently, penalty assessments (including state and local) are $17 on every $10 fine or fraction thereof. This amounts to 170 percent assessment which was instituted with the passage of the 1991 Trail Court Funding and Realignment Act. This act not only increased penalty assessments, but also expanded the purposes of state penalty assessments to include partial funding of California's trial courts. The result of this act had a deleterious effect on POST's revenue by reducing it by 32 percent.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Hal Snow	4-4-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
Norman C. Boehm	4-5-95		

POST 1-159 (Rev. 1/89)

AB 1061 presents a dilemma in that few could argue that penalty assessments have gotten excessively high and, unfortunately, expanded the purpose of financial sanctions from one of crime prevention to becoming another form of tax collection. On the other hand, the bill would have the drastic effect of reducing revenue to POST and the other state penalty assessment users by as much as two-thirds. In POST's case, annual revenue would be reduced by in excess of $20 million and, thus, devastate law enforcement training.

Eliminating POST's special fund status as proposed by AB 1061 would be highly detrimental to law enforcement training. The level of funding could drastically fluctuate from year to year which is inconsistent with need for a stable funding source. The cycle of developing and implementing training programs is generally long term in nature (3-5 years) and the proposed year to year funding is inconsistent with this. The effectiveness of California's law enforcement training program has been based upon consistency of revenue.

COMMENTS

It is recommended the bill be opposed.

Attachment K

BILL ANALYSIS

State of California — Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Health Facilities: Required Training for Peace Officers	Senator Hayden	SB 1134
	RELATED BILLS	DATE LAST AMENDED 2-24-95

SPONSORED BY Senator Hayden

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

GENERAL

Senate Bill 1134 would:

1. Make it a felony, instead of a misdemeanor, for anyone to possess a firearm in a place that the person knows, or reasonably should know, is a health care facility or health facility zone, and within a distance of 1,000 feet from the grounds of the facility, or to discharge or attempt to discharge a firearm with reckless disregard for the safety of others.

2. Requires POST to develop guidelines and a course of instruction and training on responding to and enforcement of state and federal laws governing the access and security of health care facilities and hospitals for law enforcement officers who are employed as peace officers, or who are not yet employed as peace officers, but are enrolled in a training academy for law enforcement officers.

3. Requires the basic course, no later than January 1, 1997, to include adequate instruction in procedures and techniques relating to clinic violence.

ANALYSIS

This analysis focuses only on those portions of SB 1134 that concern POST and law enforcement training. SB 1134 mandates POST to develop a training course for existing peace officers or those who are not yet employed and to include this training in the basic course. This is interpreted to mean that the training course for existing officers is not mandatory, but that the training required for the basic course is mandatory for all new officers. These provisions raise the following issues:

1. No evidence of need or problems concerning law enforcement's handling of violence at health facilities has come to POST's attention. POST's annual training needs assessments also has not identified this as a training need.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Hal Snow	3-30-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
Norman C. Boehm	3-31-95		

POST 1-159 (Rev. 1/89)

2. The level of enforcement effort at health care facilities is more related to law enforcement agency policies and priority setting than to training of its officers. Therefore, the approach of mandating training on this subject may be questionable.

3. The enforcement effort at health care facilities is no different than those at other locations and circumstances. The existing POST training requirements already include some of the proposed training including:

   a. Legal duties imposed on peace officers to make arrests, etc.;
   b. Legal rights and remedies available to victims; and
   c. Documentation, reporting, and evidence collecting.

   Not currently included are the topics of:

   a. Guidelines in making felony and misdemeanor arrests at health care facilities;
   b. The nature and extent of clinic violence; and
   c. Criminal and Civil penalties for violation of state and federal laws.

   The latter is deliberately not included in POST's basic course training requirements for any crime because such knowledge is not considered necessary for peace officers.

4. SB 1134 specifically precludes state reimbursement of costs to law enforcement agencies impacted who must bare the major costs for an increased length of the basic course. Without first conducting the research and curriculum development, it is impossible to accurately estimate the length of the required training and, thus, costs. SB 1134 can be considered in the category of an unfunded state mandate.

5. No funding provisions are made in SB 1134 to accommodate POST's costs for developing the guidelines and training course. Based upon past experience in such work, it is estimated the costs to POST will be approximately $100,000.

COMMENTS

The Commission's policy is to remain neutral on bills that mandate new training on law enforcement; therefore, a "Neutral" position is recommended.

Attachment L

BILL ANALYSIS

State of California — Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Peace Officers: California Museum of Science and Industry	Senator Hughes	SB 1204
	RELATED BILLS	DATE LAST AMENDED 2-24-95

SPONSORED BY California Museum of Science and Industry

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

GENERAL

Senate Bill 1204 would:

1. Authorize "other safety officers" of the California Museum of Science and Industry to be designated by their executive director as peace officers.

ANALYSIS

In 1991, legislation (AB 1196, C.877) was passed to authorize the executive director to appoint a chief and assistant chief of the California Museum of Science and Industry (a state agency) as peace officers. This was done after POST had conducted a peace officer feasibility study (pursuant to Penal Code Section 13540) which recommended against conferring peace officer status.

In 1992, the California Museum of Science and Industry contracted again with POST to conduct a peace officer feasibility study for the purpose of determining whether their "other safety officers" should be designated as peace officers. At the time of this report, this feasibility study is in progress with a report scheduled for the April 20 Commission meeting.

The California Museum of Science and Industry currently employs 25 safety officers who perform security and law enforcement duties at its 172 acres facility in Exposition Park located in Los Angeles. The facility includes the Museum, Los Angeles Coliseum, sports arena, swim stadium, Los Angeles County Museum of Natural History, IMAX theater, and several small private businesses.

During 1994, this agency handled 39 felony reports and 57 misdemeanor reports resulting in 17 felony arrests and 22 misdemeanor arrests.

The Commission's policy on proposed legislation for which a peace officer feasibility study has been conducted is to remain neutral and provide the study report to the Legislature as required. By the time this analysis of SB 1204 is considered at its April meeting, the feasibility study and report will have been concluded and acted upon by the Commission. Therefore, a neutral position is recommended for SB 1204.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Harold Snow	3-25-95		
EXECUTIVE DIRECTOR	DATE	COMMENT	DATE
Norman C. Boehm	3-23-95		

POST 1-159 (Rev. 1/89)

ATTACHMENT M

Commission on Peace Officer Standards and Training

Status of 1995 Legislation of Interest to POST

(Revised 4-5-95)

Bill No./ Author	Subject	Commission Position	Introduced	First Policy Committee	First Appropriations Committee (if applicable)	Floor of First House	Second Policy Committee	Second Appropriations Committee (if applicable)	Floor of Second House	To Governor for Action	Chaptered
AB 28 (Murray)	Removes peace officer disqualification for a felony conviction in another state that is not a felony in California and requires POST to review such applicants.	Neutral	12/5	X							
AB 51 (Johnson)	Election: District Attorneys, Judges, Sheriffs. Requires documentation of qualifications to be presented at time of filing.	None	12/13	X	X						
SB 132 (Watson)	Mandatory Domestic Violence Training: Requires domestic violence training for law enforcement officers, as defined, every two year.	None	1/23	X	X						
AB 176 (Bowler)	Custodial Officers: Tear Gas: Authorizes custodial officers, as defined, to purchase, possess, transport or use tear gas weapons, if POST prescribed training has been completed.	None	1/23	X							
SB 338 (Campbell)	Fines and Penalties: This bill would transfer revenue received by the State from fines and penalties to the General Fund on an ongoing basis. (POST exempted per amendment).	Watch	2/17	X							
AB 573 (Goldsmith)	Fines and Penalties: This bill would transfer revenue received by the State from fines and penalties to the General Fund on an ongoing basis. (same bill as SB 338). (POST exempted per amendment).	Watch	2/17	X							
AB 574 (Villaraigosa)	Safety Police Officers and Park Rangers of Los Angeles County: Requires POST to establish standards for and reimburse for their training.	None	2/17	X	X						
AB 854 (Hoge)	Department of Insurance: This bill would extend peace officer status to the Insurance Commissioner, and reclassify the status of Chief of the Bureau of Fraudulent Claims of the Department of Insurance and designated investigators.	None	2/22	X							
AB 858 (Isenberg)	Fines and Penalty Assessments: This bill would decrease state penalty assessments, and increase local penalty assessments.	None	2/22	X							
SB 932 (Polanco)	Law Enforcement Apprenticeship Program: This bill would establish this pilot program within OCJP.	None	2/23	X							
SB 1008 (Costa)	Correctional Officers of Fresno County: This bill would provide peace officer status to these public officers.	None	2/24	X							
AB 1020 (Campbell)	Public Safety Training Centers: This bill would place a bond measure before voters in 1996 that would establish these centers.	Support	2/22	X							
AB 1061 (Calderа)	Penalty Assessments: This bill would reduce penalty assessments on criminal and traffic fines and place $100 maximum assessment regardless of the amount of base fine.	None	2/23	X							
SB 1134 (Hayden)	Health Facilities: This bill requires POST to develop guidelines and a course of instruction on responding to and enforcement of state and federal laws governing access and security of health care facilities and hospitals for law enforcement officers. Requires the basic course to include adequate instruction relating to clinic violence.	None	2/24	X	X						
SB 1204 (Hughes)	Peace Officers: California Museum of Science and Industry: This bill would authorize the executive director to appoint other peace officers.	None	2/24	X							

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Summary of Informational Bills of Interest to POST

(Revised April 3, 1995)

Bill/Author	Description
SB 2	(Kopp) This bill would establish term limits for local elected officials and school boards.
ACR 10	(Aguiar) This bill would, on and after 1-1-96, designate the second week of May of each year as Blue Ribbon Week, and would urge all citizens to annually observe these days of recognition and support for all peace officers and law enforcement agencies by wearing or displaying a blue ribbon.
SB 11	(Ayala) This bill would provide that an affected local agency would not be required to comply with a state-mandated local program enacted after the bill becomes effective if an appropriation to fully fund a test claim for that program is not enacted within 16 months after approval of the claim and adoption of a statewide cost estimate of the approved claim by the Commission on State Mandates.
SJR 16	(Johnston) This measure would declare that the Legislature supports provisions of the Violent Crime Control and Law Enforcement Act of 1994 that allocate funds to increase the number of police officers on the streets.
SB 43	(Johnston) This bill would limit the authority of a chief of police and sheriff to issue concealed weapons permits to only residents of their city or county.
AB 53	(Murray) This bill would establish procedures for the Director of Consumer Affairs to issue a permit allowing private investigators, private security services licensees, and alarm company operators and agents to carry a pistol, revolver, or other firearm capable of being concealed.
SB 71	(Johannessen) This bill would exempt from liability the issuing agency or person for injury caused by issuance, denial, suspension, or revocation of a licence to carry a concealable firearm.
SB 74	(Leonard) This bill would authorize a peace officer to detain a person from whom a deadly

weapon is seized for a reasonable length of time in order to determine whether the person has been issued a license to carry a concealed weapon.

SB 112 (Hurtt) This bill would require state agencies or boards to expunge their from their records all citations, civil penalties, suspensions, or an other forms of discipline imposed if five years or more have passed since the date of these occurrances without reoccurrance.

SB 135 (Maddy) This bill would provide that no public agency or emergency 911 telecommunications system or service provider, except in cases of wanton and willful misconduct or bad faith, shall be liable for any damages in a civil action for injuries, death, or loss to persons or property incurred by any person as a result of any act or omission while provisioning, adopting, implementing, maintaining, or operating an emergency 911 system or service.

SB 138 (Polanco) This bill would require the Office of Criminal Justice Planning to (1) prepare a statewide plan for the development of work intensive programs for offenders on or before July 1, 1996, and (2) develop a statewide computerized database of listings and descriptions of community services that are available for parole officer referrals. This bill would require the Board of Corrections to (1) establish minimum operational and program standards for the work intensive programs,, (2) create a licensing and inspection process, and (3) establish a training and certification process for work intensive program staff.

AB 175 (Bowler) This bill would require any local agency to donate the personal effects, including deactivated handguns and shooting medals, of any police officer or deputy sheriff employed fulltime by the agency who is killed in the line of duty, to the family of the officer upon the request of the family.

SB 280 (Costa) This bill would authorize the Governor, by executive order, to provide for state managers, confidential, or supervisory employees to receive 3 years of additional age and 3 years of additional service credit if they retire prior to December 31, 1995.

SB 282 (Petris) This bill would make changes to the Public Safety Officers Procedural Bill of Rights Act by prohibiting any punitive action from being undertaken for any act, omission, or other allegation of misconduct if it was discovered by the public safety agency more than one year prior to the punitive action or denialo of promotion, except in specified circumstances.

AB 343 (Hoge) This bill would consolidate, revise, and recast existing law relevant to crime victim restitution, fines, and penalty assessments.

SB 348 (Campbell) This bill would repeal the existing law that requires community colleges to charge higher fees to students who have previously been awarded a baccalaureate or graduate degree and instead authorize the imposition of these higher fees in an amount not to exceed $50 per semester unit.

AB 469 (Vasconcellos) This bill would establish a the California Industry Skills Standards and Certification Panel in the Employment Development Department for the purpose of reviewing labor force licensing, certification, and sanction procedures in California.

AB 540 (Morrissey) This bill would require a final decision to be made on a citizen's complaint within six months after the investigation of the complaint is concluded.

AB 581 (Hoge) This bill would exempt peace officers working off duty from the training requirements for private security officers.

AB 646 (Woods) This bill would authorize the Director of the Department of Forestry and Fire Protection to designate employees or classes of employees as peace officers provided that the primary duty of the employee shall be the enforcement of laws and regulations relating to forests, fire, and explosives.

AB 664 (Brulte) This bill would make reserve district attorney investigators peace officers.

AB 787 (McDonald) This bill would designate reserve park rangers as peace officers with the powers and duties authorized pursuant to Penal Code Section 830.31.

AB 812 (Allen) This bill would repeal existing law that makes dependents of elected public officials and peace officers eligible for student financial aid.

AB 830 (Speier) This bill would repeal licensing requirements administered by the Department of Justice coverning oleoresin capsicum or other use of tear gas or tear gas weapons for citizens.

AB 890 (Rogan) This bill would exempt reserve peace officers from voir dire in civil or criminal matters and the prohibitions against carrying a concealed or loaded weapon.

SB 1013 (Costa) This bill would require the Director of Corrections and Director of the Youth Authority to ensure that money budgeted for peace officer positions are used for that purpose.

SB 1024 (Johston) This bill would authorize local governments to contract of behalf of law enforcement to provide supplemental law enforcement services to private individuals or entities at their business premises.

SB 1055 (Solis) This bill would authorize county boards of supervisors to commence public hearings regarding the consolidation of court services in the county and to implement consolidation in the discretion of the board.

SB 1056 (Johannessen) This bill would require that reserve peace officers be compensated for court appearances at the same rate as entry level peace officers of the same jurisdiction.

AB 1075 (Martinez) This bill would require that $50 of each fine collected for each conviction be deposited as specified. (Spot bill)

SB 1214 (Hughes) This bill would add airport law enforcement officers to the list of peace officers exempt from jury duty.

SB 1236 (Watson) This bill would extend the current sunset date for traffic violator fees of June 30, 1995 to June 30, 2000.

AB 1478 (Martinez) This bill would change peace officer status for the Los Angeles County Metropolitan

exempt from jury duty.

SB 1236 (Watson) This bill would extend the current sunset date for traffic violator fees of June 30, 1995 to June 30, 2000.

AB 1478 (Martinez) This bill would change peace officer status for the Los Angeles County Metropolitan Transportation Authority Police and the San Francisco Bay Area Rapid Transit District Police from Penal Code Section 830.33 to 830.1.

AB 1488 (Caldera) This bill would add dispatchers within the definition of emergency rescue personnel for purposes of qualified immunity from liability. This bill would include dispatch services within the definition of emergency services, including, but not limited to, emergency advice and instruction.

AB 1908 (Bowler) This bill would delete the taser as an exception to the definition of "Stun gun".

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

PETE WILSON, *Governor*
DANIEL E. LUNGREN, *Attorney General*

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

POST Advisory Committee Meeting
Wednesday, April 19, 1995
Holiday Inn On-The-Bay
Meeting Room - Porthole
1355 North Harbor Dr.
San Diego, CA 92101
(619) 232-3861

AGENDA

10:00 A.M.

A.	Call to Order	Chair
	0 Special Introductions 0 Roll Call 0 Announcements	
B.	Approval of Minutes of January 11, 1995 Meeting Minutes	Chair (See Attachment A)
C.	Review of Recommended Changes to the 1995 Governor's Award for Excellence in Peace Officer Training	Members (See Attachment B)
D.	Review of POST Certificate Cancellation Issue and Future Plans for Resolution	Commissioners and Staff
F.	Review of Commission Meeting Agenda and Advisory Committee Comments	Staff
G.	Advisory Committee Member Reports	Members
H.	Commission Liaison Committee Remarks	Commissioners
I.	Old and New Business	Members
J.	Adjournment	Chair
K.	Next Meeting - July 19, 1995 - Hyatt Regency Irvine, CA	

Attachment A

POST Advisory Committee Meeting
January 11, 1995, 10:00 a.m.
Holiday Inn Capitol Plaza
Sacramento, California

MINUTES

CALL TO ORDER

The meeting was called to order at 10:07 a.m. by Chair Judith Valles.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Present: Derald Hunt, California Association of Administration of Justice Educators
Don Menzmer, California Highway Patrol
Earle Robitaille, Public Member
Don Menzmer, California Highway Patrol
Judith Valles, Public Member
Alexia Vital-Moore, Women Peace Officers' Association
Woody Williams, California Peace Officers' Association
Judith Valles, Public Member

Absent: Charles Brobeck, California Police Chiefs' Association
Don Brown, California Organization of Police and Sheriffs
Charles Byrd, California State Sheriffs' Association
Norman Cleaver, California Academy Directors' Association
Joe Flannagan, Peace Officers' Research Association of California
Ernest Leach, California Community Colleges
Cecil Riley, California Specialized Law Enforcement

Commission Advisory Liaison Committee Members Present:

Marcel Leduc
Lou Silva
Dale Stockton

POST Staff Present:

Norman C. Boehm, Executive Director
Hal Snow, Assistant Executive Director
Dick Reed, Senior Law Enforcement Consultant, Training Development and Compliance Bureau
Vera Roff, Executive Secretary

APPROVAL OF MINUTES OF November 16, 1994 MEETING

The minutes of the November 16, 1994 meeting were approved with a correction noted that Jay Clark was voted as the Vice-Chairman for the coming year.

MOTION - Hunt, second - Williams, carried unanimously to approve the minutes of the November 16, 1994 meeting as amended.

REPORT OF AWARDS SUBCOMMITTEE ON GOVERNOR'S AWARD FOR EXCELLENCE IN PEACE OFFICER TRAINING

Because of the inclement weather, many members of the Advisory Committee were unable to attend the meeting. For that reason, the discussion concerning the Governor's Award criteria for 1995 was postponed until March 15 in Sacramento. All Advisory Committee members will be invited to attend, in addition to those who originally served on the selection criteria sub-committee.

UPDATE ON POST'S STUDY OF FIELD TRAINING REQUIREMENTS

As requested by the Committee at its last meeting, Dick Reed, Senior Law Enforcement Consultant, Training Delivery and Compliance Bureau, presented an overview on the field training issue. Dick provided a description of the program and its requirements, and pointed out that it is a voluntary program. Although there has been field interest in making it a mandatory program, the financial impact makes it impractical to consider at this time. POST will continue to study the program's requirements, including those for selecting field training officers and the feasibility of requiring continuous field training for Level II reserve officers. Recommendations will be brought to the Commission at some future date.

IMPLEMENTATION OF SENATE BILL 1874 - RESERVE TRAINING STANDARDS

Staff reported that effective January 1, 1995, SB 1874 amended Penal Code Section 832.6 which will have a significant impact upon Level I reserve officer training requirements. The major provisions of this legislation:

1. Requires non-designated Level I reserve officers appointed after January 1, 1997 to complete the regular Basic Course training requirement.

2. Allows a law enforcement agency to request an exception from the above training requirement, if the agency has policies approved by the Commission limiting duties of their Level I's, and they complete other training requirements established by the Commission;

3. Requires all Level I reserve officers to satisfy the Continuing Professional Training (CPT) requirement prescribed by the Commission.

Because the proposed amendments to Commission Regulations and Procedures would implement provisions required by SB 1874, this item will be on the January 12 Commission agenda for approval to schedule a public hearing in conjunction with the April 10, 1995 Commission meeting.

REVIEW OF COMMISSION MEETING AGENDA AND ADVISORY COMMITTEE COMMENTS

Staff reviewed the January 12, 1995 Commission agenda and responded to questions and discussion of the issues.

Agenda Item H - Appeal of POST Policy on Certification of Training for Non-Sworn Personnel - Following discussion, there was consensus that this issue should be researched further because:
(a) POST existing policy limiting course certification to only selected non-sworn positions is based upon dated training needs information (1985); (b) key non-sworn positions, e.g., Chiefs' Executive Secretaries, can have major impact upon the public's image of and confidence in law enforcement; (c) the advent of community-oriented policing concept may suggest a need to rethink this policy; and (d) the cost of the proposed training may not be all that significant in the total scheme of things.

Agenda Item I - Field Survey Option Regarding Field Input on POST Programs - After discussion, the Committee suggested that the survey be sent to training managers as well as chief administrators. It was recommended that staff provide Commissioners and members of the Advisory Committee information useful in approaching state legislators about POST funding needs and possible consequences for inaction. Committee members will report results of their efforts at the April Committee meeting.

MOTION - Clark, second - Menzmer, carried unanimously to report Committee recommendations to the Commission.

Agenda Item F - Report on the Postponement of the 1995 Symposium on Law Enforcement Training Technology - Following staff report, the Committee recommended the proposed symposium be cancelled. They further recommended that a video be developed and distributed to all state legislators that would accompany an invitation to them or their staff to personally witness and experience technology-based training for law enforcement that would be arranged by POST.

ADVISORY COMMITTEE MEMBER REPORTS

California Association of Police Training Officers

Jay Clark reported that CAPTO is preparing for statewide training needs assessment that is facilitated by POST staff.

Womens Peace Officers' Association of California

Alexia Vital-Moore invited Committee members to attend the next WPOA meeting which will be held in Sacramento on January 21, 1995.

California Peace Officers' Association

Woody Williams announced that CPOA's 75th Annual Conference will be held June 7-14, 1995 in Indian Wells. There are many exciting plans underway for the conference.

California Association of Administration of Justice Educators

Derald Hunt reported that CAAJE has recently completed two successful regional meetings. Plans are underway for the 30th Annual Conference to be held May 4-6, at the Embassy Suites Hotel in South Lake Tahoe.

California Highway Patrol

Don Menzmer announced that during the 1995-96 Fiscal Year, the California State Police will merge with the California Highway Patrol.

OLD/NEW BUSINESS

- Staff reported that, as requested, names of Advisory Committee members have been added to the POSTSCRIPTS mailing list.
- Members of the Advisory Committee were invited to tour POST Headquarters immediately following adjournment of the meeting.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:15 p.m.

Vera Roff
Executive Secretary

3/3/95

Attachment B

State of California | Department of Justice

M E M O R A N D U M

To : POST Commissioners | Date: March 27, 1995

From : NORMAN C. BOEHM
Executive Director
Commission on Peace Officer Standards & Training

Subject: REPORT REVIELWING GOVERNOR'S AWARD FOR EXCELLENCE IN PEACE OFFICER TRAINING

This is an informational report summarizing the POST Advisory Committee's review of the first year's Governor's Award for Excellence in Peace Officer Training. The Advisory Committee met in March to conduct this review.

BACKGROUND

During 1994 the Commission established the Governor's Award for Excellence in Peace Officer Training. The POST Advisory Committee was assigned responsibility to develop the initial program specifics, screen nominees, and make recommendations. The 1994 awards presentation was made at the January 1995 Commission meeting. The Advisory Committee met in March to review the award process, selection criteria, announcement, nomination booklets, and presentation ceremony. This report summarizes the Advisory Committee's findings and conclusions.

ANALYSIS

The Committee found that the overall awards program was highly successful, especially considering that 1994 was its first year of operation. As with any new program, some changes were identified for the 1995 awards. As a result of this review, several technical and formatting changes are recommended for incorporation in the 1995 announcement and nomination booklet. No substantive changes were recommended for the award categories eligibility, nor evaluation criteria.

With regard to the awards ceremony, several recommended changes were made including:

1. More press coverage of the event is needed, including press releases developed by POST for distribution to the news services from the award recipients' area.

2. Invitations to the awards ceremony should be extended to state legislators who represent award recipients' area.

3. The awards ceremonies should continue to be held in a prestigious setting that would facilitate the Governor personally presenting the awards. The POST Advisory Committee will consider this issue at its April meeting and have a recommendation for Commission consideration.

4. Each award recipient should be given an opportunity for statement following presentation of their award.

5. The awards ceremony should continue to be photographed and videotaped for presentation of copies to recipients.

The revised schedule of events for the 1995 awards (including mail out of announcements, and submittal deadline will be considered by the Advisory Committee at its April meeting.

The Advisory Committee welcomes any direction given it by the Commission.

Governor
State of California

The 1995 Governor's Award For Excellence In Peace Officer Training

Sponsored by
the
Commission on
Peace Officer Standards and Training

The 1995 Governor's Award For Excellence In Peace Officer Training

Photo

Purpose

To encourage and foster innovation, quality, and effectiveness of peace officer training by recognizing achievement with the Governor's Award for Excellence in Peace Officer Training.

Description

The Governor's Award is a beautiful perpetual trophy within an enclosed glass and wood case. It is permanently housed in the lobby of POST headquarters in Sacramento. Each year, the names of award recipients are affixed to the award's base. Recipients receive a smaller replica of the trophy. A replica of the trophy is also provided to the employers of individual recipients. The awards are presented by the Governor or designee in a special ceremony.

Sponsor

California Commission on Peace Officer Standards and Training.

Categories

One award may be made annually in each of the following categories. It is not mandatory that an award be given each year for each category.

- ## Individual Achievement

Nominations for the individual achievement award should include a special action or accomplishment representing a singularly significant or extraordinary contribution to public law enforcement training. The contribution must be described and must involve a demonstrably effective project, task, or assignment. ***The nomination narrative should concentrate on describing the innovative aspects of the accomplishment.***

The impact of the achievement on law enforcement training at the organizational, local or state levels, and the benefits derived, should be documented. Outstanding contributions may include, but are not limited to, innovative approaches in the preparation, presentation, application, implementation, evaluation, planning, and/or management of law enforcement training programs.

- ## Lifetime Achievement

An individual nominated for the "lifetime achievement" award must have contributed to public law enforcement training over an extended period of time:

o achieved demonstratable results;
o maintaining highly creative efforts; or
o displaying exemplary service; and
o leadership skills.

A nominee should enjoy a reputation as an innovator and leader in law enforcement training at the local, regional, and state levels. Accomplishments must be documented with the quality and substance of their accomplishments as the essential factor. As with the individual achievement category, the nomination should focus on the innovative aspects of the nominee's accomplishment and the impact of those accomplishments on law enforcement training within an organization, and at the local, regional and state levels. The number of years the nominee has been active in law enforcement training should be documented, and the reputation and recognition the nominee enjoys among peers should be described.

- **Organizational Achievement**

The nominated organization must be one wherein training responsibilities and initiatives have resulted in substantial contributions to public law enforcement training and reflect a high degree of training effectiveness. The contribution must be documented and describe one or more projects or programs that are primarily training in nature rather than an operational activity.

Outstanding contributions may include, but are not limited to, innovative approaches in the analysis, design, development, implementation, evaluation, or delivery of law enforcement training programs. Both quantum improvements and long-term improvements or successes in training will be considered.

Eligibility

To be eligible for an award, individuals or organizations must have demonstrated skill and contributed to the advancement of California law enforcement training at extraordinary levels. The skill, approach, energy, commitment, and intelligence devoted to training must be documented. The documentation shall provide information on the financial, operational, or related benefits realized by California law enforcement as the result of the nominee's contribution or service.

The quality and substance of the contributions are essential factors. Aspects of training to be considered will include, but not be limited to, innovations in preparation, presentation, application, implementation, evaluation and management of training systems, programs and methodologies.

Individual nominees may include, but are not be limited to those who are currently or have been law enforcement trainers, law enforcement personnel, private trainers, and educators.

Organizational nominees may include law enforcement agencies, colleges or universities, private presenters or developers or nonprofit foundations engaged in the training of peace officers.

Individual or organizational achievement may have occurred in any year prior to the year in which application is made for the award.

Evaluation

Criteria that will be used in evaluating candidates include:
(a) Innovation, (b) Impact, and (c) Reputation/Recognition.

- **Innovation**

Nominations will be evaluated on the use of unique and innovative approaches in the design/development, implementation/presentation, and/or evaluation of law enforcement training programs. Innovation would include the introduction of new training methodologies or practices, creative/unique approaches to program delivery or the introduction of new or creative use of existing technology leading to improved quality or delivery of law enforcement training.

For organizational or special act recognition, the nomination should stress the uniqueness of the approach, and how it differs from current/past practices and the specific benefits or improvements that resulted. Lifetime achievement narrative should focus on the same points, but describe them in terms of accomplishments throughout the nominee's career in law enforcement training.

- **Impact**

The nomination should fully describe the effectiveness of the achievement(s) on law enforcement training. Are improvements resulting from the accomplishment(s) limited to in-house organizational improvements? Have the improvement(s) impacted or do they have the potential to impact other law enforcement organizations in the local, regional, or state training community? Describe any quality, cost-effectiveness, operational, or other related improvements derived or projected as the result of the accomplishment.

The nomination for lifetime achievement should focus on the same points, but discuss them in terms of accomplishments throughout the nominee's career in law enforcement training. The number of years the nominee has been in the law enforcement training arena should also be documented.

- **Reputation/Recognition**

  Nominations (individual and organizational) will be evaluated on the reputation and standing in the law enforcement training community at the local, regional or state levels. The nomination should stress the degree to which the nominee is "sought out for advice" by peers within the training arena, the reputation the nominee enjoys as a leader and innovator in law enforcement training, and official recognition of the nominee by the individual's or organization's peers.

Submission of Nominations

Nominations must be submitted to:

Governor's Award Screening Committee
c/o POST
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Applications must be submitted and signed by the chief executive officer or his/or her authorized designee of the nominating organization. Nominations, along with supporting documentation, must be received at POST on or before January 1, 1996. Applications received after this date will not be considered. Applications submitted in previous years must be resubmitted to be eligible for consideration for the current year's award.

Awards Panel

An ad hoc subcommittee of the POST Advisory Committee which has broad-based organizational representation, and one member of the POST Commission Liaison Committee, will initially screen applications and make recommendations to the POST Advisory Committee. A representative of the Governor's Office is invited to participate in the screening process. The POST Advisory Committee will make award recipient recommendations to the POST Commission which will make final decisions on the awards.

Application

To nominate an individual or organization, complete the appropriate nomination form and submit it along with supporting documentation. **Only those nominations using the format provided herein, with narrative justification (Item C of this form) of 1,000 words or less, excluding supporting documentation, will be considered for an award. Supporting documentation must be listed, briefly described and attached as part of Item D of this form. The chief executive officer or authorized designee must sign the nomination form in the space provided. Questions may be directed to Hal Snow at (916) 227-2807.**

GOVERNOR'S AWARD FOR EXCELLENCE IN PEACE OFFICER TRAINING

Organizational Achievement Nomination Form

Organization Nominated: _____

Nominating Head/Chief Executive Officer: _____

Address: _____

Telephone: _____

Name of Nominating Organization: _____

Address: _____

Organization Head/Chief Executive Officer: _____

Title: _____

Signature: _____

Telephone: _____

Covers Period From: _____ To: _____

Justification of Recommendation (Use of separate typewritten page(s) is recommended)

A. Description of Organization's Purpose and Training Responsibility:

B. Briefly summarize the achievement:

C. Narrative Justification: Brief description of why performance or contribution(s) warrant an award. Narrative must address the "evaluation criteria" as discussed earlier under *Evaluation Criteria* in the order in which they are listed: (1) Innovation, (2) Impact, and (3) Reputation/Recognition. **(Limit narrative to 1,000 words or less.)** *Note*: Only those nominations using this format with a narrative of 1,000 words or less, will be considered for an award.

D. Supporting Documentation: Number, list, and *briefly* describe each supporting document on this page. Attached all supporting documentation to or following this page.

GOVERNOR'S AWARD FOR EXCELLENCE IN PEACE OFFICER TRAINING

Individual Nomination Form

Category: Individual Achievement _____ Lifetime Achievement _____

Name of Nominee: _____

Title of Nominee: _____

Address of Nominee: _____

Nominee's Employer: _____

Name of Nominating Organization: _____

Organization Head/Chief Executive Officer: _____

Title: _____

Signature: _____

Telephone: _____

Covers Period From: _____ To: _____

Justification of Recommendation (Use of separate typewritten page(s) is recommended)

A. Summarize Job Duties of Nominee:

B. Briefly Summarize the Achievement:

C. Narrative Justification: Brief description of why performance or contribution(s) warrant an award. Narrative must address the "evaluation criteria" as discussed earlier under *Evaluation Criteria* in the order in which they are listed: (1) Innovation, (2) Impact, and (3) Reputation/Recognition. **(Limit narrative to 1,000 words or less.** Note: Initial screening of nominations is solely based upon information submitted in this application rather than supporting documentation. Supporting Documentation may be reviewed for finalists nominations.

D. Supporting Documentation: Number, list, and *briefly* describe each supporting document on this page. Attach all supporting documentation to or following this page.

State of California **Department of Justice**

M E M O R A N D U M

To : POST Commissioners **Date: April 5, 1995**

MARCEL LEDUC
Chairman
From : **Commission on Peace Officer Standards & Training**

Subject: CERTIFICATE REVOCATION CONCERNS OF LABOR GROUPS

Since adoption of regulations by the Commission in July 1991, law enforcement labor groups have continued to voice concerns. The regulations expanded the Commission's authority to include revocation based upon certain felony convictions reduced to misdemeanors. Convictions for this purpose were restricted to those involving sex offenses, dishonesty associated with official duties, theft, narcotics, or assaults under color of authority.

No qualifying cases have yet been encountered and the Commission acted in January 1994 to suspend enforcement of these regulations pending completion of a renewed effort to reach agreement with labor organizations on mutually acceptable directions. In furtherance of this effort a meeting was had in Irvine on March 10, 1995.

The meeting was attended by myself and Commissioners Hall-Esser, Lowenberg, and Rutledge. Others attending were:

Skip Murphy, President, PORAC
Bob Muzar, Undersheriff, Calaveras County
Jim Vogt, President, Los Angeles County Professional Peace Officers Association

Norman Boehm, Executive Director, and Glen Fine of POST staff also were in attendance.

The meeting was facilitated by private consultant, Bud Emerson. Bud used an interest-based problem solving approach, in order to get those in attendance to seek out their areas of mutual interest and agreement. The approach was very effective and resulted in the documentation of many areas of agreement, as well as options for resolving disagreement.

The meeting led to a consensus action plan with the following elements:

- POST suspend implementation of certificate regulation until Labor-Management Task Force makes its final recommendations to the POST Commission.

- Create Labor-Management Task Force to address tasks enumerated below:

  - Composition: Labor, management, public, city/county agencies, Advisory Committee members, academia, POST Commissioner(s)

  - Selection Process: Members appointed by POST Advisory Committee, approved by Labor-Management Forum

  - Report Process: Task Force report submitted to POST Advisory Committee and Labor-Management Forum before action by POST Commission

  - Tasks:

    1. Create an interim hearing process which includes local involvement to handle any "felony misdemeanor" cases that occur prior to implementation of revised regulation (first priority).

    2. Design a survey process to gather opinions from the field about certificate issues such as licensing, revocation procedures, professional standards, "moral turpitude" criteria, POST role, local role, regulator parameters, management role, labor role, etc.

    3. Make recommendations for changes in POST regulations and/or legislation proposals dealing with POST certificate criteria and procedures (including revocation).

If the full Commission concurs with this approach, I will ask the POST Advisory Committee Chair to initiate the process by scheduling discussion of Task Force members.

State of California - Business, Transportation and Housing Agency PETE WILSON, Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
P. O. Box 942898
Sacramento, California 94298-0001
(916) 657-7152
1-800-735-2929 (TT/TDD)
1-800-735-2922 (Voice)

File No.: 1.A8212.postreco

Mr. Norman Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816

Dear Mr. Boehm:

As you know, Chief Don Menzmer is being transferred to our Northern Division office in Redding effective May 2, 1995 and will no longer be able to serve on the POST Advisory Committee. I am recommending that Chief Keith Miller, who will be succeeding Chief Menzmer as Personnel and Training Division Commander, be appointed to serve on the Committee.

I appreciate the opportunity to recommend a member of the California Highway Patrol to serve on the Advisory Committee.

Sincerely,

M. J. HANNIGAN
Commissioner

State of California - Business, Transportation and Housing Agency PETE WILSON, Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
P. O. Box 942898
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1-800-735-2922 (Voice)

March 28, 1995

File No.: 30.3937.A8212.postcomm

Mr. Norman Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816

Dear Mr. Boehm: Norm

As I advised you in my letter of March 8, 1995, I am being transferred to our Northern Division office in Redding effective May 2, 1995. Chief Keith Miller will succeed me as Personnel and Training Division commander, rather than Chief Roland Dell. Commissioner Hannigan will be recommending Chief Miller be appointed to the POST Advisory Committee as my replacement.

Thanks again for giving me the opportunity to work with you and the fine staff of POST. If I can be of assistance, please do not hesitate to contact me at my new office number, (916) 225-2715, after May 1.

Sincerely,

Don Menzmer

D. G. MENZMER, Chief
Personnel and Training Division