

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CALIFORNIA 95816-7083**COMMISSION MEETING AGENDA**

November 5, 1998 - 10:00 A.M.

Piccadilly Inn Hotel

5115 E. McKinley Ave.

Fresno, CA 93726

(209) 224-3363

**AGENDA****CALL TO ORDER - 10:00 A.M.****COLOR GUARD AND FLAG SALUTE****MOMENT OF SILENCE HONORING PEACE OFFICERS KILLED IN THE LINE OF DUTY**

Since the last Commission meeting, the following officers have lost their lives while serving the public:

- Officer Filbert H. Cuesta, Los Angeles Police Department
- Sr. Deputy Lisa D. Whitney, Ventura County Sheriff's Department

**ROLL CALL OF COMMISSION MEMBERS****INTRODUCTIONS****APPROVAL OF MINUTES**

- A. Approval of the minutes of the July 16, 1998 regular Commission meeting at the Doubletree Hotel in Costa Mesa.

**CONSENT CALENDAR****B.1 Receiving Course Certification Report**

Since the July meeting, there have been 78 new certifications, 58 decertifications, and a total of 148 modifications. In approving the Consent Calendar, your Honorable Commission receives the report.

**B.2 Receiving Financial Report - First Quarter FY 1998/99**

The first quarter financial report is under this tab for information purposes. In approving the Consent Calendar, your Honorable Commission receives the report.

**B.3 Receiving Information on New Entry Into the POST Regular (Reimbursable) Program**

- The Los Rios Community College District Police Department has met the Commission's requirements and has been accepted into the POST Regular Program. In approving the Consent Calendar, your Honorable Commission receives the report.

**B.4 Receiving Information on New Entries Into the POST Specialized (Non-Reimbursable) Program**

- The Assembly Sergeant-at-Arms, California Legislature, has met the Commission's requirements and has been accepted into the POST Specialized Program.
- The Los Angeles Office of County Security has been moved from the Reimbursable to Non-reimbursable Program and the name of the agency has been changed to the Los Angeles County Office of Public Safety.
- The City of Oakland Housing Authority Police Department has met the Commission's requirements and has been accepted into the POST Specialized (Non-Reimbursable) Program.

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

**B.5 Receiving Information on Withdrawals From POST Programs**

The following agency has disbanded and has withdrawn from the POST Specialized (Non-Reimbursable) Program:

- The Ventura County Public Social Services Agency has been merged with the Ventura County District Attorney's Office.

The following agencies have disbanded and have withdrawn from the POST Regular (Reimbursable) Program:

- Waterford Police Department
- Solano County Marshal's Department

**B. 6 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 the following agency has met the requirements and has been accepted into the POST Specialized Non-Reimbursable Public Safety Dispatcher Program:

- Acceptance of the Department of Fish and Game into the Public Safety Dispatcher Program.

**B.7 Report on Victims of Violence Video Distribution**

The Commission has previously approved development and distribution of the video *Victims of Violence, A Guide to Help Bring Justice*. The report under this tab provides the status on its distribution and field response.

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

**STRATEGIC PLAN**

**C. Report on Strategic Plan Implementation Progress**

Commissioner TerBorch, Chairman of the Committee on Strategic Plan Implementation, will report on the progress of implementing POST's Strategic Plan and the updated Strategic Implementation Plan.

**BASIC TRAINING**

**D. Report and Recommendation to Approve Crowd Management and Civil Disobedience Guidelines**

Senate Bill 1844 (Thompson), enacting Penal Code Section 13514.5, has been signed by the Governor and requires the Commission to implement on or before January 1, 1999, a course or courses of instruction for the training of law enforcement officers in the

handling of acts of civil disobedience and to adopt guidelines establishing standard procedures that may be followed by police agencies in responding to acts of civil disobedience.

A report was presented to the Commission at the April 1998 meeting and staff was directed to proceed with the development of voluntary guidelines. The draft proposal included with this report is the product of a series of statewide meetings by an ad hoc committee whose members developed the proposed guidelines and developed the telecourse on Managing Civil Disorders that was broadcast on July 23, 1998.

The report under this tab includes a draft of the proposed *Crowd Management and Civil Disobedience Guidelines* developed pursuant to the Commission direction and legislative mandate.

If the Commission concurs, the appropriate action would be a MOTION to approve the *Crowd Management and Civil Disobedience Guidelines* document and authorize the Executive Director to distribute the guidelines statewide.

E. Request for Approval of Interagency Agreement to Distribute Basic Training Instructional Packages

This report requests that the Commission authorize the Executive Director to contract with the Office of State Publishing (OSP) for printing, packaging and distributing basic training instructor materials to law enforcement academies for the FY 1998-99.

Basic training instructional packages have been developed as part of the student workbook conversion project. The instructional packages include student and instructor workbooks and a 30-minute training video. If authorized by the Commission, instructional packages for 32 of the 42 learning domains will be completed and ready for delivery by June 30, 1999. The expense of developing and delivering the new training packages enhances the Commission's ability to standardize basic training.

The creation of the training packages improves POST support of academies that are constantly training and updating instructors. The instructional package provides new instructors with all materials needed to begin teaching the course and seasoned instructors with the latest updated curriculum. Additionally, the POST instructional package can be used by the academy to document the delivery of mandated training. The videos and instructor materials are enthusiastically supported by the instructors and directors in the academy system.

At its April 1998 meeting, the Commission authorized the Executive Director to enter into a contract with the OSP to develop and implement a system to print and distribute POST's Basic Training Student Workbooks. That contract has been extremely successful, to date, resulting in sales of over 30,000 student workbooks to individuals and institutions. The OSP can duplicate 30-minute training videos, provide packaging and

handling, and distribute complete sets of basic training instructional packages for \$841.60. Staff is requesting allocation of \$252,480 to provide materials for law enforcement academies and reserve trainers this fiscal year.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to contract with the Office of State Publishing for video duplicating, printing, packaging and distributing basic training instructor materials to law enforcement academies and reserve trainers at a cost not to exceed \$252,480. (ROLL CALL VOTE)

F. Report and Recommendation to Adopt Changes to Public Safety Dispatchers' Basic Course Training Specifications Using the Notice of Proposed Regulatory Action Process

As part of an ongoing review of basic training content, POST staff and curriculum consultants (course instructors and managers) thoroughly review learning domain content to determine if revisions are necessary. This process occurs in workshops during which training specifications are updated to reflect emerging training needs, compliance with legislatively mandated subject matter, changes in the law, or to improve student learning and evaluation.

Proposed changes to the training specifications for the Public Safety Dispatchers' Basic Course are contained in the Commission Agenda Item Report. The recommended changes would significantly modify the course by reorganizing domain titles, numbers and hours, enhancing existing goals and topics, adding new goals and topics to update the course and adding interactive student learning activities. No change is proposed to the total of 120 hours currently required to present this course.

All proposed changes have been reviewed and endorsed by the training presenters. Staff recommends that the proposed curriculum changes be adopted pursuant to the Administrative Procedures Act by using the Notice of Proposed Action Process. If approved, these changes will become effective January 1, 1999.

If the Commission concurs, the appropriate action would be a MOTION to approve the curriculum changes as described in the staff report. If no one requests a public hearing, the changes would go into effect upon approval of the Office of Administrative Law as to form and procedure.

G. Report and Recommendation to Schedule a Public Hearing to Revise the Reserve Officers' Training Requirements.

Reserve training requirements have been the subject of two Senate Bills [SB 1874 (1995) and SB 786 (1998)] which have resulted in significant changes to requirements for reserve peace officers. The bills amended Penal Code Section 832.6 and the mandated changes have impacted the areas of assignment, supervision, and training. SB 1417 has

been signed by the Governor and will make additional changes to Section 832.6 that become effective on January 1, 1999.

The legislative changes have impacted all three levels of reserve peace officers. The entry level training requirement for Level I reserves has been increased to the Regular Basic Course, the supervision requirement for Level II reserves has been revised and they have been authorized to perform specified enforcement duties without immediate supervision, and Level III reserves have been given expanded duties. The present entry level training system for reserves is outdated and does not meet the training needs of newly appointed reserve officers. The legislative amendments to Penal Code Section 832.6 have created a need to revise and update the existing Module A, B, C, and D system that is currently being presented to train reserve officers statewide.

Reserve Training Modules I, II and III are proposed to replace existing Modules A, B, C, and D. The concept of the proposed modular training model is to divide the Regular Basic Course into a three-module format that meets the entry level training requirements of all three levels of reserve officer. The system is intended to align and blend the modules with the Regular Basic Course. The proposed three module format is based on the expanded duties for level III reserves, the changes in supervision and assignment for Level II reserves, and the basic course training requirement for Level I reserves.

It is proposed that Level I reserves complete the mandatory POST-approved Field Training Program for regular officers which is integrated into the basic training requirement. Completion of the basic course has been the entry level training requirement for Level I reserve officers since January 2, 1997. For this reason, it is proposed that the field training requirement be extended to Level I reserves effective July 1, 1999.

The criteria for the issuance of reserve officer certificates is based on the outdated training and experience requirements for non-designated Level I reserves. It is proposed that the criteria should be revised to reflect completion of the regular basic course and the field training component.

Amendments are also proposed to Commission Regulation 1007(b) and Procedures D-1, H-1, H-3, H-4, and H-5. Proposed language for the regulations and various procedures are included in the enclosed report.

The Reserve Training Program and proposed modularized instructional format were presented to the Long Range Planning Committee at their October 26, 1998 meeting for information and discussion.

It is recommended the matter be set for a public hearing. The proposal, if adopted, would be a significant step in the elevation of professional standards for California reserve peace officers.

If the Commission concurs, the appropriate action would be a MOTION to schedule a public hearing, in conjunction with the January 1999 Commission meeting, to receive comments on the proposed changes of Commission Regulation 1007(b) and Procedures D-1, H-1, H-3, H-4, and H-5.

H. Report and Recommendation to Amend Contract for Reserve Training Program.

On July 17, 1997 the Commission approved a contract for the services of a Special Consultant under the Management Fellowship Program to manage the Reserve Training Program. POST subsequently contracted with the Los Angeles County Sheriff's Department for the services of Lieutenant Frank Decker for a one-year period of January 1, 1998 through December 31, 1998.

Lieutenant Decker has been working with several ad hoc committees to completely revise the training standards and curriculum for reserve officers consistent with the legislative requirements enacted through a variety of bills enacted since 1996. Work on the proposed training model has been completed as described in the previous report on this Agenda.

The proposal to extend Lieutenant Decker's assignment by six months is associated with Strategic Plan objective B.16 that addresses "maximizing the availability of Level I reserve training." If the contract amendment and extension is approved by the Commission it is proposed that Lieutenant Decker begin the task of developing a plan for delivering Reserve Training Modules II and III to remote areas using alternative delivery methods, and competency based training.

If the Commission concurs, the appropriate action would be a MOTION to amend the existing contract with the Los Angeles County Sheriff's Department for the services of Lieutenant Frank Decker for an additional six month period of time at a cost not to exceed \$61,304. (ROLL CALL VOTE)

TRAINING PROGRAM SERVICES

I. Report and Recommendation to Schedule a Public Hearing to Revise the Continuing Professional Training (CPT) Requirement.

As part of POST's Strategic Plan, Objective A.3, a year-long study was conducted to determine if the current Continuing Professional Training (CPT) requirement was meeting the needs of law enforcement. Presently, the CPT requirement specifies that every peace officer below the rank of middle-management satisfactorily complete an

Advanced Officer Course or other training approved by POST of 24 hours or more at least every two years.

POST staff prepared a report on the CPT requirement based on an extensive review of POST records, input from three ad hoc committees and a CPT survey of all law enforcement agencies in the POST program. As a result, this report recommends the implementation of several changes.

- Extend the CPT requirement to middle managers, executives, Level II reserve officers, dispatchers and dispatch supervisors.
- Expand the means for satisfying the CPT requirement to include Executive Training Courses and Seminars.
- Modify POST Regulation 1005 (d) and POST Procedure D-2 to conform to the change in wording from Advanced Officer Course to Continuing Professional Training, and add Ethics and Perishable Skills to the list of recommended topics.

If the Commission concurs, the appropriate action would be a MOTION to schedule a Public Hearing for the January 1999 Commission meeting for the purpose of amending Commission Regulations and Procedures that would update POST CPT requirements.

J. Exceptions to Minimum Hourly Training Requirements for Legislatively-Mandated Training Courses

Regulation 1081(a) identifies minimum hours and content for 24 statutorily mandated training requirements for which the Commission is responsible. The minimum hours are generally based upon instruction that is presented using conventional means, such as in an instructor-led classroom. No authority exists for allowing fewer hours for courses that may use individualized, self-paced instruction and technology for delivery, such as computer-based interactive multimedia. This proposal as discussed in the report under the tab for this item seeks in part to implement POST Strategic Plan objective B.10 concerning the development of competency-based training courses.

Studies have shown that one of the benefits of interactive multimedia instruction is reduction in time required to master training objectives. Having authority for allowing exceptions to specified course hours has the following advantages:

- Trainees would spend only as much time as is necessary to attain required competencies.
- Training would be consistent with POST's Strategic Plan objectives to develop competency-based training and develop alternative approaches for delivering training.

- Required testing would provide assurance that trainees have attained the specified competencies.

Staff recommends that students receive credit for the same number of hours that would be given in a traditional course. Demonstration of competencies through appropriate testing would be required.

In addition to the substantive material previously discussed, staff also proposes a technical amendment to Regulation 1005(g) and 1081(a) and 1081(b) in order to replace, in each, the term "approved" courses with "legislatively mandated" courses. The purpose of this change is to more accurately reflect the nature of these courses.

If the Commission concurs, the appropriate action would be a MOTION to approve, subject to the results of a Notice of Proposed Regulatory Action, (1) the regulation modifications to establish authority for exceptions to the minimum hourly training requirements for legislatively-mandated training courses and (2) the technical amendments to regulations 1005(g), 1081(a), and 1081(b).

K. Approval of Proposed Curriculum and Hour Changes To Child Abuse Investigation Training

Penal Code Section 13517 (1983) mandated that the Commission prepare guidelines establishing standard procedures which may be followed by law enforcement agencies in the investigation of child abuse. This statute also required POST to prepare and implement an optional course for the training of specialists in the investigations of child abuse cases. These guidelines and curriculum were amended in 1986 to include the addition of mandated material for the investigation of child physical abuse and neglect, sexual abuse and exploitation. Both the guidelines and training have recently been updated to incorporate changes in law and investigative procedures. An increase in the minimum hours from 24 to 40 is proposed. Since this training course is optional, the adoption of the revised training requirement for specialists assigned to the investigation of child abuse cases does not require regulatory action.

If the Commission concurs, the appropriate action would be a MOTION to adopt the proposed curriculum and hours changes; and, authorize the Executive Director to reproduce and distribute the guidelines.

## STANDARDS AND EVALUATION

L. Contract For Revised Psychological Screening Guidelines

In 1984, POST issued the *Psychological Screening Manual* to assist agencies with mandated psychological screening of law enforcement applicants. In the ensuing 14 years since the manual's publication, several major developments have contributed to its increasing obsolescence. Legally, the Americans With Disabilities Act of 1990 and the

Civil Rights Act of 1991, have provided additional entitlements to job applicants and employees with mental disabilities, as well as limited the manner in which testing can be conducted and evaluated in order to achieve racial and gender equity. Concurrently, significant advances in the area of psychological assessment have resulted in new theories of personality and associated measurements, as well as a renewed interest and emphasis on the role of personality and its contribution to job performance. Finally, significant changes within the law enforcement profession have also highlighted the need to select officers who are psychologically capable of withstanding the increasing demands made upon law enforcement.

The compelling developments surrounding psychological assessment highlight the need to update POST guidelines and procedures for the psychological screening of peace officer candidates. Though staff has made progress on this project (Strategic Plan A.8.II) -- including an extensive literature review, meetings with stakeholders, development of a taxonomy of peace officer psychological traits, and creation of a research design based upon the results of a needs assessment -- it is clear that additional assistance is required. The assistance is necessary not only because of recent attrition of available staff but also because it would provide expertise that POST staff does not currently possess (e.g., clinical psychology).

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to contract with a vendor, following completion of an RFP process, to assist in the creation of revised POST psychological screening guidelines, in an amount not to exceed \$175,000. (ROLL CALL VOTE)

M. Contract For Revising Sections of the Medical Screening Manual

When the Commission first authorized release of the revised POST Medical Screening Manual in 1993, it was intended that updates to the manual would be incorporated as future needs arose. In keeping with that intent, new vision guidelines were published and distributed in 1994, guidelines related to diabetes were revised in 1996, and new hearing guidelines are slated for completion in early 1999. The past decade has seen significant advances in many other areas of medical science, and the accumulation of case law and new guidance associated with the Americans with Disabilities Act have served to better define the legal parameters surrounding the medical screening of job candidates. To keep pace, it is necessary to review and revise many sections of the manual. For example, very recent improvements in the detection, treatment, and management of ulcers, cancer, and diabetes need to be factored into the manual's examination and evaluation protocols.

Though over 40 medical specialists participated in the creation of the *POST Medical Screening Manual*, medical oversight and responsibility for drafting and finalizing the protocols chapters was largely that of Robert Goldberg, M.D., Assistant Medical Director for the City of Los Angeles.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to develop and sign a sole source contract for the services of Dr. Robert Goldberg to revise specified sections of the *POST Medical Screening Manual* for an amount not to exceed \$35,000. (ROLL CALL VOTE)

## TRAINING DELIVERY AND COMPLIANCE

### N. Report and Recommendation to Modify Commission Regulation 1054, Tuition Guidelines.

Commission Regulation 1054 contains the maximum allowance for costs that are presented as line items in the budgets that are required for training courses certified with a tuition (Plan I and III). The regulation also provides guidelines for approving costs associated with other certified training.

Since the early 1980's, the maximum allowances for training costs were specified in Commission Procedures. In 1991, pursuant to the requirements of the Office of Administrative Law (OAL), the budget specifications and maximum allowances were codified in Regulation 1054. The allowances in existence at that time were not adjusted when the regulation was approved, nor in 1993 when the regulation was modified. The fiscal limits on individual course budget line items in effect today are unchanged since the early 1980's, although significant increases in costs have occurred.

The proposed changes include increasing the maximum allowance for instructor compensation from \$62 to \$90 per hour, and increasing the allowances for coordination, clerical support, and indirect costs. The report under this tab provides the details concerning each proposed change to Regulation 1054. The specific modifications to the regulation are Attachment A to the report.

If the Commission concurs, the appropriate action would be a MOTION to approve, subject to the results of the Proposed Notice of Regulatory Action, modifications to Regulation 1054, as described.

### O. Request For Approval to Contract With the California Highway Patrol for Presentation of the Motorcycle Update Course

The California Highway Patrol is certified to present a course of instruction for experienced motorcycle officers. The course is approved under Plan I with a tuition of \$214.00 per student, with a maximum of three presentations for Fiscal Year 1998/1999. The California Highway Patrol currently charges tuition to each agency that sends a student to the course, and POST reimburses each of the individual agencies. This contract would allow POST to pay the Highway Patrol directly to present the training. No additional funds are required to accomplish this recommendation.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with the California Highway Patrol for an amount not to exceed \$12,840.00. (ROLL CALL VOTE)

### **ADMINISTRATIVE SERVICES**

P. **Report on Proposed Changes to Broaden Agency Participation in the Records Supervisor Certificate Program**

At its November 6, 1997 meeting, following a public hearing, the Commission approved regulation and procedural changes which established a Records Supervisor Certificate Program. The regulation change was in adherence to Penal Code Section 13510.3 which required the Commission to establish, by December 31, 1997, a voluntary professional certificate program for law enforcement records supervisors who have primary responsibility for providing records supervising services for local law enforcement agencies. At the time of the establishment of this new certificate program, agency eligibility was confined to local agencies in accordance with the law.

Recently, the Chief of Police, University of California, Berkeley, who is also the statewide system coordinator, has written POST expressing strong interest in being included in the program. A similar expression of interest was received from a representative of the California State University system. In addition to these education systems, there are 27 other state agencies that participate in the POST program. Traditionally, POST certificates have been made available to all eligible participants in the POST program.

If the Commission concurs, the appropriate action would be a MOTION to approve the change in Commission Regulation 1001 which would allow all participating agencies to be eligible to participate in the Records Supervisors Certificate Program. If no one requests a public hearing, the change would go into effect upon approval of the Office of Administrative Law as to form and procedure.

### **COMMITTEE REPORTS**

Q. **Report of Long Range Planning Committee**

Commissioner TerBorch, member of the Long Range Planning Committee, will report on the Committee meeting held October 26, 1998 in San Diego.

R. **Report of the Finance Committee**

Commissioner Carre, Chairman of the Finance Committee, will report on the Committee meeting held on November 4, 1998 in Fresno.

S. Report of the Legislative Review Committee

Commissioner Kolender, Chairman of the Commission's Legislative Review Committee, will report on the Committee meeting held November 5, 1998 in Fresno.

T. Advisory Committee

Woody Williams, Chairman of the POST Advisory Committee, will report on the Committee meeting held November 4, 1998 in Fresno

U. Report of the POST Advisory Liaison Committee

Commissioner Brobeck, Chairman of the POST Advisory Liaison Committee will report on the committee meeting held November 4, 1998.

**OLD/NEW BUSINESS**

**CORRESPONDENCE**

- V. Correspondence was received from James Hernandez, Professor of Criminal Justice at CSU, Sacramento, and the Chair of the Crime and Public Police Conference in the Pacific Rim. The letter is a request for the Commission's support and assistance in the forthcoming International Conference on Crime and Public Policy in the Pacific Rim. The conference is scheduled for August 18-21, 1999, in San Francisco, California.

Specifically, Prof. Hernandez requests that POST certify particular sessions at the Conference for California Law Enforcement Officers.

In addition, the letter requests the following: 1) the use of the POST logo; 2) the use of POST facilities to publicize the conference; 3) POST certification of selected courses; and 4) POST personnel to serve as consultants for training activities.

A representative from POST is invited to participate in the program planning.

**DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS**

January 21, 1999 - Bahia Hotel, San Diego  
April 15, 1999 - Doubletree Hotel, Costa Mesa  
July 15, 1999 - Hilton Hotel, Burbank Airport  
November 4, 1999 - To be Determined

**NOTE: Commission will meet in closed session upon adjournment to review personnel issues**

COMMISSION MEETING MINUTES

July 16, 1998  
Doubletree Hotel  
Doubletree IV  
3050 Bristol Street  
Costa Mesa, CA

The Commission meeting was called to order at 10:05 a.m. by Chairman Collene Campbell.

The Color Guard from the Irvine Police Department posted the colors and Chief Charles Brobeck led the flag salute.

MOMENT OF SILENCE HONORING PEACE OFFICERS KILLED IN THE LINE OF DUTY

The Commission held a moment of silence in honor of the following officers who have lost their lives while serving the public:

- o Officer David John Chetcuti, Millbrae Police Department
- o Officer Christopher D. Lydon, California Highway Patrol, El Cajon
- o Officer Claire Connelly, Riverside Police Department

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

David C. Anderson  
Charles Brobeck  
Collene Campbell  
Michael T. Carre  
Philip del Campo, Ph.D.  
Bud Hawkins, Attorney General Representative  
Ted Hunt  
William B. Kolender  
Ronald E. Lowenberg  
Jan Scully  
Rick TerBorch

Commissioners Absent:

Sherman Block  
Thomas J. Knutson, Ph.D.  
Barbara G. Warden

POST Advisory Committee Members Present:

Woody Williams, Chairman  
Robert Blankenship  
Jay Clark  
Norman Cleaver  
Joe Flannagan  
Derald D. Hunt  
Leisha Lekawa  
Earle Robitaille  
Sandy Sandoval

Staff Present:

Kenneth J. O'Brien, Executive Director  
Mike DiMiceli, Assistant Executive Director, Field Services Division  
Glen Fine, Assistant Executive Director, Administrative Division  
Hal Snow, Assistant Executive Director, Standards and Development Division  
Dennis Aronson, Senior Instructional Designer, Learning Technology Resource Center  
Alan Deal, Bureau Chief, Standards and Evaluation  
Tom Hood, Public Information/Legislative Liaison  
Dave Hall, Bureau Chief, Center for Leadership Development  
Bud Lewallen, Bureau Chief, Training Program Services  
Graham Breck, Senior Instructional Systems Engineer, Training Program Services  
Jack Garner, Bureau Chief, Management Counseling  
Frederick Williams, Bureau Chief, Administrative Services  
Tom Liddicoat, Fiscal Officer, Administrative Services  
Kenneth Whitman, Bureau Chief, Basic Training Bureau  
Vera Roff, Secretary  
Anita Martin, Secretary

Visitors Present:

Tom Plotts, Palomar Police Department, CADA  
Steve Craig, President, PORAC  
I. F. Patino, Rio Hondo, CADA, CAAJE  
Jody Hall-Esser, former POST Commissioner

Al Waters, San Francisco Deputy Sheriffs' Association  
Martin Mayer, Mayer, Cole & Palmer  
Kenneth Burgess, San Francisco Police Department  
Greg Kyritsis, San Bernardino Sheriff's Departments/CADA  
Rhonda Wood, Irvine Police Department  
Tom Redmond, San Francisco Sheriff's Department  
John Tenwolde, San Diego County Sheriff's Department/CADA

### **HONORING PAST COMMISSIONER**

Chairman Campbell presented a gavel and plaque to past Commissioner Jody Hall-Esser, Chief Administrative Officer, City of Culver City, who served from January 1992 to November 1997, and who served as Chairman from April 1997 to November 1997.

### **COMMISSIONERS EMERITUS**

Commissioner del Campo suggested that past commissioners such as Jody Hall-Esser who have excelled, be identified as *Commissioners Emeritus*. Chairman Campbell directed staff to investigate the possibility of developing this concept.

### **HONORING RETIRING SECRETARY, VERA ROFF**

Chairman Campbell presented a resolution and plaque to the retiring Secretary, Vera Roff, in appreciation of her outstanding service and dedication to the POST Commission.

### **APPROVAL OF MINUTES**

A.1 MOTION - del Campo, second - Anderson, carried unanimously to approve the minutes of the April 16, 1998 regular Commission meeting at the Doubletree Hotel in Redding.

### **CONSENT CALENDAR**

MOTION - Lowenberg, second - Brobeck, carried unanimously to approve the following items on the Consent Calendar:

- B.1 Receiving Course Certification Report
- B.2 Receiving Financial Report - Second Quarter FY 1997/98
- B.3 Receiving Information on New Entries Into the POST Regular (Reimbursable) Program
- B.4 Receiving Information on Withdrawals from POST Regular (Reimbursable) Program

- B.5 Receiving Information on New Entry into the POST Specialized (Non-Reimbursable) Program
- B.6 Receiving Information on New Entry Into the Public Safety Dispatcher Program
- B.7 POST Advisory Committee Orientation
- B.8 Report on Progress to Evaluate Simon Weisenthal Museum of Tolerance - Tools for Tolerance Training Program
- B.9 Approving a Resolution Commending Special Consultant Robbie Lake
- B.10 Approving a Resolution Commending Emily Elliott-Kuszak, Retired Executive Director, Administration of Justice Program, California State University, San Jose.
- B.11 Approving a Resolution Commending Larry Carpenter, Retired Sheriff, Ventura County
- B.12 Approving a Resolution Commending Law Enforcement Consultant Gene S. Rhodes
- B.13 Approving a Resolution Commending Michael W. Sweet, Executive Legislative Secretary, Office of the Governor

## STRATEGIC PLAN

### C. Update on Implementation Plan Progress

Commissioner TerBorch, Chairman of the Committee on Strategic Implementation Plan, reported the Committee met on May 12, 1998 in Newport Beach to review implementation progress for objectives contained in the plan and the update of the plan. Major changes were adopted. Six objectives were removed as completed, two were deleted and five objectives were added.

MOTION - TerBorch, second - Kollender, carried unanimously to accept the Strategic Plan and submit it to the Governor's office.

## BASIC TRAINING

### D. Approval to Adopt Changes to Regular Basic Course Training Specifications Using the Notice of Proposed Action Process

Staff made recommendations for changes to training specifications for Learning Domains #3 Community Relations, #19 Vehicle Operations, #20 Use of Force, #24 Handling Disputes/Crowd Control, #25 Domestic Violence, #30 Preliminary Investigation, #33 Person Searches/Baton, and to effect the same changes to Reserve Training Module "D".

MOTION - del Campo, second - Carre, carried unanimously to adopt recommended changes and that the Notice of Proposed Action Process be used.

E. Approval to Develop Emergency Vehicle Operations Video-Based Scenarios

It was proposed that POST contract with a law enforcement agency or another public entity with video production capabilities to produce a series of video-based training scenarios that would be used in conjunction with the various training curriculum for vehicle operations statewide. The tapes would be used in the Regular Basic Course or in agency-specific training updates to improve the trainee driver's abilities and capabilities in areas of pursuit, emergency, or routine driving situations, skid control, braking, survival driving, legal aspects, and safety issues.

MOTION - Hunt, second - del Campo, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with a public entity to develop the vehicle operations video-based training scenarios at a cost not to exceed \$90,000.

## TRAINING PROGRAM SERVICES

F. Approval of Agreements for Marketing of Use-of-Force Videodisc Scenarios Developed by POST and the California Highway Patrol (CHP)

On August 15, 1996, the Commission authorized an interagency agreement with the CHP for the development of use-of-force scenarios, which have been completed. The next step is to make these scenarios available to POST law enforcement agencies and other law enforcement agencies through the companies that manufacture and sell the force option training systems. The scenarios will sell for approximately \$1,250.

MOTION - Carre, second - TerBorch, carried unanimously to authorize the Executive Director to enter into a series of non-exclusive marketing agreements with companies that manufacture and sell the force option training systems.

G. Approval for Contract to Develop a Hazardous Materials Awareness CD-ROM Program

There is a federal OSHA requirement for yearly refresher training on hazardous materials for first responders. This requirement is monitored through Cal-OSHA and the California Specialized Training Institute (CSTI). There is limited training available for agencies to meet this requirement.

The U.S. Air Force has developed a CD-ROM program for hazardous materials awareness which POST staff has reviewed and considers acceptable. Staff proposed that POST enter

into an agreement with On Guard, the owner of the commercial version of the CD-ROM, to have it modified for use by law enforcement in California.

MOTION - Scully, second - Kollender, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with On Guard for up to \$60,000 for the development of a CD-ROM training program on hazardous materials.

H. Approval to Enter Into a Memorandum of Understanding (MOU) with the U.S. Air Force for Partnering on Multimedia Projects

The U. S. Air Force plans to develop interactive multimedia courses in the areas of anti-terrorism, force protection, and police training and is interested in working cooperatively with POST through a proposed memorandum of understanding (MOU). The objective of the memorandum of understanding is to establish a framework that will enable POST and the Air Force to work in a partnership to share media assets, instructional design expertise, subject matter experts, and training materials in order to support the development of high quality training programs for law enforcement and emergency response personnel.

Staff has determined that it would be beneficial for POST, as well as the Air Force, to work in partnership together.

MOTION - Hunt, second - Scully, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to sign a memorandum of understanding (MOU) with the U.S. Air Force for sharing POST's media assets and other resources in order to develop training programs that would be of mutual benefit to California law enforcement and the U. S. Air Force.

I. Approval to Contract to Convert the First Aid/CPR Interactive Videodisc Course to CD-ROM

At its meeting on April 16, 1998, the Commission authorized spending up to \$2.25 million to reimburse agencies for the purchase of new multimedia computer equipment that will run CD-ROM based courseware. Staff has determined that the First Aid/CPR IVD course is a good choice for conversion from videodisc to CD-ROM format.

MOTION - Hunt, second - Brobeck, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with Cohen Training Technologies to convert the First Aid/CPR IVD course to CD-ROM format at a cost not to exceed \$45,000.

J. Approval to Contract to Develop a Multimedia Training Management System

At its April 16, 1998 meeting, the Commission authorized \$2.25 million to reimburse agencies for the purchase of new multimedia computers. In addition to the courseware that must be created and installed on these systems, there is a need for a multimedia training management system. Staff has developed specifications for a multimedia training management system that will be used in developing a request for proposal and subsequent contract for the development of the system.

MOTION - del Campo, second - Hunt, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to contract for the development of a multimedia training management system at a cost not to exceed \$75,000.

K. Request for Approval to Contract for Presentations of Robert Presley Institute of Criminal Investigation Domestic Violence Course

In August, 1997, the Commission accepted a Violence Against Women Act (VAWA) law enforcement training grant in the amount of \$2,929,112. As a result, POST will present six 40-hour courses to investigators on the procedures for conducting domestic violence investigations. It was proposed that the San Diego Regional Training Center become the presenter of this training.

MOTION - del Campo, second - Hawkins, carried by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with the San Diego Regional Training Center for six presentations of the ICI Domestic Violence Foundation Speciality Course in an amount not to exceed \$123,048 which will be funded by the Violence Against Women Act grant for FY 98/99. (ABSTAIN: Lowenberg)

L. Approval of 1998/99 Fiscal Year Contracts for Delivery of Robert Presley Institute of Criminal Investigation (ICI) Courses

Staff proposed the Commission's approval of the following recurring contracts supporting the Robert Presley Institute of Criminal Investigation training courses:

- 1) Robert Presley Institute of Criminal Investigation Core and Homicide Foundation Speciality Course Contract with the Sacramento Regional Criminal Justice Training Center for FY 1998/99 - \$199,003
- 2) Robert Presley Institute of Criminal Investigation Instructors' Workshops and Curriculum Updates with the San Diego Regional Training Center for FY 1998/99 - \$119,004.

- 3) Robert Presley Institute of Criminal Investigation Core Course Contract with the San Diego Regional Training Center for FY 1998/99 - \$142,462
- 4) Robert Presley Institute of Criminal Investigation Core Course Contract with San Jose State University for FY 1998/99 - \$143,191
- 5) Robert Presley Institute of Criminal Investigation Core Course Contract with the Los Angeles Police Department for FY 1998/99 - \$89,868.

MOTION - Anderson, second - Brobeck, carried by ROLL CALL VOTE to authorize the Executive Director to enter into contracts with vendors in the amounts described above. (ABSTAIN: Lowenberg, on Items 2 and 3)

### COMPUTER SERVICES UNIT

- M. Request for Approval to Contract with State Approved Data Processing Consultant to Develop a Feasibility Study Report (FSR) for Electronic Data Interchange

Staff proposed that POST contract with a data processing consultant to complete a Feasibility Study for the design of an automated system to streamline the existing method of processing information from POST agencies.

MOTION - Lowenberg, second - TerBorch, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with a State-approved data processing consulting firm to develop a Feasibility Study Report in an amount not to exceed \$75,000.

### COMMITTEE REPORTS

- N. Advisory Committee

Woody Williams, Chairman of the POST Advisory Committee, reported that the Committee met on July 15, 1998 in Costa Mesa. The Committee addressed the following issues:

- 1) Academy Physical Fitness Testing Study. The preliminary study revealed a significant drop-off in passage rate of female candidates when they were tested wearing duty gear rather than track gear.

Rather than recommend a costly study be performed by POST, the committee felt that it would be preferable to request the academy directors to consider the evidence of need for a study. No action is recommended until further information is received.

2. California Law Enforcement Image Coalition. Results from the recent survey reflect that further work is needed on this issue. An additional survey will be sent to Departments to follow-up, and progress will be given at a later date.
3. Review of Commission Meeting Agenda and Advisory Committee Comments. Mr. Williams stated that the Committee had no issues or concerns after review of the Agenda.

O. Long Range Planning Committee

Commissioner TerBorch, member of the Long Range Planning Committee, reported on the Committee meeting held June 22, 1998 in Monterey Park. The Committee received reports on the following:

1. Status of the 1998 Strategic Plan

The revised Strategic Plan was reviewed by a committee of stakeholders, Commissioners, and Advisory Committee members on May 12. Revisions to the plan include the deletion of eight strategic objectives, which have been achieved, and the addition of five new objectives. The new objectives include work planned and in progress for reserve officer training, driver training, certification of out-of-state courses, peace officer recruitment, and increased interaction between law enforcement and victims of crimes. The revised plan was submitted to the Governor's Office on July 1, 1998, as required.

2. Proposed Changes to P.C. 832.3(b) and Pilot Studies of Mid-Course and End-of-Course Tests in the Basic Course

The Basic Course testing program would include the requirement that academy students pass the mid-course and end-of-course tests as conditions of completing the Basic Course. In addition, staff will develop and pilot test in academies both a mid-course and end-of-course test.

The Committee recommended Commission approval of staff to: (1) amend P.C. 832.3(b); (2) pilot test a mid-course test; (3) pilot test an end-of-course test; and (4) report the results to the Commission.

3. POST Requirements for Physical Abilities Testing and Training

The Committee recommended Commission approval for staff to monitor the need for any changes to POST's physical abilities testing.

4. Status of the Academy Report Writing Improvement Project

The project includes: (1) development of a new, machine scorable writing test; (2) revision of the Investigative Report Writing curriculum; (3) revision of the Report Writing Instructor Course; (4) a study of the Educational prerequisites for law enforcement; and (5) a longitudinal study to validate a minimum cut score for the writing test.

5. Development of Crowd Management and Civil Disobedience Guidelines

A telecourse on this topic is scheduled to be broadcast on July 23, 1998. The staff report described the need for additional research to gain information from agency executives, trainers, and labor organizations. The completed guidelines and recommendations will be presented at the November Commission meeting.

6. Police Corps Program

This program provides federal scholarships for college students who are employed after graduation in a local law enforcement agency. The scholarship is forgiven after a period of four years of employment as a peace officer. The employing agency is partially reimbursed for cost with federal funds.

Staff will continue to research and monitor the program, with progress reports submitted regularly to the Committee.

7. Interstate Training Alliance

The Committee received a report summarizing the agreement between California and Oregon, and the continuing discussions with Nevada to reach a similar agreement.

8. International Fellow Program

Information was received concerning the structure of this program, additional background and description of the concept, and preliminary cost information. Additional work is required to assess the interest of law enforcement executives concerning the program and to further define the costs, alternative sources of funding, and the resources required for program administration. Staff will continue to research and report their findings at the next Committee meeting.

MOTION - TerBorch, second - Brobeck, carried to approve the report of the Long Range Planning Committee.

P. Finance Committee

Commissioner Carre, Chairman of the Finance Committee, reported that the Committee met July 15, 1998, at the Doubletree Hotel in Costa Mesa. The following topics were discussed at that meeting:

1. Year-End Financial Report

The Chairman summarized the year-end revenue and expenditures for Fiscal Year 1997/98. Currently, there is a \$12.64 million reserve. However, reserves are projected to be significantly reduced in the next few years as current expenditures exceed baseline revenues.

2. Back-Fill Reimbursement

Committee recommended the Commission increase the Back-Fill reimbursement from 80% to 100%, effective July 1, 1998. Staff will continue to monitor this issue and report progress to the Commission at the January 21, 1999 meeting.

3. Expenditure Projections for FY 1998/99

The Committee recommended an increase in the trainee per diem allowance from \$110 to the State rate of \$119 per day. The cost of the increase is estimated to be \$705,380. The increase will be effective July 1, 1998.

4. Budget Change Proposals (BCPs) for FY 99/00

The Committee recommended approval for staff to submit Budget Change Proposals to the State Department of Finance. The proposals concern an anticipated facilities rent increase in FY 99/00 and authorization to seek five additional staff positions in the FY 99/00 budget.

5. Review of POST Audit

It was reported that the results of the recent audit of POST by the Department of Finance were very positive.

MOTION - Carre, second - Hunt, carried unanimously to approve the recommendations of the Finance Committee.

Q. Legislative Review Committee

Commissioner Kolender, Chairman of the Legislative Review Committee, reported that the Committee met on July 16, 1998 at 9:00 a.m. He presented the Committee's recommendations and reported on the status of the following legislative measures:

- SB 2124 (Kelley) - Authorizes the City of San Diego to establish a four - year pilot program to designate all persons deputized or appointed as city attorney investigators as peace officers. A feasibility study has been requested by the San Diego City Attorney.  
Position: Oppose, until feasibility study is completed.
- AB 1211 (Hertzberg) - Chaptered 98-66. Requires police chiefs and heads of local law enforcement agencies to complete the basic course and receive a POST basic certificate within 24 months of employment.  
Position: Support
- SB 1442 (Rainey) - Amended to delete the addition of Sec. 13513.1 of the Penal Code that would have established a research unit, within POST, to determine the causes of peace officer deaths and assaults.  
Position: Support
- AB 1496 (Papan) - Amended to request 21 million dollars to establish three pilot training facilities to test the regional public safety training concept. Currently, the bill is in the Senate Finance Committee and will "die" from inaction. The Public Safety Regional Training Organizing Committee (which includes POST participation) proposes introducing a new bill during the 1999 legislative calendar which Assemblyman Papan has agreed to author.  
Position: Support
- SB 1627 (Hughes) - Amended language to move implementation date up from July 1, 2000 to July 1, 1999. Additionally, the specialized course of instruction for training school peace officers will apply to officers defined in Penal Code Section 830.32 only.  
Position: Support
- AB 1806 (Floyd) - Failed in the Public Safety Committee and is no longer before the Legislature. This bill would have amended Penal Code Section 830.1(c) to add to that subsection a county of the fifth class, which is Santa Clara County.  
Position: Oppose

- SB 1868 (Hughes) - Amended to include pilot programs (Fiduciary Abuse Specialist Teams) for Los Angeles, San Francisco, and Ventura counties only. The bill would have required POST to complete a certified Fiduciary Abuse training course; however, POST has been written out of the bill entirely.  
Position: No position
- SB 2049 (Vasconcellos) - Amended to extend update training for handling persons with developmental disabilities or mental illness from a two-year cycle to a four-year cycle and that the course be presented via a POST telecourse.  
Position: Oppose, unless amended.
- AB 2172 (Sweeney) - Requires POST to include techniques for recognizing the signs of domestic violence in the basic course and in-service training. The bill also requires officers to provide safe passage for victims in such cases. POST recommended training currently meets the requirements of this bill, as well as the intent of the bill.  
Initial Position: Oppose, unless amended  
Recommended Action: Change to "Neutral"
- AB 2222 (Hertzberg) - Amended to modify the Radar Operators' update training course from 16 hours to 2 hours. Additionally, the bill has been amended to reduce the training hours for basic radar operations from 40 to 24 hours.  
Initial Position: Oppose, unless amended  
Recommended Action: Change to "neutral"
- AB 2351 (Hertzberg) - amended to delete the mandatory computer crime training requirement for line-level officers. This bill now calls for mandated computer crime training for city and county law enforcement supervisors only.  
Initial Position: Oppose, unless amended  
Recommended Action: Change to "Neutral"

MOTION - Scully, second - Anderson, carried unanimously to approve the recommendations of the Legislative Review Committee.

## OLD/NEW BUSINESS

### Commissioner Ronald Lowenberg

Chairman Campbell noted that Commissioner Lowenberg has asked not to be reappointed to the Commission. Chief Lowenberg was commended for his abilities and excellent service on behalf of California law enforcement.

### Jay Clark, Advisory Committee Member

Chairman Campbell announced that Jay Clark's term would expire in September. He will not be reappointed to the Advisory Committee due to the fact that he has now retired from the El Cerrito Police Department and no longer represents CAPTO. The Chairman expressed her regret and commended Mr. Clark on his outstanding service as a member of the Advisory Committee.

## R. Appointment of Advisory Committee Members

The terms of the following members will expire in September. They have been recommended for reappointment by their respective constituent organizations to a three-year term of office beginning in September 1998:

- 1) Don Brown, representing California Organization of Police and Sheriffs (COPS)
- 2) Norman Cleaver, representing California Academy of Directors' Association (CADA)

Michael S. Reid, Fresno police Department, has been nominated by California Association of Police Training Officers (CAPTO) for an appointment to a three-year term of office beginning in September 1998, to replace Jay Clark.

MOTION - Hunt, second - del Campo, carried unanimously to approve the appointment of all three nominees to the Advisory Committee.

Commissioner Hunt noted that the Advisory Committee is vital and expressed his desire to have more information concerning the Committee and members. Staff was directed to prepare a biographical sketch of each member of the Advisory Committee, examining the following issues, and report their findings to the Commission at the November 5, 1998 meeting:

- 1) The purpose of each member's organization;
- 2) Who is represented by each organization;
- 3) How many members in each organization represented;
- 4) The reason each member wants to serve on the Advisory Committee;
- 5) The manner in which their membership and the information on the Committee benefit the law enforcement profession;
- 6) Each member's attendance record.

Commissioner Hunt recommended that it should be clarified that the Advisory Committee serves at the pleasure of the Commission; that any Advisory member may be thanked and excused by the Commission at any time, at the discretion of the Commission.

S. Correspondence

Correspondence relating to the Simon Wiesenthal Center, Museum of Tolerance, Tools for Tolerance for Law Enforcement training program.

MOTION - Hunt, second - Brobeck, carried unanimously to receive the file.

T. Personal Data Regarding Commission Members and Advisory Committee Members

Chairman Campbell directed staff to compile an information file reflecting each member's area of expertise, past experience, and individual talents.

**DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS**

November 5, 1998 - Piccadilly Inn, Fresno  
January 21, 1999 - Bahia Hotel, San Diego  
April 15, 1999 - Doubletree Hotel, Costa Mesa  
July 15, 1999 - to be determined.

Commission met in closed session upon adjournment.

**ADJOURNMENT** - 11: 40 A.M.

Respectfully submitted,

ANITA MARTIN  
Secretary

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

<b>Agenda Item Title</b> Course Certification/Decertification Report		<b>Meeting Date</b> November 5, 1998
<b>Bureau</b> Training Delivery & Compliance Bureau	<b>Reviewed By</b> Dick Reed, Chief	<b>Researched By</b> Rachel S. Fuentes <i>Rachel S. Fuentes</i>
<b>Executive Director Approval</b> <i>Kenneth J. O'Brien</i>	<b>Date of Approval</b> 10/19/98	<b>Date of Report</b> October 16, 1998
<b>Purpose</b> <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact:</b> <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> 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 July 16, 1998 Commission meeting:

**CERTIFIED**

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1.	Supervisory Update	Josephine Co. S.D.	Supv. Trng.	N/A	\$ -0-
2.	S.W.A.T. Update	Tracy P.D.	Technical	N/A	-0-
3.	Gang Awareness Update	Santa Rosa TC	Technical	II*	9,000
4.	Officer Update	Los Angeles Co. S.D.	Technical	IV	4,800
5.	Spanish for L.E. - Basic	San Bernardino S.D.	Technical	N/A	-0-
6.	Canine Narcotics Detection Team	Ontario P.D.	Technical	N/A	-0-
7.	Baton/Impact Weapon	State Center RTC	Technical	IV	1,680
8.	Vehicle, Special Ops-4 Wheel	Los Angeles P.D.	Technical	IV	1,800
9.	Skills & Knowledge Modular Trng.	Fountain Valley P.D.	Technical	IV	2,568
10.	Supervisory Update	Riverside Co. S.D.	Supv. Trng.	IV	7,000
11.	Community Oriented Policing	Napa Valley College	Technical	N/A	-0-
12.	Gang Seminar	National Latino P.O. Assn.	Technical	IV	1,008

\*Backfilled approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Imp.</u>
13. Criminal Investigation	Santa Rosa TC	Technical	IV	\$ 27,000
14. Dispatcher Upd, Public Safety	La Habra P.D.	Technical	IV	1,229
15. Defensive Tactics Instr. Upd.	San Diego RPSTI	Technical	II*	4,400
16. Officer Involved Shooting Inv.	CA Highway Patrol	Technical	IV	768
17. Training Conference	Airborne L.E. Assn.	Technical	N/A	-0-
18. S.W.A.T. Update	Turlock P.D.	Technical	IV	9,600
19. Special Event Planning	Pasadena P.D.	Technical	IV	18,500
20. Arrest & Control Techn.-Basic	Yuba College	Technical	IV	2,700
21. Field Evidence Technician	Alameda Co. S.D.	Technical	N/A	-0-
22. Motorcycle - Dual Purpose	Alameda Co. S.D.	Technical	IV	39,760
23. Driver Training-Tactical Upd.	Alameda Co. S.D.	Technical	IV	13,400
24. Firearms Instructor Update	Alameda Co. S.D.	Technical	IV	24,240
25. Tactical Breaching	Alameda Co. S.D.	Technical	III	13,640
26. Advanced Officer	CSU, San Luis Obispo PD	AO	IV	14,450
27. Radar Operator	Davis P.D.	Technical	IV	400
28. Firearms Instructor Update	San Joaquin Co. S.D.	Technical	IV	4,320
28. Skills & Knowledge Modular Trng.	San Diego Marshal's Office	Technical	IV	5,880
29. Baton Instructors	Santa Ana P.D.	Technical	II*	12,586
30. S.W.A.T. Update	FBI, Sacramento	Technical	IV	2,400
31. Domestic Violence/1st Responders	San Diego Reg. TC	Technical	II*	224,000

\*Backfilled approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
32. Officer Safety/Field Tactics, Update	FBI, Sacramento	Technical	II*	\$ 1,920
33. Baton Instructor - Expandable	Ray Simon CJTC	Technical	II*	1,800
34. Conflict Resolution	South Bay RTC	Supv. Trng.	N/A	-0-
35. Project Management	South Bay RTC	Supv. Trng.	N/A	-0-
36. Baton-Side Handle	Davis P.D.	Technical	IV	960
37. Radar Operator - Laser	Folsom P.D.	Technical	IV	-0-
38. Workload Management	South Bay RTC	Supv. Trng.	N/A	-0-
39. Requalification - Basic Course	South Bay RTC	Technical	N/A	-0-
40. Special Operations Training	Los Angeles P.D.	Technical	IV	-0-
41. Firearms - Submachine Gun (Extended)	Alameda Co. S.D.	Technical	IV	31,500
42. Firearms - FATS Instructor	Los Angeles P.D.	Technical	IV	8,000
43. Narcotics - Airborne Counter Drug Operations	San Bernardino S.D.	Technical	IV	3,500
44. School Resource Officer	Merced College	Technical	IV	15,000
45. Gang Awareness Update	Stanislaus Co. S.D.	Technical	II*	8,000
46. Criminal Investigation	Fresno Co. S.D.	Technical	IV	7,200
47. Chemical Agent Instructor	Ray Simon CJTC	Technical	II*	900
48. Dispatcher, Med. Emer. Public Safety	South Bay Reg. Public Comms. Auth.	Technical	IV	9,240
49. Skills & Knowledge Modular Trng.	Lincoln P.D.	Technical	IV	-0-
50. Officer Safety/Field Tactics	Fresno P.D.	Technical	I*	39,600

Backfill approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Imp</u>
51. Driver Training-Executive Protection	San Francisco P.D.	Technical	IV	\$ 2,976
52. Analytic Interviewing	Los Medanos College	Technical	III	27,050
53. Domestic Violence Inv./ Recanting Witness	San Francisco P.D.	Technical	IV	13,560
54. 21 <sup>st</sup> Century Management	South Bay RTC	Supv. Trng.	N/A	-0-
55. Sexual Assault Inv. Update	Tulare Co. Rape Crisis Responses Svcs.	Technical	III	20,250
56. Basic Course - Intensive	Kern Co. S.D.	Basic	IV	30,600
57. S.W.A.T., Commander	Golden West College	Technical	IV	10,152
58. Training Conference	FBI-National Acad. Assoc. (Calif. Chapter)	Technical	N/A	-0-
59. Dispatcher Upd, Public Safety	Atherton P.D.	Technical	IV	1,200
60. Canine Drug Detection Team Update	Alpine Co. S.D.	Technical	III	8,485
61. Gang Awareness Update	State Center RTF	Technical	II*	30,240
62. Reserve Training Module D	College of the Sequoias	Reserve Training	N/A	-0-
63. Armorer School: Long Guns	Ray Simon CJTC	Technical	IV	1,296
64. Skills & Knowledge Modular Trng.	Cathedral City P.D.	Technical	IV	500
65. Terrorism - Emerg. Response	State Fire Training - Arson & Bomb Unit	Technical	IV	13,800
66. Firearms/Submachine Gun Instructor	Visalia DPS	Technical	IV	3,600

\*Backfill approved courses

**CERTIFIED (Continued)**

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
67. Death Investigation	Shasta Co. S.D.	Technical	IV	\$ 7,950
68. Supervisory Update	South Bay RTC	Supv. Trng.	IV	4,860
69. First Aid/CPR Instructor Upd.	Riverside Co. S.D.	Technical	IV	2,000
70. Radar Operator	Santa Clara Co. S.D.	Technical	IV	3,600
71. Drug Trafficker Interdiction	U.S. Dept. of Justice DEA, San Diego	Technical	IV	9,715
72. Skills & Knowledge Modular Trng.	CA Franchise Tax Board	Technical	NA	-0-
73. Thermal Imagery/Field Officers	San Jose P.D.	Technical	IV	6,300
74. Thermal Imagery	San Jose P.D.	Technical	IV	15,000
75. Officer Update	Los Angeles P.D.	Technical	IV	6,000
76. Bloodstain Dynamics	Riverside Co. S.D.	Technical	IV	12,967
77. Community Noise Enf.	Los Angeles P.D.	Technical	IV	7,500
78. Basic Course -Transition,	South Bay RTC	Basic	N/A	-0-

79. - 170. There were 91 additional IVD courses certified as of 10-2-98 and 7 decertified. To date, 191 IVD certified presenters have been certified and 712 IVD courses certified.

171.- 176. There were 5 additional Telecourses certified as of 10-2-98 and 9 decertified. To date, 410 Telecourse presenters have been certified.

There were no additional Proposition 115 Hearsay Evidence Testimony Course Presenters certified as of 10-2-98. Presentation of this course is generally done using a copy of POST Proposition 115 Video Tape. To date, 294 presenters of Proposition 115 have been certified.

DECERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1. Gang Awareness Update	Santa Barbara P.D.	Technical	IV
2. Firearms Instructor	Stockton P.D.	Technical	IV
3. Officer Involved Shooting, Inv.	CHP-South Division	Technical	IV
4. Defensive Tactics Instructor Upd.	Chula Vista P.D.	Technical	IV
5. Bomb Scene Investigation	CPOA	Technical	IV
6. Advanced Officer	San Joaquin Delta College Public Safety Training	AO	IV
7. Skills & Knowledge Modular Trng.	San Joaquin Delta College Public Safety Training	Technical	IV
8. SWAT, Commander	San Joaquin Delta College Public Safety Training	Technical	IV
9. Legislative Update	Rio Hondo RTC	Technical	IV
10. Arrest & Control Techniques-Basic	Rio Hondo RTC	Technical	IV
11. Gun Retention Instructor	Rio Hondo RTC	Technical	IV
12. Media Relations Update	Rio Hondo RTC	Technical	IV
13. Radar Operator	Santa Barbara S.D.	Technical	IV
14. Narc Investigation - Aerial	National Interagency Counternarcotics Inst.	Technical	IV
15. Tactics: Spec. Bus Takedown Upd.	L.A. Co. M.T.P.D.	Technical	IV
16. Tactics: Raid Plan. * Prep I	L.A. Co. M.T. P.D.	Technical	IV
17. Specialized Rail Tactics	L.A. Co. M.T.P.D.	Technical	IV
18. Firearms/Tactical Handgun I	L.A. Co. M.T.P.D.	Technical	N/A
19. Area Command Team	Los Angeles S.D.	Technical	IV
20. Use of Force, Instructor	Tulare-Kings Co. Peace Officer Trng. Academy	Technical	IV

DECERTIFIED (Continued.)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
21. Skills & Knowledge Modular Trng.	College of the Canyons	Technical	IV
22. Youth Violence - Child Maltreatment	CSU, Los Angeles	Mgmt. Trng.	IV
23. Child Victims - Interviewing	CSU, Los Angeles	Technical	III
24. Gang Awareness Update	West Hills College	Technical	II*
25. Livestock Theft/Rural Crimes	West Hills College	Technical	IV
26. Skills & Knowledge Modular Trng.	Los Angeles Co. Coroner	Technical	IV
27. Skills & Knowledge Modular Trng.	Pismo Beach P.D.	Technical	IV
28. Skills & Knowledge Modular Trng.	Delano P.D.	Technical	IV
29. Civil Process (Marshal-Basic)	Allan Hancock College	Technical	IV
30. Child Abuse Inv. - 1 <sup>st</sup> Responder	Arroyo Grande P.D.	Technical	IV
31. Management Course	CSU, Humboldt	Mgmt Course	IV
32. Officer Health & Safety	Kern Co. S.D.	Technical	IV
33. Instructor Development	Los Angeles S.D.	Technical	IV
34. Cultural Diversity - Instructor	Los Angeles S.D.	Technical	III
35. Haz. Materials-On Scene Mgt.	Los Angeles S.D.	Technical	IV
36. Hazardous Materials Trans. Enf.	Los Angeles S.D.	Technical	IV
37. Haz. Materials - 1 <sup>st</sup> Responder	Los Angeles S.D.	Technical	IV
38. Haz. Mat. Trans. Enf. Upd.	Los Angeles S.D.	Technical	IV
39. Spanish for L.E. - Basic	Santa Barbara P.D.	Technical	N/A
40. Radar Operator	Santa Barbara Co. S.D.	Technical	IV
41. Incident Information Officer	Ventura Co. CJTC	Technical	IV
42. Baton Instructor - Expandable	Ventura Co. CJTC	Technical	II*

\*Backfill approved courses

DECERTIFIED (Cont.)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
43. Telecourse	Solano Co. Marshal's Office	Technical	N/A
44. Telecourse	Lodi Co Marshal's Office	Technical	N/A
45. Telecourse	M-R-E-T Marshal	Technical	N/A
46. Telecourse	Stockton Marshal's Office	Technical	N/A
47. Telecourse	Waterford P.D.	Technical	N/A
48. Telecourse	Cabrillo College P.D.	Technical	N/A
49. Telecourse	Los Angeles Co. Safety PD/ ISB	Technical	N/A
50. Telecourse	Los Angeles Co. Safety PD/ HSD	Technical	N/A
51. Telecourse	Los Angeles M.T.P.D.	Technical	N/A
52. IVD-Driver Training	Los Angeles M.T.P.D.	Technical	N/A
53. IVD-Driver Training	Solano Co. Marshal's Office	Technical	N/A
54. IVD-First Aid/CPR	Solano Co. Marshal's Office	Technical	N/A
55. IVD-Basic Narcotics Inv.	Solano Co. Marshal's Office	Technical	N/A
56. IVD - Drug I.D. and the Law	Solano Co. Marshal's Office	Technical	N/A
57. IVD -D.U.I.	Solano Co. Marshal's Office	Technical	N/A
58. IVD - Drug Influence and User I.D.	Solano Co. Marshal's Office	Technical	N/A

\*Backfill approved courses

<b>TOTAL CERTIFIED</b>	<u>78</u>
<b>TOTAL PROPOSITION 115 CERTIFIED</b>	<u>5</u>
<b>TOTAL TELECOURSES CERTIFIED</b>	<u>78</u>
<b>TOTAL IVD COURSES CERTIFIED</b>	<u>91</u>
<b>TOTAL DECERTIFIED</b>	<u>58</u>
<b>TOTAL MODIFICATIONS</b>	<u>148</u>

**3,114 Skills & Knowledge Modules certified as of 10-2-98**

**712 IVD Courses as of 10-2-98**

**410 Telecourses as of 10-2-98**

**2,491 Other Courses certified as of 10-2-98**

**754 Certified Presenters**

**Cerpt1198**  
**10-16-98**

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

<b>Agenda Item Title</b> Financial Report - First Quarter 1998/99		<b>Meeting Date</b> November 5, 1998
<b>Bureau</b> Administrative Services Bureau	<b>Reviewed By</b> Frederick Williams	<b>Researched By</b> Staff
<b>Executive Director Approval</b> <i>Kenneth L. O'Brien</i>	<b>Date of Approval</b> 10-21-98	<b>Date of Report</b> October 20, 1998
<b>Purpose</b> <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact</b> <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> 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 September 30, 1998. Revenue which has accrued to the Peace Officers' Training Fund is shown as are expenditures made from the 1998-99 budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH - This report, shown as Attachment 1, identifies monthly revenues which have been transferred to the Peace Officers' Training Fund. Through September 30, 1998, we received \$12,302,878. The total is \$863,878 more than originally anticipated, and is \$3,240,181 (36%) 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 11,523 trainees reimbursed through the first quarter represents a decrease of 186 (1.6%) compared to the 11,709 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. Reimbursements for courses through the first quarter of \$3,594,893 represents a \$429,601 (3.6%) increase compared to last fiscal year. (See Attachments 3A and 3B.)

SUMMARY - Revenue received for the first three months of this fiscal year is significantly more than anticipated. As a reminder, projected revenue was increased by approximately \$12 million for FY 98-99. This was effected by Section 24.10, Budget Act of 1998, which transfers 42.685% during FY 98-99, rather than the 6.24% augmentation received in FY 97-98, from the Driver Training Penalty Assessment Fund to the POTF. The 42.685% transfer from the Driver Training Penalty Assessment Fund to the POTF continues the \$2 million funding of the "Tools for Tolerance" training program conducted by the Simon Wiesenthal Center and provides an additional \$12 million for reimbursements to cities and counties.

Updated projections, including October revenue and expenditures, will be provided to the Finance Committee at its November 4, 1998 meeting.

**COMPARISON OF REVENUE BY MONTH**

FISCAL YEARS 1997-98 AND 1998-99

MONTH	1997-98				1998-99				TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST
	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	OTHER	CUMULATIVE TOTAL	CUMULATIVE MONTHLY ESTIMATE	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	OTHER *				
JUL	2,890,628	133,190	22,798	\$3,046,616	\$3,813,000	2,990,479	879,426	18,989	\$3,888,894	101.99%	\$3,888,894	101.99%
AUG	2,710,784	181,702	32,517	\$5,971,619	7,626,000	2,861,730	1,137,131	23,988	\$4,022,849	105.50%	7,911,743	103.75%
SEP	2,879,325	192,474	19,279	\$9,062,697	11,439,000	2,999,959	1,371,787	19,389	\$4,391,135	115.16%	12,302,878	107.55%
OCT	2,706,962	180,955	32,059	\$11,982,673	15,252,000				\$0	0.00%	12,302,878	80.66%
NOV	2,346,960	156,889	26,458	\$14,512,980	19,065,000				\$0	0.00%	12,302,878	64.53%
DEC	3,137,888	209,762	15,480	\$17,876,110	23,145,000				\$0	0.00%	12,302,878	53.16%
JAN	2,281,987	152,246	22,394	\$20,332,737	26,958,000				\$0	0.00%	12,302,878	45.64%
FEB	2,198,391	146,958	404,010	\$23,082,096	30,771,000				\$0	0.00%	12,302,878	39.98%
MAR	2,756,682	184,279	27,702	\$26,050,759	34,584,000				\$0	0.00%	12,302,878	35.57%
APR	2,902,013	193,793	23,723	\$29,170,288	38,397,000				\$0	0.00%	12,302,878	32.04%
MAY	2,885,639	200,242	40,070	\$32,296,239	42,210,000				\$0	0.00%	12,302,878	29.15%
JUN	3,512,501	227,676	374,549	\$36,410,965	46,294,000				\$0	0.00%	12,302,878	26.58%
<b>TOTAL</b>	<b>\$33,209,760</b>	<b>\$2,160,166</b>	<b>\$1,041,039</b>	<b>\$36,410,965</b>	<b>\$46,294,000</b>	<b>\$8,852,168</b>	<b>\$3,388,344</b>	<b>\$62,366</b>	<b>\$12,302,878</b>	<b>26.58%</b>	<b>\$12,302,878</b>	<b>26.58%</b>

\* - Includes \$50,344 from coroner permit fees (per Ch 990/90)

\*\*\*-Per Section 24.10, Budget Act of 1998

COMMISSION ON POST

NUMBER OF REIMBURSED TRAINEES BY CATEGORY

SEPTEMBER

COURSE	1997-98			1998-99		
	Actual Total For Year	Actual July-September	% of Total	Projected Total For Year	Actual July-September	% of Projection
Basic Course	1,578	318	20%	1,800	227	13%
Dispatchers - Basic	317	34	11%	350	78	22%
Advanced Officer Course	2,655	1,032	39%	2,700	442	16%
Supervisory Course (Mandated)	582	126	22%	600	132	22%
Management Course (Mandated)	306	30	10%	310	27	9%
Executive Development Course	331	91	27%	350	80	23%
Supervisory Seminars & Courses	3,952	847	21%	3,900	878	23%
Management Seminars & Courses	1,955	215	11%	2,000	377	19%
Executive Seminars & Courses	652	94	14%	600	49	8%
Tech Skills & Knowledge Course	38,133	8,665	23%	38,000	8,968	24%
Field Management Training	23	12	52%	30	6	20%
Team Building Workshops	659	162	25%	650	147	23%
POST Special Seminars	783	69	9%	640	112	18%
Approved Courses	54	14	26%	70	0	0%
<b>TOTALS</b>	<b>51,980</b>	<b>11,709</b>	<b>23%</b>	<b>52,000</b>	<b>11,523</b>	<b>22%</b>

COMMISSION ON POST

REIMBURSEMENT BY COURSE CATEGORY

1997-98

1998-99

COURSE	Total For Year	Actual July-September	Actual September	Actual July-September
Basic Course	\$1,637,376	\$380,745	\$150,445	\$419,294
Dispatchers - Basic	268,806	28,538	28,300	62,445
Advanced Officer Course	166,892	60,319	20,048	36,924
Supervisory Course (Mandated)	363,615	79,453	17,456	79,408
Management Course (Mandated)	295,300	32,238	1,113	24,323
Executive Development Course	273,453	77,181	31,945	64,086
Supervisory Seminars & Courses	1,340,629	308,450	167,529	361,111
Management Seminars & Courses	720,365	66,315	39,385	135,753
Executive Seminars & Courses	244,400	36,474	11,771	23,669
Tech Skills & Knowledge Course	9,825,823	1,898,284	869,394	2,242,864
Field Management Training	10,682	4,712	2,574	2,911
Team Building Workshops	330,035	91,995	25,659	80,750
POST Special Seminars	262,138	26,252	9,143	29,166
Approved Courses	5,947	935	0	0
Training Aids Technology	292,093	73,401	8,135	32,189
<b>TOTALS</b>	<b>\$16,037,554</b>	<b>\$3,165,292</b>	<b>\$1,382,897</b>	<b>\$3,594,893</b>

COMMISSION ON POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

EXPENSE CATEGORIES	FY 1997-98 Total	1997-98 July-Sept	1998 September	1998-99 July-Sept
Resident Subsistence	\$8,621,307	\$1,761,013	\$779,882	\$1,924,070
Commuter Meal Allowance	1,007,393	201,816	86,344	243,392
Travel	2,720,198	546,341	249,961	671,965
Tuition	3,389,790	582,721	246,149	689,240
Backfill Salary	6,773	0	12,426	34,037
Training Technology Assistance	292,093	73,401	8,135	32,189
<b>TOTALS</b>	<b>\$16,037,554</b>	<b>\$3,165,292</b>	<b>\$1,382,897</b>	<b>\$3,594,893</b>





**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

<b>Agenda Item Title</b> Change in Status of Agency. Los Angeles Office of County Security		<b>Meeting Date</b> November 5, 1998
<b>Bureau</b> Training Delivery and Compliance	<b>Reviewed By</b> Dick Reed, Chief <i>[Signature]</i>	<b>Researched By</b> Bob Spurlock <i>[Signature]</i>
<b>Executive Director Approval</b> <i>[Signature: Kenneth J. D'Biase]</i>	<b>Date of Approval</b>	<b>Date of Report</b> September 21, 1998
<b>Purpose</b> <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact:</b> <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

**ISSUE**

The Los Angeles Office of County Security has been moved from the Reimbursable to the Non-reimbursable Program and the name of the agency has been changed to the Los Angeles County Office of Public Safety.

**BACKGROUND**

The Office of County Security has been a member of the POST Regular (Reimbursable) Program since March 1998, and was previously in the program as three independent agencies of county safety police and park rangers.

Beginning in 1995, the safety police and park rangers agencies entered the POST Specialized (Non-Reimbursable) Program. In 1996, Penal Code Section 13526.1 (b) was amended to authorize Los Angeles County Safety Police and Park Rangers to be eligible for participation in the Reimbursable Program provided certain funding levels were achieved. This law had a sunset clause at the end of the Fiscal Year 1997-1998. The Los Angeles Office of County Security is no longer eligible to participate in the Reimbursable Program.

On September 15, 1998, the name of the agency was changed to the Los Angeles County Office of Public Safety.

**ANALYSIS**

The agency has 540 sworn officers.

The impact to the POTF is estimated at \$45,000 in annual savings.

**RECOMMENDATION**

The Commission be advised that the Los Angeles County Office of Public Safety has been moved from the POST Regular (Reimbursable) Program to the POST Specialized (Non-Reimbursable) Program consistent with Commission Policy.



**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

<b>Agenda Item Title</b> Ventura County Public Social Services Agency - Withdrawal from POST Specialized (Non-Reimbursable) Program		<b>Meeting Date</b> November 4, 1998
<b>Bureau</b> Training Delivery & Compliance Bureau	<b>Reviewed By</b> Dick Reed, Chief <i>DR</i>	<b>Researched By</b> Bob Spurlock <i>Bob Spurlock</i>
<b>Executive Director Approval</b> <i>Kenneth J. D'Brien</i>	<b>Date of Approval</b> 9/22/98	<b>Date of Report</b> September 21, 1998
<b>Purpose</b> <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact:</b> <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

**ISSUE**

The Ventura County Public Social Services Agency has been merged with the Ventura County District Attorney's Office as a result of a reorganization of county government. The effective date was July 1, 1998.

**BACKGROUND**

The Department is no longer eligible for POST membership. Documentation from Vinse Gilliam, Ventura County Deputy Chief Investigator, has been received advising POST of that fact.

**ANALYSIS**

The department had 13 sworn officers.

This change will have no impact on the POST budget.

**RECOMMENDATION**

The Commission be advised that the Ventura County Public Social Services Agency has been removed from the POST Specialized (Non-Reimbursable) Program.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

<b>Agenda Item Title</b> Waterford Police Department - Withdrawal from POST Regular (Reimbursable) Program		<b>Meeting Date</b> November 5, 1998
<b>Bureau</b> Training Delivery and Compliance Bureau	<b>Reviewed By</b> Dick Reed, Chief DR.	<b>Researched By</b> Bob Spurlock <i>Robert J. Jambich</i>
<b>Executive Director Approval</b> <i>Kenneth J. O'Brien</i>	<b>Date of Approval</b> 8-24-98	<b>Date of Report</b> August 21, 1998
<b>Purpose</b> <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact:</b> <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

**ISSUE**

Remove the Waterford Police Department from the POST Regular (Reimbursable) Program.

**BACKGROUND**

The Waterford Police Department has been disbanded effective July 1, 1998. Documentation from Lt. Dale Hinkle, Chief of Waterford Police Services, has been received advising POST of the action.

**ANALYSIS**

The Stanislaus County Sheriff's Department became the law enforcement agency for the City of Waterford on July 1, 1998.

The department had 11 sworn officers.

The change will have no impact on the POST budget.

**RECOMMENDATION**

The Commission be advised the Waterford Police Department has been removed from the POST Regular (Reimbursable) Program.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

<b>Agenda Item Title</b> Solano County Marshal's Department -Withdrawal from POST Regular (Reimbursable) Program		<b>Meeting Date</b> November 4, 1998
<b>Bureau</b> Training Delivery & Compliance Bureau	<b>Reviewed By</b> Dick Reed, Chief <i>DR</i>	<b>Researched By</b> <i>Robert Spurlock</i> Bob Spurlock
<b>Executive Director Approval</b> <i>Kenneth J. O'Brien</i>	<b>Date of Approval</b> <i>8-24-98</i>	<b>Date of Report</b> August 21, 1998
<b>Purpose</b> <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact:</b> <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

**ISSUE**

The Solano County Marshal's Department has been merged with the Solano County Sheriff's Department as a result of a reorganization of county government. The effective date was August 3, 1998.

**BACKGROUND**

The Department is no longer eligible for POST membership. Documentation from Fred Bailey, Solano County Marshal's Department, has been received advising POST of that fact.

**ANALYSIS**

The department had nine sworn officers.  
  
This change will have no impact on the POST budget.

**RECOMMENDATION**

The Commission be advised that the Solano County Marshal's Department has been removed from the POST Regular (Reimbursable) Program.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

<b>Agenda Item Title</b> Public Safety Dispatcher Program		<b>Meeting Date</b> November 5, 1998
<b>Bureau</b> Training Delivery & Compliance Bureau	<b>Reviewed By</b> Dick Reed, Chief	<b>Researched By</b> Bob Spurlock <i>Bob Spurlock</i>
<b>Executive Director Approval</b> <i>Kenneth J. O'Brien</i>	<b>Date of Approval</b> 10/15/98	<b>Date of Report</b> September 21, 1998
<b>Purpose</b> <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact:</b> <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

**ISSUE**

Acceptance of the Department of Fish and Game into the Public Safety Dispatcher Program.

**BACKGROUND**

The Department of Fish and Game has requested participation in the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525. The agency has expressed willingness to abide by POST Regulations and has passed an ordinance as required by Penal Code Section 13522.

There are currently 355 agencies participating in the program.

**ANALYSIS**

The agency presently employs full-time dispatchers. The agency has established minimum selection and training standards which equal or exceed the standards adopted for the program. There will be no fiscal impact on the POST budget.

**RECOMMENDATION**

The Commission be advised that the Department of Fish and Game has been accepted into the POST Reimbursable Public Safety Dispatcher Program consistent with Commission policy.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

<b>COMMISSION AGENDA ITEM REPORT</b>		
<b>Agenda Item Title</b> Report on Victims of Violence Video Distribution		<b>Meeting Date</b> November 5, 1998
<b>Bureau</b> Training Program Services	<b>Reviewed By</b> <i>Bud Lewallen</i> Bud Lewallen	<b>Researched By</b> Jan Bullard
<b>Executive Director Approval</b> <i>Kenneth J. O'Brien</i>	<b>Date of Approval</b> 10-7-98	<b>Date of Report</b> September 18, 1998
<b>Purpose</b> <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report		<b>Financial Impact:</b> <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

**ISSUE**

This is a progress report on distribution of the victims of violence video.

**BACKGROUND**

The Commission at its November 1997 meeting authorized an expenditure of \$190,000, to be combined with \$10,000 in OCJP grant funds, for the purpose of reproducing copies of the *Victims of Violence, A Guide to Help Bring Justice*, video for California Law Enforcement agencies. The videos are designed to be provided by the law enforcement agency to their victims of violent crimes. Commissioners will recall that POST collaborated with several crime victims' groups to produce this award winning video that provides victims of violent crimes with a better understanding of the criminal justice system and how to interact with law enforcement and become a partner in helping to solve their crime.

**ANALYSIS**

Since the Commission's action in November of 1997, significant progress has been made in making the video available to victims. Several major California law enforcement associations have endorsed this video and supported the Commission's distribution project. A contract with San Diego State University, was established, designating KPBS as our duplication and distribution center. All agencies have been provided a hot line number to accommodate convenient ordering of the tape. Introduction letters, and a copy of the video, were sent to every California Chief, Sheriff, and District Attorney, encouraging their participation in this program. As of this date, 37 police departments, 11 sheriff's departments and 6 district attorney's offices have ordered copies of the video, in both English and Spanish. (See attached list of agencies)

A questionnaire is included with each video to obtain feedback from crime victims. The response rate on the questionnaires has been low, however, we anticipated this. It is understandable, since the time that the victims view this video is extremely stressful, emotional and chaotic. If they choose to complete the questionnaire, it will more likely be much later in the process. Agencies who have distributed the video reported very positive responses from the victims indicating the tape is successful in enlightening them as well as helping them start the very long healing process.

Originally 1200 videos were distributed by KPBS to introduce the program. In the first five months of the program 1,837 additional copies were ordered by law enforcement agencies. On August 22, staff made a presentation to the California Asian Pacific Islander Together Assistance League on the video. The purpose was two fold. One, to make them aware of the video and two, to solicit their support for translating the video into Vietnamese and Korean. Members did volunteer and activities are underway to begin the translation process. On September 15, 1998, the California Peace Officers' Association (CPOA) held it's annual conference in Indian Wells. A panel discussion was featured on the victims video comprised of Commissioner Collene Campbell and Senior POST Consultant, Ray Bray. The discussion provided an excellent promotion of our project. We are anticipating an increase in orders stemming from the information disseminated at the conference.

This report is provided for informational purposes only.

Law Enforcement Agencies Currently Ordering Victims of Violence Video

Alameda District Attorney  
Alhambra Police Dept.  
Baldwin Park Police Dept.  
Banning Police Dept.  
Brea Police Dept.  
Brentwood Police Dept.  
Calaveras County Sheriff's Dept.  
Coalinga Police Dept.  
Colusa County Sheriff's Dept.  
Contra Costa County Sheriff's Dept.  
Cypress Police Dept.  
Davis Police Dept.  
Dept. of Public Safety - West Haven, CT  
Employment Development Department -  
Sacramento  
Fremont Police Dept.  
Glenn County Sheriff's Dept.  
Gustine Police Dept.  
Hollister Police Dept.  
Huntington Beach Police Dept.  
Iowa Law Enforcement Academy  
Indio Police Dept.  
Kern County Sheriff's Dept.  
La Habra Police Dept.  
La Mesa Police Dept.  
Lodi Police Dept.  
Lompoc Police Dept.  
Los Angeles County Sheriff's Dept.  
Maywood Police Dept.  
Menlo Park Police Dept.  
Montebello Police Dept.  
Monterey County District Attorney  
Montgomery County Police - Rockville, MD  
Oceanside Police Dept.  
Oceanside Public Library  
Orange District Attorney  
Paradise Police Dept.  
Pismo Beach Police Dept.  
Placer County Sheriff's Dept.  
Reedley Police Dept.  
Ridgecrest Police Dept.  
Riverside County Sheriff's Dept.  
San Antonio Police Academy - TX  
San Diego District Attorney  
San Diego School Police  
San Diego County Sheriff's Dept.  
San Pablo Police Dept.  
Santa Barbara Police Dept.  
Shafter Police Dept.  
Solano Community College  
Stanislaus County Sheriff's Dept.  
State of Calif. Consumer Affairs  
Tracy Police Dept.  
Tulare District Attorney  
Tule Lake Police Dept.  
Tustin Police Dept.  
University of Santa Barbara Police Dept.  
Ventura College Criminal Justice Dept.  
Victim of Crimes Program - Sacramento  
Victim Services 2000 - Denver, CO

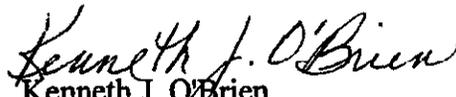
State of California

Department of Justice

MEMORANDUM

To : POST Commission

Date: October 19, 1998

  
Kenneth J. O'Brien  
Executive Director

From : Commission on Peace Officer Standards & Training

Subject: MINUTES OF STRATEGIC PLANNING IMPLEMENTATION COMMITTEE

Present: Rick TerBorch, Committee Chairman  
Collene Campbell, Commission Chairman  
Ted Hunt, Commissioner  
Jerry Shadinger, Member  
Earl Robitaille, Member  
Skip Murphy, Member  
Robert Norman, Member  
Ken O'Brien, Executive Director  
Hal Snow, Assistant Executive Director  
Bud Lewallen, Bureau Chief

The meeting was opened by Chairman Rick TerBorch at 2:30 p.m. at the Renaissance Esmeralda Resort Hotel in Indian Wells, CA on September 15, 1998.

Implementation Progress

Staff's Quarterly Progress Report, attached, was reviewed. Over 80% of the 60 objectives are in various stages of implementation.

There was considerable interest and support for Strategic Plan Objective A.5 concerning additional qualifications for entry into basic academies. Concerning B.1 (re-engineer training needs assessment), there was a need expressed for chief executives to be fed back the preliminary information developed from the regional TNA's. On Objective B.7 (Regional Skills Centers), there was agreement that POST continue to support the concept, particularly if it is to be reduced in scope (two - three pilot centers to demonstrate their worthiness) and to make the system a grant application process.

The Committee expressed interest in POST becoming involved in peace officer recruitment (new objective - C.7) which is increasingly becoming a serious problem for law enforcement. Particular mention was made of the need for junior police or high school academy programs and shared recruiting and testing programs.

The Committee also expressed support for POST offering copies of updated law enforcement agency accreditation standards to agencies for their voluntary optional use. Staff will be reviewing options for accomplishing this goal and will report back to the Commission.

#### Strategic Implementation Plan

An updated Strategic Implementation Plan was presented that included charts for objective assignments, implementation schedule, and action plans. There was some discussion about the aggressive pace of strategic plan implementation and the concern about staff "burn out." Executive Director Ken O'Brien assured the Committee that so far the pace of implementation is about right and that he is closely monitoring these activities.

The Executive Director also reported upon the continuing problem of POST not being able to recruit law enforcement consultants resulting in seven vacancies which negatively impacts implementation.

## POST STRATEGIC PLAN QUARTERLY PROGRESS REPORT

(Progress From July 1998 - November 1998)  
(Revised 8-31-98)

STRATEGIC PLAN OBJECTIVE	PROGRESS
<u>INCREASE STANDARDS AND COMPETENCIES</u>	
A.3 Review POST's Continuing Professional Training (CPT) requirement including hours, frequency, content and whether it should be extended to law enforcement managers and executives, public safety dispatchers, and Level II reserve officers.	Study has been completed including obtaining field input. Recommendations are being analyzed. Report to be submitted to the Commission in November 1998.
A.5 Research and develop additional minimum qualifications as necessary and secure legislative changes to ensure their application to all entrants into basic academies.	A stakeholders committee has been formed to begin receiving input on this objective.
A.8 Establish additional entry-level selection standards and improve upon existing standards as appropriate.	
Part I - Cognitive Ability and Personality Assessment (Entry-Level Selection Test Battery)	Meetings are occurring with stakeholder groups to identify attributes to be tested and to obtain other information. Literature is being reviewed and data analyzed.
Part II - Update <i>Psychological Screening Manual</i>	
Part IV - Entry-Level Educational Requirements	Literature and case law review have been completed. Analysis of POST's peace officer database is underway. The impact of raising educational requirements, upon law enforcement recruitment, is being analyzed.

STRATEGIC PLAN OBJECTIVE

PROGRESS

A.9 Increase, improve, and standardize POST's cognitive and skill testing required for graduation from the regular basic academy.

Cognitive Testing

Proposed plan for establishing mid-course and final exams for regular basic course approved by Commission July 1998. Legislative change for PC Section 832.3(b) will be sought.

Skills Testing

A scenario test for LD 25 (Domestic Violence) and a newly developed evaluation instrument have been developed. The testing is enhanced by way of the newly developed video training tape that assists evaluators, trainees, and actors. These items are currently being field tested.

Three exercise tests have been developed for LD 33 (Arrest and Control/Baton). The tests will be field tested by several presenters of the RBC beginning in August 1998.

A.11 Complete an updated job analysis of the entry-level peace officer position.

The projected completion date has been revised to April 1999.

Data collection and analysis are completed. The individual agency reports are anticipated to be completed in October. The Knowledge and Skills report should be completed in November. A preliminary report is being prepared for the November 1998 Commission meeting.

Two additional elements have been added to the objective. The first is a "discrepancy analysis." This involves review and assessment by BTB to determine where training needs are present that may not be part of the RBC. The second is the "strategic analysis." This involves holding meetings with stakeholders to validate the results and identify the future trends that will drive knowledge and skills in the near future (about five years in the future).

STRATEGIC PLAN OBJECTIVE	PROGRESS
<u>MAXIMIZE TRAINING DELIVERY</u>	
B.1 Re-engineer training needs assessment process for both short- and long-term planning purposes to identify continuing and emerging course needs and consider agency specific training plans.	Staff reviewing existing TNA process, costs, etc.
B.4 Evaluate and implement alternative approaches to satisfying training needs.	Report to be submitted to the Commission in November to authorize abbreviated course hours.
B.7 Actively support establishment of Regional Skills Centers.	Even though AB 1496 failed passage in the 1998 legislative year, POST has continued to meet with a committee interested in the concept.
B.8 Conduct research and development on new training technologies that have potential for improving the quality and cost-effectiveness of training.	Recent research has been focusing on how multimedia computer-based training technology can interface with centralized data collection and Internet-distributed training.
B.10 Develop competency-based training courses using appropriate delivery and evaluation systems.	Report planned for the Commission in November 1998 on abbreviated course hours.  Work is progressing on a domestic violence CD-ROM course which is being designed as a competency-based training course.
B.12 Simplify the course certification process.	Electronic certification of courses being researched. For Skill and Knowledge Module presentations, staff has implemented a consolidation procedure to allow multiple presentations to be recorded on a single course announcement which has significantly reduced exchange of paper with these course presenters.

**STRATEGIC PLAN OBJECTIVE****PROGRESS**

- |   |   |
|---|---|
| <b>B.13</b> Establish selection guidelines, certification, and training programs for instructors.   | Instructor competencies have been identified that will assist with the development of a CD-ROM training program as well as the voluntary Basic Course instructor certification program. A POST Management Fellow has been hired to coordinate these programs. |
| <b>B.15</b> Study the feasibility of using information from agency-specific training plans to assist POST with the training needs assessment process. | This will be included in the redesign of POST's TNA. It is currently anticipated agencies would submit their agency-specific information to POST prior to POST's TNA.   |
| <b>B.17</b> Maximize the availability of driver training.   | POST is currently certifying driver training courses whenever requested.  |
|   | POST has recently updated its Emergency Vehicle Operation Course Instructor Manual and Driver Awareness Course Manual which facilitates agency-presented driver training.   |
| <b>B.18</b> Study the feasibility of certifying training courses located outside of California.   | A formalized agreement is being developed with Oregon to co-certify and present courses. Negotiations are underway with Nevada POST. Nevada POST already accepts California POST-certified courses to satisfy its CPT requirement.                            |

**ESTABLISH PARTNERSHIPS**

- |  |   |
|--|---|
| <b>C.4</b> Establish cooperative efforts with other criminal justice and related public safety components. | A cooperative sharing agreement has been approved by the Commission with the US Air Force. A joint cost-sharing agreement for the production of a CD-ROM training program has been approved with the Chancellor's Office and Santa Rosa Junior College. |
|--|---|

**STRATEGIC PLAN OBJECTIVE**

**PROGRESS**

C.5 Seek out long-term training and technology partnerships with public safety agencies and private industry.

July Commission approval of the partnership with the US Air Force for sharing multimedia technology. Other entities being approached for their interest in joint ventures. POST continues to be an active partner with the three Regional Community Policing Institutes in California. POST is coordinating with NIJ in making high-tech crime training available in California.

C.6 Increase participation with the California Law Enforcement Image Coalition.

POST is working with the Coalition to develop a telecourse which will showcase effective agency programs that promote public relations.

C.8 Maximize opportunities for promoting better interaction between law enforcement and crime victims.

POST is actively involved in distributing the Victims of Crime video to law enforcement agencies for their issuance to crime victims. POST is coordinating with CPOA to conduct a panel presentation at its September conference that will focus on the Victims of Crime video. Video has also been sent to national organizations thereby encouraging its use.

**ENSURE ADEQUATE RESOURCES**

D.1 Support partners as they advocate for more POST resources to meet their service expectations.

The State Budget for the 1998-99 FY contains an additional \$12 million to enhance training. POST and its partners coordinated their activities to achieve this success.

D.4 Link short- and long-term fiscal planning and reporting to strategic plan implementation.

This is now an ongoing activity. 1998-99 Budget Change Proposals approved by the Commission.

**STRATEGIC PLAN OBJECTIVE**

**PROGRESS**

D.5 Develop alternative cost-recovery strategies and implement when appropriate.

Cost recovery has been implemented for out-of-state sales of the basic course workbooks.

Cost recovery is being planned for POST satellite broadcasts which are being facilitated through encryption. A subscription services is being designed for non-POST agencies and presenters.

A marketing contract is being proposed for the POST/CHP-developed shooting judgment scenarios. A revenue-sharing agreement with Doron Corporation has been extended through the year 2000 by virtue of POST's development of driving scenarios.

D.6 Study the feasibility of reimbursing for trainee replacement, training development, and presentation costs.

Trainee replacement reimbursement has been instituted. Tuition guidelines being updated – to be on Commission agenda November 1998. Trainee per diem reimbursement has been increased from \$110 to \$119. Back-fill reimbursement is being increased from 80% to 100%.

**ESTABLISH CLEARINGHOUSE**

E.1 Optimize the field's access to the POST library within the limits of POST's resources.

The POST Library Overview document has been updated and was scheduled for placement on our Home Page July 31, 1998.

The library is developing a list of specialized national libraries and library associations with Website addresses which was hyper-linked to POST's Website July 31, 1998.

**STRATEGIC PLAN OBJECTIVE****PROGRESS**

E.2 Expand referrals for research, networking, information exchange, and law enforcement technical assistance.

POST has filled a position for a coordinator of the POST clearinghouse.

POST continues to expand and improve upon its Web Page which has become a dynamic information source for law enforcement as part of the POST clearinghouse.

POST hyper-links to 482 local and specialized California law enforcement agencies and law enforcement associations was accomplished on July 31, 1998.

E.3 Serve as a single point of contact, accessible 24 hours a day for linkages with multiple databases.

Catalog of certified courses placed on line June 9, 1998.

Staff has obtained technical information from SME's on developing on-line, electronic course registration. This issue will be pursued aggressively upon the hiring of the clearinghouse coordinator.

Work in progress on Electronic Image Mapping of consultants' geographical areas for placement on POST's Web Page.

E.4 Identify and record model (commendable) programs and procedures from the field for inclusion in the clearinghouse.

At the March 24-26, 1998 POST Clearinghouse Special Seminar, staff obtained the necessary criteria for developing and implementing a statewide commendable program for California law enforcement. This project is "on hold" pending the hiring of the clearinghouse coordinator scheduled for September 1998.

E.5 Provide early warning research, including "white papers," that highlights critical emerging futures issues.

In progress and much information is already on POST's Web Page. Much more information will soon be placed on the Web Page.

**STRATEGIC PLAN OBJECTIVE**

**PROGRESS**

- E.6 Establish a User Committee to advise the clearinghouse is meeting the needs of law enforcement on a continuing basis.
- E.7 Implement a program to optimize the field's use of the clearinghouse, as well as the level and quality of contributions from the field.

Various ad hoc specialized committees have met to provide input.

POST's Home Page has been the principal vehicle to notify the field of available POST services and information. As an ongoing process, staff is identifying POST publications for placement on our Web Pages. Also, information from the Bulletin Board System has been transferred to the Home Page.

**ENSURE QUALITY SERVICES**

- F.2 Publicize available POST Services.
- F.8 Assess regularly the quality of POST-certified courses.

Work in progress to place POST's Website address on business cards, publications, e-mail, letterhead, etc.

The Executive Course Monitoring Program has been assigned for implementation to Training Delivery and Compliance Bureau.

**VALUE OUR EMPLOYEES**

- G.1 Improve staff training, particularly related to policies and procedures and other areas of critical need.
- G.4 Provide for staff development by cross training in multiple assignments.
- G.5 Adopt mechanisms to improve internal communications.
- G.6 Develop an employee skill and knowledge inventory.

Full-time training manager has been assigned. Analysis of organization training needs, especially as they relate to implementing the Strategic Plan, has begun.

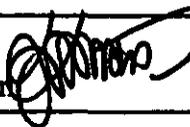
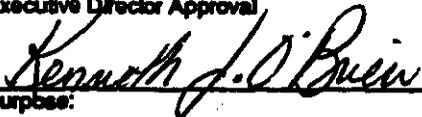
Has been selectively implemented on some critical assignments.

POST is developing an Intranet in order to enhance communications among staff.

Preliminary research has begun.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report and Recommendation to Approve Crowd Management and Civil Disobedience Guidelines		Meeting Date November 5, 1998
Bureau Basic Training Bureau Force & Safety Unit	Reviewed By Ken Whitman 	Researched By Mario Rodriguez
Executive Director Approval 	Date of Approval 10-7-98	Date of Report August 27, 1998
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

ISSUE

Should the Commission approve the *Crowd Management and Civil Disobedience Guidelines* that have been developed at the direction of the Commission in response to the requirements enacted by Penal Code Section 13514.5?

BACKGROUND

At the March 16, 1998 Long Range Planning Committee meeting staff presented a report on the need to prepare guidelines for law enforcement management of civil disobedience. A report was also presented at the April 1998 Commission meeting, and staff was directed to proceed with the development of guidelines for use by police agencies statewide.

Senate Bill 1844 (Thompson) has been chaptered and signed by the Governor. This bill enacts Penal Code Section 13514.5 which is effective January 1, 1999. Penal Code Section 13514.5 (Attachment A) requires POST to implement a course or courses of instruction and adopt guidelines that may be followed by police agencies in responding to acts of civil disobedience.

ANALYSIS

POST has developed numerous guidelines for law enforcement's use on a variety of operational issues. The proposed guidelines contained in this report have been developed, in concert, with representatives of law enforcement and are intended to offer useful guidance without intruding on individual agency policies. These guidelines have frequently served as the building blocks for relevant training.

These proposed guidelines will have the following benefits:

- Assisting with the development of the relevant training courses.
- Assisting agencies to manage current and future civil disorder incidents which involve changing tactics on the part of civil disorder groups.
- Responds to the current legislation requiring the development of these guidelines

The draft proposal included in this report is the product of a series of meetings statewide by an ad hoc committee that has been working regularly on these guidelines and developing the telecourse on Managing Civil Disorders that was broadcast on July 23, 1998. Additionally these guidelines have been reviewed by representatives of the major law enforcement associations, subject matter experts, supervisors and managers, and by a randomly selected group of 65 chief executives at police and sheriff departments to gather their input, concerns, and comments. The proposed guidelines, if adopted and approved, would be a significant step in providing all agencies with guidelines on managing civil disobedience.

During the development of these proposed guidelines, every effort was to make available, to the agencies, broad categories of information for review of current or future agency policies. The Commission has been sensitive to the desires of agencies to have individualized policies that reflect concern for local issues. It is the intent of these guidelines to allow agencies maximum discretion and flexibility in their individual policy development. The guidelines comply with the requirements and provisions of Penal Code Section 13514.5 mandating their development.

The optional course of training on civil disobedience that is required as part of the legislation has been developed in a two-hour telecourse format that was broadcast in July 1998. The telecourse addressed all of the minimum subject matter specified in Penal Code Section 13514.5. The telecourse material has also been edited for use as video resource material to be included with the workbook development for Learning Domain 26 - Unusual Occurrences that is presented in the Regular Basic Course.

### RECOMMENDATION

It is recommended that the Commission approve the proposed *Crowd Management and Civil Disobedience Guidelines* document and authorize the Executive Director to distribute the guidelines statewide.

**REPORT AND RECOMMENDATION TO APPROVE CROWD MANAGEMENT AND CIVIL DISOBEDIENCE GUIDELINES**

Senate Bill 1844 (Thompson), enacting Penal Code Section 13514.5, has been signed by the Governor and requires the Commission to implement on or before January 1, 1999, a course or courses of instruction for the training of law enforcement officers in the handling of acts of civil disobedience and to adopt guidelines establishing standard procedures that may be followed by police agencies in responding to acts of civil disobedience.

A report was presented to the Commission at the April 1998 meeting and staff was directed to proceed with the development of voluntary guidelines. The draft proposal included with this report is the product of a series of statewide meetings by an ad hoc committee whose members developed the proposed guidelines and developed the telecourse on Managing Civil Disorders that was broadcast on July 23, 1998.

The report under this tab includes a draft of the proposed *Crowd Management and Civil Disobedience Guidelines* developed pursuant to the Commission direction and legislative mandate.

If the Commission concurs, the appropriate action would be a MOTION to approve the *Crowd Management and Civil Disobedience Guidelines* document and authorize the Executive Director to distribute the guidelines statewide.

**CALIFORNIA 1998 LEGISLATIVE SERVICE**  
**1998 Portion of 1997-98 Regular Session**

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Additions are indicated by << + Text + >>; deletions by  
<<- \*\*\*->>. Changes in tables are made but not highlighted.

**CHAPTER 207**  
**S.B. No. 1844**  
**PEACE OFFICERS--RESPONSE TO CIVIL DISOBEDIENCE--TRAINING**

AN ACT to add Section 13514.5 to the Penal Code, relating to crime prevention.

[Approved by Governor July 20, 1998.]

[Filed with Secretary of State July 21, 1998.]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1844, M. Thompson. Crime prevention: peace officer training.

Existing law requires the Commission on Peace Officer Standards and Training to, among other things, adopt rules establishing minimum standards for the purpose of raising the level of competence of local law enforcement officers.

This bill would require the commission to implement on or before January 1, 1999, a course or courses of instruction for the training of law enforcement officers, as defined, in the handling of acts of civil disobedience and to adopt guidelines establishing standard procedures that may be followed by police agencies in responding to acts of civil disobedience.

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

SECTION 1. Section 13514.5 is added to the Penal Code, to read:

<< CA PENAL § 13514.5 >>

13514.5. (a) The commission shall implement on or before July 1, 1999, a course or courses of instruction for the training of law enforcement officers in the handling of acts of civil disobedience and adopt guidelines that may be followed by police agencies in responding to acts of civil disobedience.

(b) The course of training for law enforcement officers shall include adequate consideration of all of the following subjects:

- (1) Reasonable use of force.
- (2) Dispute resolution.
- (3) Nature and extent of civil disobedience, whether it be passive or active resistance.
- (4) Media relations.
- (5) Public and officer safety.
- (6) Documentation, report writing, and evidence collection.

**(7) Crowd control.**

**(c)(1) All law enforcement officers who have received their basic training before July 1, 1999, may participate in supplementary training on responding to acts of civil disobedience, as prescribed and certified by the commission.**

**(2) Law enforcement agencies are encouraged to include, as part of their advanced officer training program, periodic updates and training on responding to acts of civil disobedience. The commission shall assist these agencies where possible.**

**(d)(1) The course 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 expertise in responding to acts of civil disobedience. 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. Different regional interests such as rural, suburban, and urban interests may be represented by the participating parties.**

**(2) The commission, in consultation with the groups and individuals described in paragraph (1), shall review existing training programs to determine in what ways civil disobedience training may be included as part of ongoing programs.**

**(e) As used in this section, "law enforcement officer" means any peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3.**

**(f) It is the intent of the Legislature in enacting this section to provide law enforcement officers with additional training so as to control acts of civil disobedience with reasonable use of force and to ensure public and officer safety with minimum disruption to commerce and community affairs.**

**(g) It is also the intent of the Legislature in enacting this section that the guidelines to be developed by the commission should take into consideration the roles and responsibilities of all law enforcement officers responding to acts of civil disobedience.**

CA LEGIS 207 (1998)

END OF DOCUMENT

**CROWD  
MANAGEMENT  
AND CIVIL  
DISOBEDIENCE  
GUIDELINES**

**November, 1998**

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1998**

**For information about copies of this publication contact:**

**POST Basic Training Bureau  
1601 Alhambra Boulevard  
Sacramento, CA 95816-7083  
(916) 227-4252**

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<b>Ted Hunt</b>	<b>Director Los Angeles Police Protective League</b>
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<b>Kenneth J. O'Brien</b>	<b>Executive Director</b>

# PREFACE

Penal Code Section 13514.5 requires the Commission On Peace Officer Standards and Training to establish guidelines and training for law enforcement's response to crowd management and civil disobedience.

These guidelines contain information for law enforcement agencies to consider when addressing the broad range of issues related to crowd management and civil disobedience. *The guidelines do not constitute a policy*, nor are they intended to establish a standard for any agency. The Commission is sensitive to the needs for agencies to have individualized policies that reflect concern for local issues. The Commission intends these guidelines to be a resource for law enforcement executives that will provide maximum discretion and flexibility in the development of individual agency policies.

The guidelines were developed with assistance from law enforcement agency representatives, academy instructors, legal advisors, subject matter experts and members of the public. Draft guidelines were reviewed by law enforcement executives, trainers and legal advisors several times before they were approved by the Commission. Different regional interests such as rural, suburban, and urban interests were represented in the development and review process.

The Commission also approved the development of training. In addition to training currently presented in the Basic Course, POST developed and broadcasted a training telecourse for in-service, management and executive level law enforcement personnel. This special telecourse contains training on the reasonable use of force, crowd and group dispute resolution, issues of passive and active resistance, media relations, public and officer safety, incident documentation, evidence collection and the law enforcement response to managing crowds and civil disobedience. The two-hour telecourse, *POST -Managing Civil Disobedience*, (July, 1998) is available to POST agencies through the PSTN Hotline, (800) 441-POST.

Questions or comments concerning these guidelines may be directed to the POST Peace Officer Safety and Force Unit at (916) 227-3900, or the Basic Training Bureau at (916) 227-4252.

KENNETH J. O'BRIEN  
Executive Director

# INTRODUCTION

In the United States all people have a right of free speech and assembly guaranteed by the First Amendment to the Federal Constitution and California State Constitution. Law enforcement recognizes the right of free speech and actively protects people in the exercising of that right.

The rights all people have to march, demonstrate, protest, rally or perform other First Amendment activity comes with the responsibility to not abuse or violate the civil and property rights of others. The responsibility of law enforcement is to protect the lives and property of all people. Law enforcement should not be biased by the opinions being expressed nor by the race, gender, sexual orientation, physical disabilities, appearances or affiliation of anyone exercising their lawful First Amendment rights. Law enforcement must have the integrity to keep personal, political or religious views from affecting their actions.

When it becomes necessary to control the actions of a crowd that has become an unlawful assembly, the commitment and responsibility of law enforcement is to do so lawfully, efficiently and with minimal impact upon the community. A variety of techniques and tactics may be necessary to resolve a civil disobedience incident. Only that force which is objectively reasonable may be used to arrest violators and restore order.

All agencies should familiarize themselves with the terms, definitions and guidelines set forth in this document. These are the generally accepted principles by which agencies respond to lawful and unlawful assemblies. The material in this document is designed to assist law enforcement executives in addressing the broad range of issues surrounding civil disobedience.

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# **GUIDELINES DEVELOPMENT COMMITTEE**

**Al Benner, PhD  
Captain, San Francisco Police Department**

**C. Stoney Brook  
Law Enforcement Consultant**

**Don Cameron  
Cameron Consulting**

**Dennis Cole  
Captain, San Diego Sheriff's Department**

**Gregory Cowart  
Director, California Department of Justice**

**Daniel DeLeon  
Officer, Sacramento Police Department**

**Duane Fredrickson  
Sergeant, Eureka Police Department**

**Tracy Hall  
Investigator, Redding Police Department**

**Douglas Hambleton  
Lieutenant, Berkeley Police Department**

**Murl Harpham  
Captain, Eureka Police Department**

**Sid Heal  
Lieutenant, Los Angeles Sheriff's  
Department**

**Mike R. Hillmann  
Captain, Los Angeles Police Department**

**Pamela Howard  
Sergeant, San Diego Marshal's Office**

**Frank McKee  
Officer, San Francisco Police Department**

**Bruce Naliboff  
Lieutenant, UC Davis Police Department**

**Richard E. Odenthal  
Captain, Los Angeles Sheriff's Department**

**Carol Ann Rohr, Attorney  
Franscell, Strickland, Roberts and Lawrence**

**Randy Rossi  
Assistant Chief, California Department of  
Justice**

**Rod Sanford  
Pacific Institute Of Defensive Tactics**

**Ollie Sansen  
Assistant Director, Contra Costa Criminal  
Justice Center**

**Joyce Souza  
Sergeant, UC Davis Police Department**

**Ed Springer  
Lieutenant, San Francisco Police  
Department**

**Mario Rodriguez  
Senior Consultant, California POST**

**CROWD MANAGEMENT**  
**AND**  
**CIVIL DISOBEDIENCE GUIDELINES**

## **Guideline #1: Law Enforcement Objectives**

**Law enforcement agencies should establish policies and procedures that recognize and address law enforcement objectives and provide for the legal protection of the Constitutional Rights of all persons.**

### ***Discussion:***

When establishing policies and procedures, every agency should consider that all persons have the right to march, demonstrate, protest, rally or perform other activities protected by the First Amendment. Law enforcement has the responsibility to protect the lives and property of all people. Peace officers must not be affected by the content of the opinions being expressed nor by the race, gender, sexual orientation, physical disabilities, appearances or affiliation of anyone exercising their lawful First Amendment rights. They must have the integrity not to let personal, political or religious views affect their actions.

#### **Issues to Consider\*:**

- Protection of Constitutional Rights
- Fair and impartial enforcement of laws
- Protection of life and property
- Protection of vital facilities
- Prosecution of violators
- Public and peace officer safety
- Potential for disruption to commerce and community affairs

*\*Note: This sampling is not in order of priority.*

***This guideline is not intended to be a standard for any agency. Each agency should adopt and follow its own policy in accordance with existing law and the jurisdiction it serves.***

**Guideline #2: Incident Command System (ICS) and Standardized Emergency Management Systems (SEMS)**

**Law enforcement agencies should use the Incident Command System (ICS) as mandated by the Standardized Emergency Management System (SEMS) when managing crowds and acts of civil disobedience.**

***Discussion:***

The Incident Command System (ICS) is considered the model for managing the response to critical unusual incidents including crowd management and civil disobedience situations. SEMS, established by Government Code Section 8607(a), incorporates ICS and must be utilized by law enforcement agencies to apply for reimbursement from the State of California. Law enforcement's use of ICS is outlined in the *Law Enforcement Guide for Emergency Operations* (or "Red Book").

SEMS consists of five organizational levels which are activated as necessary: Field Response, Local Government, Operational Area, Region and State (*Law Enforcement Guide for Emergency Operations*, 1998 Edition, Annex, A, Page 11). The Field Response Level also consists of five primary Incident Command System (ICS) functions.

**Field Response Level uses the following five primary ICS functions:**

- Command
- Operations
- Planning/Intelligence
- Logistics
- Finance/Administration

The *Law Enforcement Guide for Emergency Operations* can be ordered by contacting the Law Enforcement Branch of the California Office of Emergency Services at (916) 262-1744.

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### **Guideline #3: Principles of Crowd Management**

**Agencies should establish policies and procedures designed to manage crowds.**

#### ***Discussion:***

A public assembly, whether for lawful or unlawful activities, may require the response of law enforcement. The response can range from observation to crowd management strategies.

Not all crowd situations involve civil disobedience. Law enforcement's responsibility is to objectively discern at what juncture a demonstration leaves the realm of legal protest and becomes an abridgement of the rights of others.

#### **A Sampling of Crowd Management Strategies\*:**

- Coordinate incident planning and preparation
- Arrange pre-meeting with group organizers
- Develop unified and streamlined chain-of-command
- Coordinate pre-incident training
- Insure pre-incident community education
- Establish stakeholders interest and involvement
- Deploy sufficient numbers of law enforcement and public safety personnel to control and/or respond to anticipated events
- Establish overt police presence
- Insure law enforcement response is timely
- Designate public assembly areas when reasonable
- Separate opposing factions
- Establish and attempt to maintain contact with the crowd
- Insure personnel has proper and sufficient equipment including specialized tactical resources
- Establish Inner and outer cordoning
- Insure on-scene incident command
- Provide effective means of communication
- Establish rules of conduct, including force options
- Mobile field booking and arrest teams established
- Establish dismounted and mobile tactical formations
- Define unlawful activity
- Develop unlawful assembly declaration
- Prepare to use of speciality vehicles as necessary
- Develop media management plan
- Establish photo/video journal of chronology of events
- Establish photo/video journal of arrest and booking
- Continually gather and assess tactically significant intelligence

*\*Note: This sampling is not in order of priority.*

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#### **Guideline #4: Stakeholder Involvement**

**Agencies should establish procedures to identify, develop and utilize stakeholders.**

#### ***Discussion:***

**Stakeholder involvement is critical to the overall success of managing crowds and civil disobedience. Law enforcement should facilitate the involvement of stakeholders when planning for and responding to crowds and civil disobedience situations.**

#### **A Sampling of Community and Public Agency Stakeholders:**

- Adjacent Law Enforcement Agencies (i.e., Mutual Aid)
- Agency Counsel and District Attorney
- Animal Control
- Business Community
- Calif. Dept. of Transportation (Cal Trans)
- City Manager/County Administrator
- Clergy
- Community Support Groups
- Correctional Facilities
- Elected Officials (Mayor, City Council, County Supv., etc.)
- EMS Providers, Ambulance Services
- Fire Services
- Hospitals
- Judicial
- National Guard
- Office of Emergency Services
- Outside Agencies
- Parks and Recreation
- Public Transportation
- Public Works/Utility Companies
- Red Cross
- Refuse Service
- Salvation Army
- Schools
- Social Services
- Utility Companies
- Volunteers

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## **Guideline #5: Management and Supervisory Responsibilities**

**Managers and supervisors should be guided by their agency's policies and procedures and familiar with the *Law Enforcement Guide For Emergency Operations* (published by the California Office of Emergency Services).**

### ***Discussion:***

Managers and supervisors have unique roles at critical incidents. A supervisor may be the manager of an incident until relieved by a ranking officer and should be familiar with both roles. Managers and supervisors should be trained in the Standardized Emergency Management System (SEMS), and in particular, the Incident Command System (ICS). A pre-established checklist may be helpful for reference during an incident. Existing models are available from many law enforcement agencies and in the *Law Enforcement Guide For Emergency Operations*.

#### **A Sampling of Supervisory Responsibilities\*:**

- Insure agency policies are followed
- Respond quickly and safely to the scene or staging area
- Determine safe avenue of approach to scene or staging area
- Establish a command post if appropriate and not already done
- Delegate responsibility of incident command post and subordinate elements
- Establish a secure tactical communication
- Assess the situation via briefing and/or observations
- Assume command when appropriate
- Indicate assumption of command to subordinate
- Make appropriate notifications
- Utilize SEMS
- Refer to the Civil Unrest/Disorder Check List, *Law Enforcement Guide For Emergency Operations*
- Establish priorities of action (containment, isolation, control, arrest, etc.)
- Establish a staging area and designate a coordinator
- Establish a journal and report writer
- Allow time for readjustment, reassessment and decision making
- Avoid unrealistic pressure; slowing down is a wise option
- Deploy disciplined control forces rapidly yet efficiently (economy of force)
- Emphasize teamwork and avoidance of individual action
- Establish contact with participants/leadership (be candid in discussions)
- Consider a rapid response force pre-staged for assistance
- Maintain support for emergency services (e.g., fire, rescue, etc.)
- Ensure that all personnel have appropriate equipment
- Attain a signed crime/offense report from victim when possible
- Ensure personnel understand agency use-of-force policies
- When possible, don't cite and release demonstrators at the scene
- Consider the use of barriers and screens around demonstrators
- Conduct a post-event critique
- Be available for decision making

*\*Note: This sampling is not in order of priority.*

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## **Guideline #5: Management and Supervisory Responsibilities (Cont.)**

### **A Sampling of Management Responsibilities\*:**

- Provide ongoing training of managers and supervisors
- Train and equip response force prior to incident
- Be familiar with mutual aid policies and principles
- Slow down the incident as necessary
- Define mission and establish objectives for the incident
- Establish and review intelligence information
- Practice unity of command
- Accept responsibility
- Assume command from supervisor
- Establish an ICS organization
- Obtain briefing from supervisor
- Acquire logistical support
- Set enforcement profiles (e.g., carry, pain compliance, nonlethal chemical agents, etc.)
- Notify appropriate persons (e.g., police chief, sheriff, mayor, city manager, etc.)
- Consider protracted events and personnel staffing
- Conduct a post-event critique with all personnel and participating agencies

*\*Note: This sampling is not in order of priority.*

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## **Guideline # 6: Crowd Behavior**

**Agencies should recognize various types of crowds and behavior patterns or characteristics.**

### ***Discussion:***

Law enforcement agencies should be aware of the various types of behaviors associated with crowds that may require law enforcement response. Generally crowds can be categorized into two groups. Crowds may be lawful or unlawful. This behavior can range from lawful assembly to civil disobedience to rioting. The ability of law enforcement personnel to maintain or restore order is highly dependent upon a thorough understanding of the factors involved.

#### **A Sampling of Crowds:**

- Sporting events
- Labor disputes
- Parties/social gatherings
- Entertainment events
- First Amendment demonstrations
- Social agenda driven events (e.g., abortion, animal rights, jury decisions, environmental issues, etc.)
- Parades
- Traffic collisions
- Crime scenes
- Disasters
- Media events
- Community celebrations
- Political events

#### **A Sampling of Crowd Behaviors:**

- Lawful
- Orderly
- Compliant
- Non compliant
- Active resistance
- Violent resistance
- Rioting

***This guideline is not intended to be a standard for any agency. Each agency should adopt and follow its own policy in accordance with existing law and the jurisdiction it serves.***

## **Guideline #7: Tactical Fundamentals**

**Each agency should develop tactical precepts to address the management of crowds and civil disobedience.**

### ***Discussion:***

The tactical precepts agencies develop will depend upon available resources and the situation itself. Crowds and acts of civil disobedience are dynamic and require a flexible response. Tactical fundamentals include containment, control, communication, tactical information, response, and coordination. Agencies should strive to plan and prepare for incidents above and beyond the basic fundamentals. The Mobile Field Force, as outlined in the *Law Enforcement Guide For Emergency Operations* (otherwise known as the "Red Book"), is the standard mutual aid resource and has local application as well.

#### **A Sampling of Fundamental Tactical Considerations\*:**

- Designated areas for disbursal
- Operation plan development
- Use of barriers for isolation and containment
- Unlawful assembly declaration/announcement
- Arrest and control teams
- Mobile booking teams
- Arrest and processing procedures for non-compliant and disabled subjects
- Mobile tactical formations
- Use of speciality impact ammunitions
- Use of Nonlethal chemical agents
- Transportation issues
- Dismounted tactical formations
- Mounted tactical formations
- Communications issues
- Use of canine
- Separate opposing factions
- Mobile Field Force concept
- Media considerations
- Photo/Video record of events
- Documentation and reporting process
- Traffic management
- Personnel support and relief issues
- Specialty equipment
- Medical considerations
- Contingency planning

*\*Note: This sampling is not in order of priority.*

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## Guideline #8: Dispersal Orders

**Law enforcement agencies should establish procedures for declaring unlawful assemblies and issuing dispersal orders.**

### *Discussion:*

Law enforcement agencies should understand the law as it pertains to an unlawful assembly. Law enforcement's decision to declare a crowd unlawful must be based upon reasonable and articulable facts. The definition of an unlawful assembly has been set forth in Penal Code Section 407, and interpreted in court decisions. The terms "boisterous" and "tumultuous" as written in Penal Code Section 407 have been interpreted *as conduct that poses a clear and present danger of imminent violence* [In re Brown (1973) 9 Cal. 3d 612, 623.].

The intent of a dispersal order is to permanently disperse a crowd, not to merely relocate the problem. It should be made clear that the crowd is expected to immediately leave the area. The dispersal order must be given in a manner reasonably believed to be heard and understood by the intended audience. Based upon the circumstances, law enforcement may need to consider multiple announcements from various locations. Dispersal orders may be delivered in English and other languages appropriate to the audience. Regardless of how delivered, law enforcement should record the name of the individual making the statement and the date and time each order was administered. Dispersal orders should not be given until control forces are in position to support crowd movement.

#### **A Sampling of Methods Used to Deliver and Document Dispersal Orders:**

- Loud speech
- Amplified sound
- Display signage indicating unlawful assembly and dispersal
- Gain attention of the crowd, and document affirmative responses prior to declaration of unlawful assembly
- Position law enforcement personnel to the rear of a crowd to confirm and document the sound of the dispersal order transmission
- Acquire multiple language capability
- Video/audio tape for documentation

#### **Dispersal Order Example #1**

"I am (*peace officer's name and rank*), a peace officer of (*name of jurisdiction*). I hereby declare this to be an unlawful assembly and, in the name of the People of the State of California, I command all those assembled at (*give the specific location*) to immediately disperse. If you do not do so, you will be arrested." [Routes for dispersing and time allowed for dispersal should be stated.]

#### **Dispersal Order Example #2**

"I am (*peace officer's name and rank*) a peace officer for the (*name of jurisdiction*). I hereby declare this to be an unlawful assembly, and in the name of the People of the State of California, command all those assembled at (*specific location*) to immediately disperse, which means to break up this assembly. If you do not do so, you may be arrested or subject to other police action. Section 409 of the Penal Code prohibits remaining present at an unlawful assembly. If you remain in the area just described, regardless of your purpose, you will be in violation of Section 409. The following routes of dispersal are available (*routes*). You have (*reasonable amount of time*) minutes to disperse."

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## **Guideline #9: Use of Force: Force Options**

**Agencies should develop use of force policies, procedures, and training for managing crowds and civil disobedience.**

### ***Discussion:***

When dealing with crowds and civil disobedience situations, law enforcement must be a disciplined and well organized control force. The decisions to use force and the force options that may be applied in response to these incidents range from law enforcement presence to deadly force. Peace officers need not use the least intrusive force option, but only that force which is reasonable under the totality of the circumstances (Scott v. Henrich, 39 F. 3d 912, 9<sup>th</sup> Cir. 1994, and Forrester v. City of San Diego, 25 F. 3d 804 9<sup>th</sup> Cir. 1994).

Prior to an event, agencies should continually review their use of force alternatives in response to potential actions by protesters. Training should reflect the reasonable use of force alternatives.

#### **A Sampling of Force Options\*:**

- Law enforcement presence
- Verbalization
- Firm grip
- Compliance techniques
- Control devices
- Nonlethal chemical agents
- Electrical control devices
- Impact weapons/batons
- Less lethal (i.e., sting balls, grenades, bean bags)
- Deadly force

*\*Note: This sampling is not in order of priority.*

#### **A Sampling of Use of Force Considerations\*:**

- Determine compliance or non-compliance of crowd
- Physically moving non-compliant offenders
- Anticipate possible actions of demonstrators
- Identify criminal violations involved
- Develop arrest protocol
- Develop use of pain compliance protocol
- Plan for disabled, elderly, and children demonstrators
- Determine availability of personnel
- Evaluate availability of other public safety resources
- Include protection devices for involved personnel
- Plan for the safety of bystanders
- Evaluate mobility of suspects/protestors
- Determine avenues of controlled departure
- Anticipate potential for medical

*\*Note: This sampling is not in order of priority.*

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## **Guideline #10: Use of Nonlethal Chemical Agents**

**Agencies should develop policies and procedures for the deployment of nonlethal chemical agents during incidents of civil disobedience. The application of nonlethal chemical agents must be reasonable under the totality of the circumstances.**

### ***Discussion:***

Nonlethal chemical agents, properly deployed by trained law enforcement personnel, are designed to cause temporary discomfort. The application of nonlethal chemical agents, including oleoresin capsicum (OC), has proven effective in a wide variety of civil disobedience situations. Use of nonlethal chemical agents during civil disobedience may be reasonable depending on the totality of the circumstances. Each agency should consider when, where, and how nonlethal chemical agents may be deployed.

It is important that every agency have properly trained personnel for the deployment of nonlethal chemical agents. Nonlethal chemical agents, protective masks, maintenance, storage, and security are the responsibility of the agency.

#### **A Sampling of Nonlethal Chemical Agent Deployment Issues\*:**

- Law violations
- Non-compliance, civil disobedience situations
- Public safety/effect on community
- Peace officer safety
- Personnel available
- Methods of delivery available
- Weather conditions
- Wind direction
- Physical location/terrain considerations
- Cross contamination problems
- Mobility of protestors (suspects)
- Use of law enforcement horses
- Types of agents available
- Protective devices for involved personnel
- Avenues of escape
- The potential exposure to children, elderly and disabled members of the crowd
- Decontamination

*\*Note: This sampling is not in order of priority.*

#### **A Sampling of Nonlethal Chemical Agent Policy Considerations\*:**

- Training
- Reporting
- Types of agents
- Delivery methods to be utilized (direct application, spray, expulsion, pyrotechnics, etc.)
- Amount of agents to be purchased
- Who can authorize the use of nonlethal chemical agents, and under what circumstances
- Decontamination/observation
- Storage of nonlethal chemical agents
- Replacement and/or rotation of expired agents
- Mutual aid for procurement (chemical collaborative)
- Use on animals
- Non-compliance, civil disobedience situations
- Purchase, storage, and distribution of protective masks

*\*Note: This sampling is not in order of priority.*

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## **Guideline #11: Mass Arrest and Booking**

**Agencies should develop procedures for managing mass arrests and bookings.**

### ***Discussion:***

The most successful law enforcement strategy for dealing with mass arrests and bookings is proper planning, training and comprehensive briefing of involved peace officers prior to the event. Mass arrests are dynamic situations, and any process must be flexible enough to handle challenges confronting the field force.

The impact of a large number of arrests on public agencies should be evaluated.

**It is imperative that agencies maintain continuity and accountability of arrestees from the arrest site (crime scene) through the booking process. Many cases are lost due to the inability to match up the arresting peace officer to the arrestee. The arrest report should articulate each arrestee's specific criminal act(s). This process will aid in criminal prosecution and the reduction of civil liability.**

A coordinated effort between all involved criminal justice entities is essential to ensure successful arrest, booking and prosecution.

It is imperative that agencies maintain continuity and accountability of evidence. Consideration should be given to maintaining evidence beyond the criminal prosecution, pending potential civil litigation.

### **Sampling of Mass Arrest and Booking Considerations\*:**

- Booking/processing area: On site or remote site.
  - Temporary holding facility
  - Security
  - Weather issues
  - Media issues
- Identified arrest teams
  - Armed
  - Unarmed
  - Protective clothing
  - Handcuff release devices
- Documentation (photo/video/written) of arrests
  - Date
  - Time
  - Location
  - Offense(s)
  - Arresting peace officer(s)
  - Identification of arrestees
- Computer access for identification
- Telephone capabilities
- Identified booking teams
- Prisoner transportation
  - Special needs (e.g., wheel chairs)
- Segregation issues
  - Gender
  - Gangs
  - Juveniles
- Personal needs issues
  - Restrooms
  - Water
  - Food
- Coordination with
  - Medical
  - Jail
  - Court
  - District/City Attorney
  - Probation/Parole
  - Public Defender's Office
- Sufficient handcuffs/restraint equipment
- Sufficient forms/paperwork
  - Booking forms
  - Field release from custody
  - Field interview cards
  - Evidence collection/storage materials
- Master report writer
- Public Affairs/Media Relations Rep.
  - Public Service Announcements

*\*Note: This sampling is not in order of priority.*

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## **Guideline #12: Criminal Investigation**

**Law enforcement agencies should establish procedures to investigate and prosecute criminal activity associated with civil disobedience.**

### ***Discussion:***

Crowd behavior and civil disobedience which result in criminal misconduct should be investigated. Arrest/charging sections are not always the same. It may be appropriate to establish a victim other than law enforcement. Private persons arrests and/or signed crime/offense reports should be considered. Sections to be considered should be based upon applicable laws and advice from prosecutors. Conspiracy charges are often appropriate but frequently overlooked.

Crowd behavior and civil disobedience which result in criminal activity should be investigated as any other crime. Charging sections to be considered may include, but not be limited to, trespass, unlawful assembly, failure to disperse, rioting, wearing a mask during the commission of a crime, vandalism and conspiracy, if warranted.

When gathering information regarding different groups and their actions, agencies should also confer with the agency's legal advisor regarding legal guidelines and court decisions effecting intelligence activities by law enforcement agencies.

### **A Sampling of Investigative Considerations\*:**

- Identify potential violations
- Consult with city/district attorney prior to and after the event
- Identify a master report writer
- Identify an evidence coordinator
- Gather documents which may aid in your investigation (including press releases, internet material, signs and banners, etc.)
- Review similar activity the group has been involved with in other jurisdictions
- Obtain all available video evidence
- Review each individual arrest
- Record specific chants and who is leading them
- Photograph the event
- Maintain evidence beyond the criminal prosecution, pending potential civil litigation

*\*Note: This sampling is not in order of priority.*

### **A Sampling of Evidence Considerations for Conspiracy Investigation\*:**

- Computers and all discs
- E-mail accounts
- Telephone records
- Fax machines (machine memory can have programmed phone numbers)
- Video tapes
- Photographs
- Clothing and other items showing affiliation with similar groups
- Documents (correspondence, address books, journals, etc.)
- Manifestos

*\*Note: This sampling is not in order of priority.*

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### **Guideline #13: Incident Documentation**

**Agencies should establish policies and procedures for documenting crowd management and civil disobedience incidents.**

#### ***Discussion:***

Thorough documentation is a key element which supports not only criminal investigation and prosecution but also is an accounting of law enforcement's response to an event. Documentation should begin as soon as possible. Additionally, proper documentation can aid law enforcement in anticipation of potential civil litigation.

The extent of documentation is based on the resources available to an agency. Several types of documentation can be used. Agencies should evaluate existing documentation methods and the need for additional resources.

#### **A Sampling of Subjects to be Documented\*:**

- Public disruption
- Property damage
- Injuries (community and law enforcement)
- Collective and individual behavior
- Individual arrests
- Individual actions
- Use of force
- Physical evidence

*\*Note: This sampling is not in order of priority.*

#### **A Sampling of Methods of Documentation\*:**

- Still photography
- Audio tape
- Video tape
- Written log/journal
- Reports
- Collect media reports/footage
- Communication and dispatch tapes/printouts

*\*Note: This sampling is not in order of priority.*

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## **Guideline #14: Training For Managing Crowds and Civil Disobedience**

**Agencies should establish procedures for training of law enforcement command and line members in managing crowds and civil disobedience situations.**

### ***Discussion:***

It is important for agencies to prepare for incidents through training and simulation exercises. Command personnel need to understand resources, operational strategies, capabilities and limitations of field forces as well as the law and policies. Operational personnel also need to understand the law, policy, tactics and mission objectives.

Officer discipline is an essential component in successfully managing crowds and civil disobedience. Discipline is achieved through regular training in the areas of tactical fundamentals. Training should not be a single incident occurrence, but a continual process. Training should be presented in a dynamic, relevant and realistic format.

#### **A Sampling of Training\*:**

- Agency policies and procedures
- Basic Course
- Continuing Professional Training (CPT)
- Arrest and control techniques
- Team arrest techniques
- Mass arrest techniques
- Baton/impact weapon techniques
- Nonlethal chemical agents
- Less lethal munitions (e.g., speciality impact munitions)
- Law enforcement SEMS/ICS
- Incident Command Post and field exercises
- Media relations
- Mutual aid
- Command decision-making
- Supervisory leadership
- Tactical decision-making
- Crowd dynamics

*\*Note: This sampling is not in order of priority.*

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# TERMS AND DEFINITIONS

**Active Resistance** - To intentionally, physically and unlawfully oppose the lawful order of a peace officer.

**Arrest Protocol** - The formal process of placing subjects under arrest, taking into custody, and associating the arresting peace officer(s) with the specific individual arrested.

**Arrest Teams** - Personnel assigned to arrest duties during civil disobedience/civil disorder operations.

**Booking Teams** - Personnel assigned to custodial and processing duties during civil disobedience/civil disorder operations.

**Chemical Agents** - See *Nonlethal Chemical Agents*.

**Civil Disobedience** - An unlawful event involving a planned or spontaneous demonstration by a group of people.

**Civil Disorder** - An unlawful event involving significant disruption of the public order.

**Collective Behavior** - The unlawful behavior of a group of persons involved in situations where normal cultural structure and controls are not observed, such as unruly crowds, civil disobedience and riots.

**Command** - The authority a person lawfully exercises over subordinates by virtue of his/her rank and assignment or position.

**Compliance Techniques** - Reasonable, lawful use-of-force methods intended to encourage suspect cooperation.

**Compliant Behavior** - Behavior consistent with submitting to lawful orders of a peace officer without resistance.

**Control Devices** - Devices intended to assist peace officers in gaining control of subjects who refuse to submit to lawful authority (e.g., batons, electrical stunning units, restraint, chemical agents, etc.).

**Cordoning** - Surrounding or enclosing a particular problem area; also referred to as perimeter control.

**Critical Facilities** - Any location essential to the well-being of the community safety requiring law enforcement protection during a critical incident (e.g., law enforcement, fire and other government facilities; public utilities; housing developments; shopping centers; hospitals; banks; gun stores; surplus and supply centers; etc.).

**Crowd Control** - Law enforcement response to a pre-planned or spontaneous event, activity or occurrence where there is a potential for unlawful activity or the threat of violence.

**Crowd Dynamics** - Factors which influence crowd behavior.

**Crowd Management** - Strategies and tactics employed by law enforcement agencies to deal with lawful assemblies in an effort to prevent escalation of events into an unlawful assembly or riot.

**Crowd** - A number of persons collected into a close body.

**Decontamination** - Procedures taken to reduce the effects of any nonlethal chemical agent.

**Discipline** - Pattern of behavior consistent with demonstrating self-control, teamwork, moderation and restraint.

**Dispersal Order** - Lawful orders communicated by law enforcement personnel commanding individuals assembled unlawfully to disperse.

**Dismounted Tactics** - Non-mobile tactical formations generally involving team, squad, and platoon-sized units.

**Electrical Devices** - Electrical stunning devices utilized by law enforcement to control resisting subjects.

**Essential Elements of Information (EEI)** - Critical tactical information, obtained from any source, received prior to and/or during an event which is considered so essential that without it, meaningful planning cannot proceed.

**Flashpoint** - Specific location(s) which can be anticipated to attract criminal elements and become the origin or focal point of civil disorder.

**Force Options** - Reasonable force applications utilized by law enforcement to effect arrest, overcome resistance and prevent escape.

**Formations** - Coordinated unit tactics utilized by law enforcement to control crowds, stop unlawful activity, and disperse and/or arrest violators.

**Incident Command System (ICS)** - The statewide model for field-level management of emergencies mandated by the Standardized Emergency Management System (SEMS). ICS is specifically designed to allow its user(s) to adopt an integrated organizational structure equal to the complexity and demands of single and multiple incidents without being hindered by jurisdictional boundaries (*Law Enforcement Guide for Emergency Operations*, 1998 Edition, Annex A, page 6).

**Leadership** - The art and exercise of influence to direct personnel to obtain their willing obedience, confidence, respect and loyal cooperation.

**Less Lethal Ammunition** - Speciality impact ammunitions, hand-delivered or propelled from launching devices, designed to immobilize, incapacitate or stun a human being. Refer to PC Section 12601(c).

**Management** - The process of planning, organizing, coordinating, directing, budgeting and controlling resources.

**Mobile Arrest and Booking Teams** - Mobile teams designated to assist field personnel with mass arrest and booking.

**Mobile Field Force** - An organized, mobile law enforcement tactical force equipped and trained to respond to unusual occurrences. The mobile field force is currently the statewide standard configuration known as "Mutual Aid Response Mobile Field Force" (*Law Enforcement Guide for Emergency Operations*, 1998 Edition, Section IV, "Mutual Aid Response Mobile Field Force," Page 53).

**Mobile Tactics** - The ability to rapidly deploy law enforcement personnel using vehicles. The vehicles may also be used for crowd control and containment.

**Mob** - A disorderly group of people engaged in unlawful activity.

**Mounted Tactics** - Crowd control while mounted on horses.

**Non-Compliant Behavior** - Behavior which does not yield to a lawful order.

**Nonlethal Chemical Agents** - Devices utilized by law enforcement agencies, which may include CS, CN, OC, and HC (smoke).

**Operations Security** - Methods to prevent sensitive information, which may compromise the integrity and safety of a law enforcement operation, from being improperly disseminated.

**Pain Compliance** - Stimulation of nerves or the manipulation of joints to elicit a sense of unease or distress in a subject, causing that subject to comply. Examples include use of control holds, impact weapons, nonlethal chemical agents, electronic stunning devices, etc.

**Passive Resistance** - A commonly used oxymoron referring to non-violent opposition to the lawful directions of law enforcement during arrest situations.

**Perimeter Control** - See *Cordoning*.

**Photographic Teams** - Law enforcement photographers assigned to memorialize designated activity involving civil disobedience.

**Platoon** - A tactical component consisting of two or more supervised squads.

**Policy** - Statements of principles and values which guide the performance of a specific department activity. *Policy* establishes limits of action and reflects a statement of guiding principles that should be followed in order to achieve an agency's objective.

**Procedure** - A method of performing an operation or a manner of proceeding on a course of action within the limits of policy.

**Public Disruption** - The interruption or disturbance of public order.

**Rapid Response Force** - See *Mobile Field Force*.

**Stakeholder** - Entities having a legal, professional, economic, or community interest/responsibility in the event.

**Sectoring** - Defining an overall area of operation and dividing it into sub-sections based upon geographical and/or artificial boundaries.

**Standardized Emergency Management System (SEMS)** - A system required by California Government Code for managing response to multi-agency and multijurisdiction emergencies in California. SEMS consists of five organizational levels which are activated as necessary: Field Response, Local Government, Operational Area, Region and State (*Law Enforcement Guide for Emergency Operations, Annex, A, Page 11*).

**Squad** - A tactical component consisting of a minimal number of supervised personnel.

**Tear Gas** - The term used in the California Penal Code for what law enforcement more accurately refers to as "nonlethal chemical agents".

# APPLICABLE STATUTES

## California Penal Code - General

- 69 Resisting or deterring officer
- 71 Threat of injury made to peace officer in performance of his duties
- 102 Retaking property from officer
- 148 Resisting or obstructing public officer
- 148.1 False reporting planting of bomb
- 148.2 Interfering with fireman or EMT
- 148.4 Tampering with fire alarm
- 148.9 Giving false identification
- 151 Advocating injury or death of peace officer
- 169 Picketing in or near courthouse with intent to interfere or obstruct administration of justice or influence judge, juror, witness or officer of the court
- 171f Entering state capitol without authorization-disorderly conduct
- 182 Conspiracy
- 197 Killing in defense of self or property and arresting fugitives or quelling riot
- 218 Derailing or wrecking train
- 219 Wrecking train or firing bridge; penalty
- 219.1 Throwing missile at vehicle of common carrier
- 219.2 Throwing missile or shooting at trains, street cars or vessels
- 240 Assault - defined
- 241 Assault; Assault against peace officer, or other specified persons engaged in performance of duties  
Note: see 241 PC subsections
- 242 Battery - defined
- 243 Battery; punishment  
Note: see 243 PC subsections
- 244 Throwing acid w/intent to disfigure or burn
- 245 Assault with deadly weapon, firearm, assault weapon or machine-gun (ADW)  
Note: see 245 PC subsections
- 246 Discharge firearm at inhabited dwelling, vehicle or aircraft
- 247 Discharge firearm at unoccupied aircraft or motor vehicle or uninhabited building or dwelling house
- 247.5 Discharging laser at aircraft
- 248 Interfere with helicopter operation - light or bright device
- 302 Disorderly conduct at church service
- 372 Maintaining public nuisance
- 374 Littering and waste matter defined  
Note: see 374 PC subsections

## California Penal Code - General (Cont.)

375	Use of offensive substance in place of public assembly; manufacture of offensive substance
396	Price gouging during state of emergency
403	Disturbing an assembly
404	Riot - defined
404.6	Incitement to riot
405	Punishment of participants in riot
405a	Lynching - defined
405b	Lynching - punishment
406	Rout - defined
407	Unlawful assembly
408	Participating in a rout or unlawful assembly
409	Refusal to disperse when ordered
409.5	Closing areas in emergency
410	Duty to suppress riot or rout
415	Fighting, causing loud noise, or using offensive words in public place
415.5	Unlawful acts committed in buildings or grounds of Colleges or University
416	Duty of crowd to disperse when ordered; Restitution for property damage
420	Obstructing entry on government land
422	Threats to commit crime resulting in death or great bodily injury
422.6	Civil Rights; Interfere with property damage or speech
451	Arson
452	Unlawfully causing a fire
453	Possession or manufacture of combustible or explosive material or fire bomb
455	Attempts to burn
463	Burglary during state of emergency
555	Entry without permission <u>Note:</u> see 555 PC subsections
587	Injuring or obstructing railroad tracks, rights-of-way or structures
588	Injuring public road or bridge <u>Note:</u> see 588 PC sections
591	Injuring or tapping telegraph, telephone or cable telephone line
594	Vandalism
602	Trespassing
602.5	Unauthorized entry of dwelling
602.8	Trespass - Entering cultivated, fenced or posted land
602.10	Physical obstruction of student or teacher from attending or instructing at a University of California, California State University, or Community College
602.11	Obstruct entry/exit of health care facility, place of worship or school
616	Tampering with posted legal notice

## California Penal Code - General (Cont.)

- 626 Definitions - miscellaneous crimes - schools  
Note: See 626 PC subsections
- 640 Infractions committed on or in facilities or vehicles of a public transit system  
Note: see 640 PC subsections
- 647 Disorderly conduct - defined
- 647c Accosting person in public place, disorderly conduct, impose or begging
- 726 Unlawful assembly - officer's duty to disperse
- 727 Arrest for refusal to disperse
- 835a Use of reasonable force to effect arrest
- 836 Arrest by Peace Officer
- 4600 Destroying or injuring prison or jail (including jail property)
- 12600 Peace Officer may purchase, possess or transport less-lethal weapons
- 12601 Less-lethal weapon - definitions

## California Penal Code - Weapons Laws

- 171b Bringing firearm or other specified weapons into court house or public meeting
- 171c Bringing loaded firearm into state office, state capitol grounds or public school grounds
- 171d Bringing loaded firearms into residence of Governor or other constitutional officer
- 171f Entering state capitol without authorization - disorderly conduct within
- 374c Discharging firearms on a public highway
- 417 Drawing or exhibiting weapon in a rude or threatening manner  
Note: see 417 PC subsections
- 626.9 Bringing or possessing firearm on grounds of public school, college or university
- 626.10 Knives, razors, tasers, stun-guns etc. on school grounds, exceptions
- 12020 Manufacture, importation, sale or possession of disguised firearms or other deadly weapons prohibited; carrying concealed weapons prohibited; exceptions
- 12024 Possession of deadly weapon with intent to commit assault
- 12025 Unlawful to carry concealed firearms without license
- 12031 Loaded firearm; carrying in public place or in vehicle
- 12303 Possession of destructive device prohibited
- 12590 Carrying a firearm or deadly weapon - wearing uniform of peace officer
- 12651 Purchase, possession or use of stun gun

## **California Vehicle Code**

23110      Throwing substance at vehicles  
23112      Throwing, depositing or dumping matter on highway

## **California Election Code**

18340      Prevention of electors from assembly; misdemeanor  
18380      Vandalism at polling places, violations; misdemeanor  
18502      Interference with officers or voters; imprisonment  
18540      Use of force, violence, tactic of coercion or intimidation; penalties

# APPLICABLE CASE LAW

## Use of Force

Graham v. Connor, 490 U. S. 386 (1989)  
Scott v. Henrich, 39 F. 3d 912 (9<sup>th</sup> Cir. 1994)  
Hammer v. Gross, 932 F. 2d 846 (9<sup>th</sup> Cir. 1991)  
Fikes v. Cleghorn, 47 F. 3d 1011 (9<sup>th</sup> Cir. 1995)  
Eberle v. City of Anaheim, 901 F. 2d (9<sup>th</sup> Cir. 1990)  
Forrester v. City of San Diego, 25 F. 3d 804 (9<sup>th</sup> Cir. 1994)  
Mayard v. Hopwood, 105 F. 3d 1226 (8<sup>th</sup> Cir. 1997)  
Frazell v. Flanigan, 102 F. 3d 877 (7<sup>th</sup> Cir. 1996)

## Unlawful Assembly

In re Brown, (1973) 9 Cal. 3d 612  
Collins v. Jordan, 110 F. 3d 1363 (9<sup>th</sup> Cir. 1996)  
Chambers v. Municipal Court, (1997) 65 Cal. App. 3d 904  
In re Wagner, (1981) 119 Cal. App. 3d 90  
In re Kay, (1970) 1 Cal. 3d 930, 943

## Riots

People v. Bundte, (1948) 87 Cal. App. 2d 735, 744, cert denied 337 U. S. 915  
People v. Cipriani, (1991) 18 Cal. App. 3d 299, 304  
People v. Jones, (1971) 19 Cal. App. 3d 437  
People v. Davis, (1968) 68 Cal. 2d 481

## Lynching

People v. Patino, (1979) 95 Cal. App. 3d 11  
People v. Jones, (1971) 19 Cal. App. 3d 437

## Authority to Close Disaster Area

Los Angeles Free Press v. City of Los Angeles, 9 Cal. App. 3d 448, 457 (1970) cert. denied 401 U. S. 982

### **Fighting/Noise/Offensive Words - First Amendment**

Cohen v. California, (1971) 403 U. S. 15, 91 S.Ct. 1780  
In re Brown, (1973) 9 Cal. 3d 612  
Jefferson v. Superior Court, (1975) 51 Cal. App. 3d 721  
Chambers v. Municipal Court, (1977) 65 Cal. App. 3d 904

### **Obstruction of Street/Sidewalk or Other Place Open To Public**

In re Cox, (1970) 3 Cal. 3d 205, 220  
People v. Man, (1974) 39 C. A. 3d Supp. 1, 4-5

### **Obstructing/Resisting/Delaying Peace Officer**

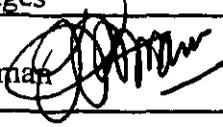
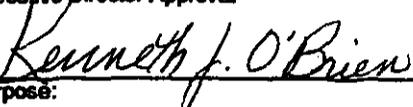
In re M.L.B., (1980) 110 Cal. App. 3d 501  
People v. Patino, (1979) 95 Cal. App. 3d 11  
People v. Curtis, (1969) 70 Cal. 2d 347, 354-5

### **Throwing Substances At Vehicles**

People v. Whitney, (1978) 76 Cal. App. 3d 863

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Approval of Interagency Agreement to Distribute Basic Training Instructional Packages		Meeting Date November 5, 1998
Bureau Basic Training Bureau	Reviewed By Ken Whitman 	Researched By Jody Buna/ Shirley Paulson
Executive Director Approval 	Date of Approval 10-13-98	Date of Report October 1, 1998
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to contract with the Office of State Publishing (OSP) for printing, packaging and distributing basic training instructor materials to law enforcement academies at a cost not to exceed \$252,480?

BACKGROUND

Basic training instructional packages have been developed as part of the student workbook conversion project. The instructional packages include student and instructor workbooks and a 30- minute training video. If authorized by the Commission, instructional packages for 16 of the 42 learning domains can be delivered immediately. Developing and delivering the new training packages enhances the Commission's ability to standardize basic training. Additionally, cost recovery methods can be developed to offset distribution costs through sales to non-POST members.

At its April 1998 meeting, the Commission authorized the Executive Director to enter into a contract with OSP to develop and implement a system to print and distribute POST's Basic Training Student Workbooks. The intent of the contract was to provide basic training documents to students at a reasonable cost and develop a cost recovery system from sales to non-POST members. To date, OSP has sold over 30,000 student workbooks to individuals and institutions throughout the state. The OSP is continuing to develop cost recovery strategies and identifying markets for POST materials

ANALYSIS

Student workbooks provide students with professionally developed curriculum including pretests, lessons and learning activities. By design the workbooks encourage interactive learning. Accompanying instructor materials emphasize group learning activities and active student participation. Instructors are encouraged to expand beyond lecture and employ adult learning techniques including panel discussions, role-playing, and case studies.

To assist instructors in delivering mandated instruction using participative techniques, selected POST telecourses are being edited into 30-minute instructional resource videos. Instructors, using the videos, can stimulate classroom discussion and student interaction. These overview training tapes and workbooks will be available for 32 of the 42 learning domains by June 30, 1999.

Using the telecourses as basic training tapes has inherent benefits to POST including:

- o The tapes are inexpensive to produce (\$2,500) and provide an opportunity to repackage existing telecourses.
- o Linking basic training to in-service training provides consistency between major POST programs and expands the audience for POST-developed training materials
- o The use of POST audiovisual materials provide role modeling in critical basic training areas including victim interaction skills, ethical decision-making, verbal communication techniques and officer safety procedures.

The creation of the training packages improves POST support of academies that are constantly training and updating instructors. The instructional package provides new instructors with all materials needed to begin teaching the course, and seasoned instructors with the latest updated curriculum. Additionally, the POST instructional package can be used by the academy to document the delivery of mandated training. The videos and instructor materials are enthusiastically supported by the instructors and directors in the academy system.

It is expected that most of the learning domains will be supported with a training video. The costs estimates for all 42 domains are projected as follows:

Cost of video duplication, packaging, handling, and mailing	\$ 15.00
Student Workbook	\$ 3.80
Instructor Guide	<u>\$ 7.50</u> \$ 26.30
<b>TOTAL COURSE COST (32 domains x \$26.30)</b>	<b>\$841.60</b>

There are currently 38 certified academies and 10 transition presenters authorized to present the Regular Basic Course. Many of the larger academies have multiple training sites and instructors. Therefore staff is requesting 300 sets as an initial delivery at a projected cost of \$252,480. The actual details would be subject to negotiation with OSP and included in the interagency agreement. OSP would be responsible for all of the distribution. POST would be responsible for providing master videos, student and instructor documents.

## RECOMMENDATION

Authorize the Executive Director to contract with the Office of State Publishing (OSP) for video duplicating, printing, packaging and distributing basic training instructor materials to law enforcement academies at a cost not to exceed \$252,480.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Proposed Changes to the Public Safety Dispatchers' Basic Course Training Specifications		Meeting Date November 5, 1998
Bureau Basic Training Bureau	Reviewed By Ken Whitman <i>[Signature]</i>	Researched By Shirley Paulson
Executive Director Approval <i>[Signature: Kenneth J. O'Brien]</i>	Date of Approval 10-13-98	Date of Report September 22, 1998
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> 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 the Public Safety Dispatchers' Basic Course training specifications as described in this report?

**BACKGROUND**

POST staff and curriculum consultants (course instructors and managers) thoroughly review learning domain content to determine if revisions are necessary as part of an ongoing process to ensure basic training content is contemporary. This process occurs in workshops during which specifications are updated to reflect emerging training needs, compliance with legislatively mandated subject matter, changes in the law, or to improve student learning and evaluation.

The Commission approved the document, *Training Specifications for the Public Safety Dispatchers' Basic Course*, effective July 1994. This report contains proposals to modify the training specifications for all learning domains in the course and impacts one or more of the following elements of the domains:

- Domain names and numbers
- Instructional goals
- Required topics
- Required tests
- Required learning activities
- Required hours within domains

**ANALYSIS**

Proposed changes to training specifications will require modifications to the document *Training Specifications for the Public Safety Dispatchers' Basic Course* as follows:

- The Table on Contents is modified to reflect proposed changes
- There is no proposal for an increase in the 120 minimum hours required for the course, but a redistribution of hours is proposed which will be described in this report.
- On page i, the description of minimum hours in the course is modified to reflect proposed changes.
- The Introduction, which contains Commission Regulation D-1-6, is deleted from this document because it duplicates another POST publication.

The proposed revisions are recommended by staff and presenters of public safety dispatcher curriculum to update and further refine the existing language of the training specifications to provide a more comprehensive training requirement. Proposed revisions include:

- reorganized curriculum for more effective use of instructional time
- new and enhanced instructional goals including those for legislatively mandated subjects
- new topics to support the instructional goals
- deletion or modification of topics to conform to the needs of basic dispatch training
- deletion of a Department of Justice test requirement which is no longer available
- addition of instructor-led interactive learning activities

All proposed changes have been reviewed and endorsed by the majority of course presenters who believe that the enhanced training requirements can be completed in the current required minimum hours of the course. The text of the changes to learning domain training specifications are contained in Attachment A. Following are summaries of the proposed changes:

### **Learning Domain #1 (Professional Orientation)**

#### **Changes to Instructional Goals**

Add instructional goals to require the student to demonstrate specific knowledge and understanding of the role and function of the public safety dispatcher. The proposed changes would clarify the desired learning outcome.

#### **Changes to Learning Activities**

Add an interactive learning activity that requires the student to examine personal value systems and confront moral dilemmas and ethical decision-making situations

### **Learning Domain #2 (Criminal Justice System)**

#### **Changes to Instructional Goals**

Add instructional goals to require the student to demonstrate awareness and understanding of specific components of the criminal justice system. The proposed changes would clarify the desired learning outcomes.

### **Learning Domain #3 (Introduction to Law)**

### **Learning Domain #3 (Introduction to Law)**

#### **Changes to Instructional Goals**

Add instructional goals requiring the student to demonstrate an awareness and understanding of specific concepts related to law. The proposed changes would clarify the desired learning outcome of exposure to complex legal principles.

### **Learning Domain #4 (Communication Technology)**

Delete this domain and incorporate communication technology into Learning Domain #5 (Telephone Procedures) and Learning Domain #6 (Radio Procedures) for more effective instruction and more effective use of time allotted.

### **Learning Domain #5 (Telephone Procedures)**

#### **Change to Domain Title and Number**

Add “technology” to the title to accommodate the move of curriculum from domain #4 (communication technology). The new title would be Telephone Technology and Procedures and the domain number would change to #4.

#### **Changes to Instructional Goals**

Add new instructional goals A, B, C, D, E, and F to require that the student demonstrate the ability to receive and prioritize incoming telephone calls requesting service or protection. Expansion would require the requisite comprehension and awareness of related procedural subject matter. Add instructional goals G and H to require the student to demonstrate awareness of telephone communication technology.

#### **Changes to Topics**

Add and expand for clarity, topics C, D, E, and F from domain #4 regarding communication technology.

#### **Changes to Learning Activities**

- Add an interactive learning activity that requires the student to demonstrate interviewing techniques in a non-testing environment.
- Move an interactive learning activity that requires the student to simulate receiving telephone complaints to this domain from domain #15.

### **Learning Domain #6 (Radio Procedures)**

#### **Changes to Domain Title and Number**

Add “technology” to the title to accommodate the move of curriculum from domain #4 (communication technology). The new title would be Radio Technology and Procedures and the domain number would change to #5.

### **Changes to Instructional Goals**

- Add new instructional goals A, B, C, D, E, F, G, H, and I to require that the student demonstrate the ability to dispatch field units. Expansion would require the requisite comprehension and awareness of related procedural subject matter.
- Add instructional goals J, K, L, M, and N to require the student to demonstrate specific knowledge and abilities regarding communication technology.

### **Changes to Topics**

Add and expand for clarity, topics D and E from domain #4 on radio communication technology

### **Changes to Learning Activities**

- Add an interactive learning activity that requires the student to demonstrate effective dispatching skills non-testing environment.
- Move an interactive learning activity which requires the student to simulate dispatching calls for service to this domain from domain #15.

### **Learning Domain #7 (Missing Persons)**

#### **Changes to Domain Number**

If preceding curriculum changes are approved, the domain number would change to #6

#### **Changes to Instructional Goals**

Add new instructional goals E, F, G, H, I, J, K, and L to require that the student demonstrate the ability to obtain the information necessary to classify a missing persons call. Further recommended changes would ensure that the student comprehends the techniques which determine the level of response required of the law enforcement agency to comply with related laws.

#### **Changes to Topics**

Add topics to describe specifically what must be taught to achieve instructional goals.

### **Learning Domain #8 (Domestic Violence)**

#### **Change to Domain Title and Number**

Change domain title to Domestic Violence/ Elder and Dependent Adult Abuse/ Child Abuse to accommodate the recommended curriculum enhancements. The domain number would change to #7.

#### **Changes to Instructional Goals**

- Add instructional goals that ensure that the student has the ability to recognize a domestic violence incident, access the field units that are needed to deal with the problem and establish a priority to the call. Enhancements increase the training requirement and

involve the elements of domestic violence commonly encountered by a public safety dispatcher.

- Add instructional goals to cover elements of elder/dependent adult and child abuse commonly encountered by a public service dispatcher which were previously not included in the course.

### **Changes to Topics**

Add new topics to reflect recommended instructional goal enhancements

### **Changes to Required Hours**

Add four hours to cover new and enhanced curriculum for domestic violence, elder and dependent abuse and child abuse. The four hours is gained by the incorporation of communication technology into radio and telephone procedures.

### **Learning Domain #9 (Resources/Referral Services)**

#### **Change to Domain Number**

If preceding curriculum changes are approved, the domain number would change to #8

#### **Change to Instructional Goals**

Add instructional goals B, C, D, E, F, and G to ensure that the student demonstrates the ability to understand dispatch procedures related to mutual aid, referrals and jurisdictional layouts.

### **Learning Domain #10 (Cultural Diversity/Sexual Harassment/Hate Crimes)**

#### **Changes to Domain Name and Number**

If a recommendation described later to incorporate Gang Awareness into this domain is approved, and new instructional goals on community policing are approved, the domain title would be Community Policing/Cultural Diversity/Sexual Harassment/Hate Crimes/Gang Awareness. The domain number would change to #9.

#### **Changes to Instructional Goals**

- Add new instructional goals related to policing diverse communities and gathering information to solve problems and identify the proper response by law enforcement.
- Move and enhance instructional goals related to gang awareness from domain #11 to this domain.
- Enhance existing goals A and B from domain #11 to include awareness of the subject matter.
- Delete goals C and D in domain #11 which require a level of instruction beyond the basic level.
- Add new goals Q, R, S, T, U, and V from domain #11 that add specificity and job-related instruction to the training requirement for gang awareness

**Learning Domain #11 (Gang Awareness)**

Delete this domain and integrate the curriculum into Domain #10. This curriculum can be taught within the existing four hours for domain #10 and used more effectively to increase minimum hours for delivering practical activities from 12 to 16.

**Learning Domain #12 (Overview of Emergency Medical Services)**

**Changes to Domain Number**

If preceding curriculum changes are approved, the domain number would change to #10.

**Changes to Instructional Goals**

Add new instructional goals B, C, D, E, F, G, H, I, and J to ensure that the student has an understanding and comprehension of the organization, terminology, roles and restrictions related to the Emergency Medical System.

**Learning Domain #13 (Stress Management)**

**Change to Domain Number**

If preceding curriculum changes are approved, the domain number would change to #11.

**Change to Required Learning Activities**

Add new learning activity that ensures that the student is aware of stress-reducing techniques and understands its relationship to the work environment.

**Required Hours**

It is proposed that the required hours be reduced from four to two which is considered adequate to cover this curriculum. These two hours are moved to "Examinations" to allow for sufficient time to conduct presenter-developed exams.

**Learning Domain #14 (Critical Incidents)**

**Change to Domain Number**

If preceding curriculum changes are approved, the domain number would change to #12.

**Changes to Instructional Goals**

Add new instructional goals B, C, D, E, and F to ensure that the student has an understanding and comprehension of the organizational terminology, roles and responsibilities related to critical incident management.

**Changes to Required Learning Activities**

Add a learning activity that ensures that the student practices dispatch procedures related to the management of incidents.

### **Learning Domain #15 (Practical Application Activities)**

Delete this domain which consists of two learning activities designed to allow students to apply job-related skills, tasks, and knowledge in a simulated working environment. It is proposed that the learning activity requiring the student to receive telephone complains be moved to domain #5 (Telephone Procedures) and the learning activity requiring the student to dispatch calls for service be moved to domain #6 (Radio Procedures). The 12 hours currently allocated for practical application activities would be increased to 16 and specified as minimum hours allowed for learning activities administered throughout the course, which is current practice.

Deletion of this domain and moving the two learning activities to their appropriate instructional domains provides clarity of the intent of the hours provided for practical activities.

### **Learning Domain #16 (Law Enforcement Telecommunications)**

#### **Changes to Domain Title and Number**

If preceding curriculum changes are approved, the domain number would change to #13.

#### **Changes to Instructional Goals**

Add instructional goals A, B, C, and D to ensure that the student has an understanding and comprehension of the law enforcement telecommunications systems.

#### **Changes to Required Tests**

The Department of Justice examination is no longer available.

Proposed changes to the training specifications are included as Attachment A and Regulation 1018 is included as Attachment B.

### **RECOMMENDATION**

If the Commission concurs, it is proposed that Commission Regulation 1018 and the document, *Training Specifications for the Public Safety Dispatchers' Basic Course* be amended to include the recommended revisions. Proposed changes must be adopted pursuant to the Administrative Procedures Act and it is proposed that the Notice of Proposed Action Process be used. If approved, these changes would become effective January 1, 1999.

**PROPOSED REVISIONS**  
*TRAINING SPECIFICATIONS  
FOR THE  
PUBLIC SAFETY DISPATCHERS' BASIC COURSE*

**TRAINING SPECIFICATIONS  
FOR THE  
PUBLIC SAFETY DISPATCHERS'  
BASIC COURSE**

CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

TRAINING SPECIFICATIONS FOR THE  
PUBLIC SAFETY DISPATCHERS' BASIC COURSE

1994<sup>2</sup>

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THE MISSION OF THE CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING IS TO CONTINUALLY  
ENHANCE THE PROFESSIONALISM OF CALIFORNIA LAW ENFORCEMENT IN SERVING ITS COMMUNITIES.

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## FOREWORD

The increasing complexity of the role and functions of the public safety dispatcher and the advance of communication technology require that instructional content and teaching methodologies in the Public Safety Dispatchers' Basic Course be routinely updated. Effective initial training is crucial if a public safety dispatcher is to acquire the requisite knowledge, skills, abilities, and tasks to provide quality service to the public.

The objective of this document is to identify the instructional goals, required training topics, learning activities, tests, and instructional hour standards that comprise the required content of the Public Safety Dispatchers' Basic Course.

The commission sincerely appreciates the efforts and support of the public safety dispatchers and presenters of public safety dispatcher training who worked with POST staff in the development and refinement of these training specifications.

Questions regarding this document should be directed to the Basic Training Bureau at (916) 227-4252.

KENNETH J. O'BRIEN  
Executive Director

**PUBLIC SAFETY DISPATCHERS' BASIC COURSE**  
**MINIMUM HOURS**

The Public Safety Dispatchers' Basic Course contains the following Learning Domains and minimum hours.

DOMAIN NUMBER	DOMAIN DESCRIPTION	MINIMUM HOURS
1	Professional Orientation	8 hours
2	Criminal Justice System	4 hours
3	Introduction to Law	12 hours
<del>4</del>	<del>Communication Technology</del>	<del>4 hours</del>
<del>54</del>	<del>Telephone Technology and Procedures</del>	<del>12 hours</del>
<del>65</del>	<del>Radio Technology and Procedures</del>	<del>12 hours</del>
<del>76</del>	<del>Missing Persons</del>	<del>2 hours</del>
<del>87</del>	<del>Domestic Violence/<u>Elder and Dependent Adult</u></del>	<del>26 hours</del>
<del>98</del>	<del>Resources/Referral Services</del>	<del>4 hours</del>
<del>109</del>	<del>Community Policing/Cultural Diversity/Sexual</del>	<del>12 hours</del>
<del>11</del>	<del>Harassment/Hate Crimes/<u>Gang Awareness</u></del>	<del>4 hours</del>
<del>1210</del>	<del>Gang Awareness</del>	<del>4 hours</del>
<del>1311</del>	<del>Overview of Emergency Medical Services</del>	<del>4 hours</del>
<del>1412</del>	<del>Stress Management</del>	<del>64 hours</del>
<del>15</del>	<del>Critical Incidents</del>	<del>14 hours</del>
<del>1613</del>	<del>Practical Application Activities</del>	<del>12 hours</del>
	Law Enforcement Telecommunications	6 hours
	<u>PRACTICAL ACTIVITIES</u>	<u>16 hours</u>
	EXAMINATIONS	24 hours
	TOTAL	<u>120 hours</u>

## INTRODUCTION

~~General Requirements: Definitions of terms used to describe testing and training requirements and the requirements for testing and training for the Public Safety Dispatchers' Basic Course are described in Commission Procedure D-1-7 as follows:~~

~~1-7. Public Safety Dispatchers' Basic Course Definitions and Requirements: The terms used to describe testing and training requirements are defined in paragraph 1-7(a). Testing and training requirements are described in paragraph 1-7(b). Testing, training, content, and hourly requirements are provided in detail in *Training Specifications for the Public Safety Dispatchers' Basic Course*. 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 Public Safety Dispatchers' Basic Course learning domain is described in *Training Specifications for the Public Safety Dispatcher Course*. 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. Three types of tests may be used in the Public Safety Dispatchers' 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) Scenario Test. A job simulation test that measures acquisition of complex psychomotor skills required to achieve one or more instructional goals.~~
  - ~~(C) Exercise Test. Any test other than a POST-constructed knowledge test or scenario 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 training presenter and POST that identifies the terms and conditions under which the training presenter 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 Public Safety Dispatchers' Basic Course*, training presenters shall provide appropriate instruction on each required topic.~~
- ~~(2) **POST-Constructed Knowledge Tests.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, POST-constructed knowledge tests may be required in some 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 training presenter, 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 training presenter 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 Public Safety Dispatchers' Basic Course*, scenario tests may be required in some 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 training presenter. 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 training presenter determines that there were extenuating circumstances or the student performed marginally (as determined by the training presenter), 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 Public Safety Dispatchers' Basic Course*, exercise tests may be required in some 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 training presenter. 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 training presenter determines that there were extenuating circumstances or the student performed marginally (as determined by the training presenter), 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 Public Safety Dispatchers' Basic Course*, learning activities may be required in some 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 training~~

~~presenter 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) Training Presenter Requirements. POST has established minimum, statewide training standards for the Public Safety Dispatchers' 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.~~

## PUBLIC SAFETY DISPATCHER COURSE

### SPECIFICATIONS FOR LEARNING DOMAIN #1 PROFESSIONAL ORIENTATION

November 1, 1994 January 1, 1999

#### I. INSTRUCTIONAL GOALS

The goals of instruction on Professional Orientation isare to provide students with:

- A. an understanding of the role and function of the public safety dispatcher;
- B. a knowledge of the functions of the public safety dispatcher within the law enforcement system (e.g., first point of public safety contact, assigning work, and serving as a liaison);
- C. a knowledge of the functions of the communication center;
- D. an understanding of professional demeanor and ethical behavior;
- E. the ability to effectively communicate with the public, co-workers, field personnel and supervisors;
- F. an understanding of the work flow in the communications center, including various sources of complaints, types of calls and incidents commonly received and how they are processed;
- G. an understanding of the chain of command and organizational structures;
- H. an understanding of agency policies and procedures as they apply to communications center operations, training and personnel;
- I. an understanding of career development; and
- J. an understanding of the role of the trainer in the communications environment.

#### II. REQUIRED TOPICS

- A. ~~General duties and responsibilities~~ The role and function of the Ppublic Ssafety Ddispatcher
- B. Functions of the public safety dispatcher within the law enforcement system to include: (e.g.;

1. ~~f~~First point of public safety contact;
  2. ~~a~~Assigning work;
  3. ~~and s~~Serving as a liaison)
- C. Functions of the communication center
- D. Professional demeanor and ethical ~~job~~ behavior
- E. Communicating with the public, co-workers, field personnel and supervisors
- F. Work flow in the communications center, including various sources of ~~complaintscalls~~, types of ~~complaintscalls~~ and incidents commonly received and how they are processed
- G. Chain of command and organizational structures
- H. Agency policies and procedures as they apply to communications center operations, training and personnel
- I. Career development
- J. Role of the trainer in the communications environment

### III. REQUIRED TESTS

None

### IV. REQUIRED LEARNING ACTIVITIES

None

The student will participate in a learning activity that will reinforce the student's understanding of the importance of flexibility in their role as public safety dispatcher. The activity should provide the student with an opportunity to examine their personal values and ethics and minimally provide the student with the opportunity to:

1. Confront alternative value systems
2. Explore ethical differences
3. Confront moral dilemmas
4. Participate in a variety of ethical decision-making situations

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **8 hours** of instruction on Professional Orientation.

VI. ORIGINATION DATE

November 1, 1994

VII. REVISION DATES

January 1, 1999

**PUBLIC SAFETY DISPATCHER COURSE**  
**SPECIFICATIONS FOR LEARNING DOMAIN #2**  
**CRIMINAL JUSTICE SYSTEM**  
**November 1, 1994 January 1, 1999**

I. INSTRUCTIONAL GOALS

The goals of instruction on the Criminal Justice System ~~is~~ are to provide students with:

- A. an understanding of the components of the criminal justice system ~~and its~~ relevance to the public safety dispatcher;
- B. an awareness of the major goals of the criminal justice system;
- C. an understanding of the primary functions of law enforcement agencies;
- D. an awareness of the organization of the state court system and the duties and jurisdiction of the state courts;
- E. an awareness of the steps in processing criminal complaints;
- F. an understanding of the difference between probation and parole; and
- G. an understanding of the provisions of the U.S. Constitution and the relevance to law enforcement.

II. REQUIRED TOPICS

- A. Rights protected by the U. S. Constitution
- B. Functions of ~~L~~law enforcement to include:
  - 1. ~~(L~~Local,
  - 2. ~~s~~State
  - 3. ~~and f~~Federal)

C. Courts

1. ~~m~~Municipal;
2. sSuperior;
3. aAppellate;
4. sSupreme;
5. fFederal)

D. Judges to include:

1. ~~e~~Court judges;
2. hHearing officers;
3. rReferees)

E. Hearings

1. ~~p~~Preliminary;
2. gGrand jury;
3. aAdministrative;
4. Pretrial
  - a. sSuppression)
  - b. Discovery
5. Parole/Probation

F. Corrections to include:

1. ~~e~~City/county jail;
2. sState/federal prison;
3. pParole;
4. pProbation;

5.    aAlternative sentencing/diversion)

G.    Arrest dispositions

H.    Dispatcher's importance as first point of contact

I.    Courtroom preparation and testifying

III.  **REQUIRED TESTS**

None

IV.  **REQUIRED LEARNING ACTIVITIES**

None

V.    **HOURLY REQUIREMENTS**

Students shall be provided with a minimum of **4 hours** of instruction on the Criminal Justice System.

VI.  **ORINATION DATE**

November 1, 1994

VII.  REVISION DATES

January 1, 1999

# PUBLIC SAFETY DISPATCHER COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #3

### INTRODUCTION TO LAW

~~November 1, 1994~~ January 1, 1999

#### I. INSTRUCTIONAL GOALS

The goals of instruction on Introduction to Law ~~is are~~ to provide students with an understanding of California laws as they relate to the job requirements of a Public Safety Dispatcher.:

- A. an awareness of the three primary sources on which the law is based;
- B. an awareness of the distinction between statutory and case law;
- C. an understanding of what is meant by the concept of the spirit vs. the letter of the law;
- D. an awareness of the difference between substantive and procedural law;
- E. a knowledge of the basic required elements of a crime and the elements of an attempt to commit a crime;
- F. an awareness of criminal intent and criminal negligence;
- G. an awareness of the three basic types of criminal intent;
- H. an awareness of the three major parties to a crime; and
- I. a knowledge of the difference between a civil and criminal matter.

#### II. REQUIRED TOPICS

- A. Definition of a crime
- B. Types of crimes
- C. Corpus Delicti; elements of selected crimes
- D. Probable cause
- E. Concepts of evidence

- F. Confidentiality of communications information/privileged information
- G. Obligation to release "public information"
- H. Civil liability and criminal negligence
- I. Codified law
- J. Case law
- K. Evidentiary value of communications data
- L. Parties to a crime
- M. Court orders
- N. Local ordinances
- O. Civil law

III. REQUIRED TESTS

None

IV. REQUIRED LEARNING ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **12 hours** on Introduction to Law.

VI. ORIGINATION DATE

November 1, 1994

VII. REVISION DATES

January 1, 1999

# ~~PUBLIC SAFETY DISPATCHER COURSE~~

## ~~SPECIFICATION FOR LEARNING DOMAIN #4 COMMUNICATION TECHNOLOGY~~

~~November 1, 1994~~

### ~~I. INSTRUCTIONAL GOAL~~

~~The goal of instruction on Communication Technology is to provide students with a basic understanding of the components and technology of communications systems.~~

### ~~II. REQUIRED TOPICS~~

- ~~A. Range and function of equipment required to run a communication center~~
- ~~B. Monitoring building/station/facility/security systems (e.g., alarms, closed circuit T.V., etc.)~~
- ~~C. Monitoring and responding to alarm systems~~
- ~~D. Communications regulations (federal and state)~~
- ~~E. Audio recorders~~
- ~~F. Telephone technology (including 9-1-1)~~
- ~~G. Local computer information systems~~
- ~~H. Specialized services (e.g., poison control, language translation services, TDD phone, etc.)~~

### ~~III. REQUIRED TESTS~~

~~None~~

### ~~IV. REQUIRED LEARNING ACTIVITIES~~

~~None~~

### ~~V. HOURLY REQUIREMENTS~~

~~Students shall be provided with a minimum of 4 hours of instruction on Communication Technology.~~

# PUBLIC SAFETY DISPATCHER COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #54 TELEPHONE TECHNOLOGY AND PROCEDURES

~~November 1, 1994~~ January 1, 1999

### I. INSTRUCTIONAL GOALS

The goals of instruction on Telephone Technology and Procedures ~~is are~~ to provide students with ~~an understanding of the elements of effective telephone communication;~~

A. a knowledge of telephone procedures including:

1. use of the phonetic alphabet
2. interpreting background voices and noises
3. effective communication
4. interview techniques
5. giving clear and accurate directions and instructions
6. active listening techniques;

B. the ability to receive calls for service, identify the caller's need, prioritize the call, obtain necessary information and appropriately process the call;

C. an understanding of telephone number trace procedures;

D. an understanding of the civil liability issues impacting public safety dispatchers;

E. an understanding of the legal requirements associated with 9-1-1 calls;

F. an understanding of the proper communication terminology used by TDD/TTY callers;

G. an awareness of monitoring and responding to external alarm systems; and

H. an awareness of audio recorders.

## II. REQUIRED TOPICS

- A. Obtaining initial ~~complaint~~call-screening information from victims, witnesses, or personnel from other agencies
- B. Techniques for ~~C~~calming an emotionally upset ~~citizen~~person
- C. Effectively ~~C~~ommunicating with persons who are intoxicated, mentally unstable, suicidal, abusive, rude, speech-impaired, emotionally upset, very young or elderly citizens
- D. Receiving and handling callers to include:
  - 1. eCrank;
  - 2. nNuisance, ~~911~~;
  - 3. TDD/TTY, and
  - 4. nNon-English speaking callers
  - 5. Witnesses
  - 6. Victims
  - 7. Suspects
  - 8. Anonymous/informant
- E. Processing ~~M~~ultiple phone calls for assistance
- F. Obtaining pertinent ~~full complaint-dispatching~~ information for crimes, traffic incidents or other law enforcement requests, medical emergencies, fire emergencies, safety hazards (e.g., chemical spill, power line down, flooded streets)
- G. Routing ~~complaints and~~ calls for service and information to the appropriate agency
- H. ~~Complaint/~~Incident classification and prioritization
- I. ~~Transmitting complaint~~ Relaying incident information to radio dispatcher
- J. Initiating telephone number trace

- K. Explaining department procedures/~~and policies~~, and legal procedures to the public
- L. Monitoring and responding to alarm systems
- M. Completing ALI routing sheet (9-1-1 distribution correction form)
- N. Criteria to prioritize ~~complaints calls~~ and requests for service (e.g., life-threatening, in-progress, property, "cold" response)
- O. Legal requirements for responding answering and transferring to 9-1-1 calls
- P. Reporting 9-1-1 equipment ~~and information~~ problems
- Q. Information to obtain when taking ~~complaints calls~~ and requests for service (e.g., who, what, where, when, why and how)
- R. Procedures, guidelines and liability issues for advising citizens of actions to take under the following emergency and nonemergency circumstances:
  - 1. Crime incidents
  - 2. Traffic incidents
  - 3. Medical incidents
  - 4. Fire incidents
  - 5. HazMat incidents
  - 6. Evacuations
- S. Phonetic alphabet
- T. Detecting and interpreting background voices and noises heard over the telephone
- U. Effective verbal and nonverbal communication skills to include:
  - 1. ~~Importance of e~~Clear voice projection,
  - 2. ~~g~~Good diction ~~and~~
  - 3. ~~p~~Proper modulation ~~in telephone communications~~
  - 4. Body language

- a. Facial expression
  - b. Posture
  - c. Positioning
- V. Telephone techniques that allow the dispatcher to control the flow of conversation and elicit needed information
- W. Giving clear and accurate directions and instructions on the telephone
- X. Active listening techniques
- Y. Monitoring and responding to external alarm systems to include:
  - 1. Residential/commercial security systems
  - 2. Medical alarms
  - 3. Fire alarms
- Z. Federal and state communication regulations
- AA. Audio recorders
- BB. Wireless technology to include:
  - 1. Cellular
  - 2. Pagers
  - 3. Personal Communications Systems (PCS)
- CC. The 9-1-1 system
  - 1. Centrex system
  - 2. Master Street Address Guide
  - 3. Automatic Number Identification (ANI)
  - 4. Automatic Location Identification (ALI)
  - 5. 9-1-1 printer or PC

6. Public Safety Answering Points (PSAP)

III. REQUIRED TESTS

None

IV. REQUIRED LEARNING ACTIVITIES

None

A. The student will participate in a learning activity that will reinforce the student's understanding of the components of effective interviews to include:

1. Active listening techniques
2. Gathering information to determine the nature of the caller's problem
3. Methods and techniques of interviewing that maintain control, elicit cooperation, and reflect confidence, empathy and concern

B. Given a work simulation activity, the student will receive a telephone complaint regarding at least four of the following:

1. Crime in progress
2. Alarm call
3. Domestic violence/family disturbance
4. Fire incident
5. Medical incident
6. Traffic incident
7. Missing persons

The student will gather relevant information, maintain control of the conversation, communicate clearly with the caller, verify details with the caller and relay the information to the radio dispatcher in a timely and logical manner.

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **12 hours** of instruction on Telephone Technology and Procedures.

VI. ORIGINATION DATE

November 1, 1994

VII. REVISION DATES

January 1, 1999

**PUBLIC SAFETY DISPATCHER COURSE**  
**SPECIFICATIONS FOR LEARNING DOMAIN #65**  
**RADIO TECHNOLOGY AND PROCEDURES**  
**November 1, 1994/January 1, 1999**

I. INSTRUCTIONAL GOALS

The goals of instruction on **Radio Technology and Procedures** ~~is are~~ to provide students with ~~an understanding of the elements of effective radio/telecommunications;~~

- A. the knowledge of methods and techniques to monitor, record, coordinate and maintain current status of field unit and incidents;
- B. an understanding of effective dispatching strategies as related to geographic considerations, response time, available backup, and agency policies;
- C. an understanding of the importance of documenting equipment malfunctions;
- D. an understanding of the importance of professional radio demeanor;
- E. the ability to manage and prioritize radio traffic;
- F. an awareness of radio codes used by various agencies;
- G. the ability to evaluate call information and determine the requisite resources to dispatch including potentially dangerous situations;
- H. an understanding of incidents that require the notification of field supervisors;
- I. a knowledge of the policies and procedures related to the roles and responsibilities of a radio dispatcher;
- J. a basic understanding of the components and technology of communications systems/equipment;
- K. an awareness of the range and function of equipment used to run a communication center;
- L. a knowledge of federal and state communications regulations;
- M. an awareness of audio recorders; and
- N. an understanding of wireless technology.

## II. REQUIRED TOPICS

- A. Monitoring and responding to radio transmissions from law enforcement field units, fire department field personnel and other public services
- B. Monitoring and responding to telecommunications messages
- C. Monitoring, recording, coordinating and updating status of field units and incidents
- D. Providing requested information to law enforcement field units
- E. Broadcasting officer safety and/or mutual aid information (e.g., incidents in adjoining jurisdictions)
- F. Dispatching strategies to include:
  - 1. ~~(e.g., g~~Geographic considerations,
  - 2. ~~r~~Response time,
  - 3. ~~a~~Available backup, and
  - 4. ~~a~~Agency policies)
- G. Documenting equipment malfunctions
- H. Maintaining status board showing the location of personnel and officers
- I. Effective dispatching techniques and professional radio demeanor
- J. Techniques for managing and prioritizing radio traffic
- K. Clear text and Radio codes used by different agencies
- L. Types of calls that require more than one field unit
- M. Procedures for broadcasting and responding to potentially dangerous situations to include:
  - 1. ~~(e.g., f~~Felony warrants,
  - 2. ~~s~~Stolen vehicles,
  - 3. ~~w~~Weapons,

4. mMedical-

5. pPremise history)

- N. Evaluating dispatch available information to determine what actions, personnel and resources are needed by field operations units
- O. Transmitting emergency bulletins by telecommunications links
- P. Circumstances requiring field supervisor notification
- Q. Policies, procedures and regulations that affect the dispatcher's decision-making process
- R. Detecting and interpreting background voices and noises heard over the radio
- S. Importance of clear voice projection, good diction and proper modulation in radio communications
- T. Radio techniques that allow the dispatcher to control the flow of conversation and elicit needed information
- U. Giving clear and accurate directions and instructions on the radio
- V. Officer safety considerations
- W. Range and function of equipment used to run a communication center
- X. Federal and state communication regulations
- Y. Audio recorders
- Z. Wireless technology to include:
  - 1. Global Positioning Systems (GPS)
  - 2. Tracking systems
    - a. Automatic Vehicle Locators (AVL)
    - b. Stolen vehicle locators
    - c. Stolen property locators

### III. REQUIRED TESTS

None

### IV. REQUIRED LEARNING ACTIVITIES

None

A. The student will participate in a learning activity that will reinforce the student's ability to effectively dispatch calls. The activity should provide the students with an opportunity to:

1. Prioritize pending calls
2. Dispatch calls based upon available units
3. Develop a strategy to handle pending calls for service
4. Deploy resources based on the plan

B. Given a work simulation activity, the student will dispatch a call for service regarding at least four of the following:

1. Crime in progress
2. Alarm call
3. Domestic violence/family disturbance
4. Fire incident
5. Medical incident
6. Traffic incident

The student will dispatch the call using proper radio procedure; radio broadcasting rules, regulations and policy, radio codes, prioritizing radio traffic, maintaining officer safety, range of available field resources, keeping track of field units, status updates to field units, dispatching cover units, broadcasting dangerous information.

### V. HOURLY REQUIREMENTS

Students shall be provided with an minimum of 12 hours on Radio Technology and Procedures.

VI. ORIGINATION DATE

November 1, 1994

VII. REVISION DATES

January 1, 1999

# PUBLIC SAFETY DISPATCHER COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #76 MISSING PERSONS

~~November 1, 1994~~ January 1, 1999

### I. INSTRUCTIONAL GOALS

The goals of instruction on **Missing Persons** are to provide students with:

- A. a knowledge of the statutory and regulatory obligations associated with law enforcement's initial response, ~~investigative procedure and follow-up actions~~ related to a missing persons case;
- B. an understanding of the benefits to law enforcement associated with the proper and effective response to a missing person case;
- C. an understanding of the need for sensitivity and effective communication skills when handling a missing person case; ~~and~~
- D. a knowledge of the actions required when a missing person is found;
- E. an understanding of the severity of the missing person problem in California;
- F. a knowledge of missing person definitions and related Penal Code statutes;
- G. the ability to classify missing person situations;
- H. a knowledge of the duty to accept any report of a missing person;
- I. an understanding of a thorough interview of a missing person reporting party;
- J. an awareness of the information that should be contained in "Be on the Lookout" (BOL) broadcast;
- K. an understanding of reasons for making a thorough search of a reported missing child's home and yard at the beginning of an investigation; and
- L. a knowledge of conditions that influence law enforcement's level of response to a missing person.

## II. REQUIRED TOPICS

The following topics shall be covered:

- A. Background and legislative intent underlying missing person law and regulations
- B. The need for sensitivity during law enforcement handling of missing person cases
- C. Law enforcement's benefits from a proper and effective response to the report of a missing person
- D. Law enforcement acceptance of missing person reports, jurisdictional issues associated with missing person investigations, and notification of involved agencies
- E. Required call priority and response preference associated with missing person cases
- F. Information needed to assist initial response actions
- G. Methods for locating a missing person and information sources available to investigating personnel
- H. Automated information systems related to missing person cases
- I. Conditions that influence the nature and level of response
- J. The severity of the missing person problem in California
- K. The obligations associated with law enforcement's initial response including:
  - 1. Duty to accept or assist the reporting party regardless of jurisdiction
  - 2. Priority of response
  - 3. Requirement of the Department of Justice for dental/medical records and photographs
  - 4. Initiating an investigation
- L. Reasons why dispatchers should exhibit sensitivity when handling missing person cases
  - 1. Private person's feelings of helplessness, trauma, fear and anger

2. Good public relations
3. Enhances ability to obtain available information
4. Private person's unfamiliarity with law enforcement procedures

M. Categories of missing person situations including:

1. Involuntary missing
2. Parental abduction
3. Runaway
4. Unknown missing

N. Missing person definitions including:

1. Child
2. Dental, medical records or x-rays
3. Dispatcher
4. "Evidence that a person is at risk"
5. Missing person
  - a. Parent/family abduction
  - b. Runaway
  - c. Unknown missing
  - d. Elder/dependent adult
  - e. Catastrophic missing
  - f. Lost
  - g. Stranger abduction
  - h. Voluntary missing adult
  - i. Suspicious circumstances

- O. The duty to accept any report of a missing person
- P. The information that should be in a "Be on the Lookout" (BOL) broadcast
- Q. The reasons for making a thorough search of a reported missing child's home and yard at the beginning of an investigation
- R. Conditions that influence law enforcement's level of response to a report of a missing person
  - 1. Age
  - 2. Family and social environment
  - 3. Missing person's knowledge of the area
  - 4. Suspicious circumstances
  - 5. Mental, emotional, medical or physical condition
  - 6. Weather/time of day
  - 7. Resources available to missing person
  - 8. Length of time person has been missing
  - 9. Parental custody status

### III. REQUIRED TESTS

None

### IV. REQUIRED LEARNING ACTIVITIES

None

### V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on Missing Persons.

### VI. ORIGINATION DATE

November 1, 1994

# PUBLIC SAFETY DISPATCHER COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #87 DOMESTIC VIOLENCE/ELDER and DEPENDENT ADULT ABUSE/CHILD ABUSE

November 1, 1994January 1, 1999

### I. INSTRUCTIONAL GOALS

The goals of instruction on Domestic Violence/Elder and Dependent Adult Abuse/Child Abuse is are to provide students with an understanding of the legal requirements for responding to reports of domestic violence.;

- A. an understanding of the domestic violence problem in California;
- B. a knowledge of the essential elements of Penal Code Sections 13700 et seq. and 13519;
- C. an understanding of the legislative intent that forms the basis for California domestic violence statutes designed to increase law enforcement's responsibility to intervene, investigate and resolve incidents of domestic violence to include:
  - 1. domestic violence is a serious crime
  - 2. laws must be enforced to provide maximum protection to victims
  - 3. violent behavior in the home and within the family is criminal behavior;
- D. a knowledge of domestic violence legal definitions and terminology;
- E. a knowledge that domestic violence is a serious crime and that law enforcement has a duty to make arrests and offer protection and assistance to the victim;
- F. an understanding of the the nature, extent and dynamics of domestic violence;
- G. an understanding of tenancy rights related to incidents of domestic violence;
- H. an understanding of the impact that law enforcement intervention in domestic violence incidents may have on children;
- I. a knowledge of the services and facilities available to victims and batterers;

- J. a knowledge of the types of court orders and enforcement procedures applicable to domestic violence incidents;
- K. an understanding of the elder/dependent adult abuse problem in California;
- L. an understanding of the types of elder/dependent adult abuse
- M. a knowledge of the services and facilities available to victims of elder/dependent adult abuse
- N. a knowledge of the elements of Penal Code Section 368
- O. an understanding of the child abuse problem in California
- P. an understanding of the types of child abuse;
- Q. a knowledge of the services and facilities available to victims of child abuse
- R. a knowledge of the elements of Penal Code Section 273

## II. REQUIRED TOPICS

- A. Laws relating to domestic violence
- B. Law enforcement's responsibility in responding to a report of domestic violence
- C. The role of the Ppublic Ssafety Ddispatcher in domestic violence calls
- D. Referral agencies
- E. An overview of the domestic violence problem in California including local statistics
- F. The provisions of Penal Code Section 13700 et. seq. and 13519 which relate to domestic violence response
- G. The historical background of domestic violence laws including the legislative intent
- H. Domestic violence legal definitions and terminology to include:
  - 1. Domestic violence
  - 2. Abuse

3. Cohabitant
  4. Family violence
  5. Primary aggressor
- I. The cyclical nature and extent of domestic violence
  - J. The legal rights and remedies available to victims of domestic violence
  - K. Tenancy issues and domestic violence
  - L. The impact that law enforcement intervention in domestic violence incidents may have on children
  - M. The services and facilities available to victims and batterers
  - N. Emergency assistance to victims and how to assist victims in pursuing criminal justice options
  - O. An overview of the elder/dependent adult abuse problem in California
  - P. Types of elder/dependent adult abuse to include:
    1. Physical
    2. Emotional
    3. Fiduciary
  - Q. Crimes associated with the abuse of elders and dependent adults
  - R. Services and facilities available to victims of elder/dependent adult abuse
  - S. An overview of the child abuse problem in California
  - T. Types of child abuse to include:
    1. Neglect
    2. Sexual abuse
    3. Physical abuse
  - U. Crimes associated with the abuse of children

V. Services and facilities available to victims of child abuse

III. REQUIRED TESTS

None

IV. REQUIRED LEARNING ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of 2-6 hours of instruction on Domestic Violence/Elder and Dependent Adult Abuse/Child Abuse.

VI. ORINATION DATE

November 1, 1994

VII. REVISION DATES

January 1, 1999

**PUBLIC SAFETY DISPATCHER COURSE**  
**SPECIFICATIONS FOR LEARNING DOMAIN #98**  
**RESOURCES/REFERRAL SERVICES**  
**November 1, 1994 January 1, 1999**

I. **INSTRUCTIONAL GOALS**

The goals of instruction on **Resources/Referral Services** ~~is~~ are to provide students with:

- A. a knowledge of resources and referral services available to public safety dispatchers;
- B. an understanding of the legal definition of mutual aid, its purpose and the authority of enabling agreements;
- C. an understanding of dispatch procedures related to other public service departments;
- D. an understanding of local mutual aid procedures including use of the media;
- E. a knowledge of local referral and support agencies;
- F. an ability to read maps and identify locations; and
- G. an understanding of the importance of familiarization with jurisdictional, geographic characteristics.

II. **REQUIRED TOPICS**

- A. Available resource materials and their use in performing public safety dispatcher job duties (e.g., manuals, directories, code books)
- B. Mutual Aid - definition; purpose; enabling agreements
- C. Notifying or dispatching other public service departments or agencies to an emergency or call for service
- D. Mutual aid communications considerations
- E. Using the media to assist with mutual aid problems
- F. Referral and support agencies

G. Map reading/geography

H. The importance of familiarization with jurisdictional geographic characteristics to include:

1. Street layouts
2. Address numbering systems
3. Public building locations
4. Potential law enforcement problem locations

III. **REQUIRED TESTS**

None

IV. **REQUIRED LEARNING ACTIVITIES**

None

V. **HOURLY REQUIREMENTS**

Students shall be provided with a minimum of **4 hours** of instruction on Resources/Referral Services.

VI. **ORINATION DATE**

November 1, 1994

VII. REVISION DATES

January 1, 1999

# PUBLIC SAFETY DISPATCHER COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #109 COMMUNITY POLICING/CULTURAL DIVERSITY/SEXUAL HARASSMENT/HATE CRIMES/GANG AWARENESS

November 1, 1994 January 1, 1999

### I. INSTRUCTIONAL GOALS

The goals of instruction on Community Policing are to provide students with:

- A. an understanding of the concepts of community policing; and
- B. an understanding of the role of the public safety dispatcher.

The goals of instruction on **Cultural Diversity** are to provide the students with:

- AC. a knowledge of California laws which define cultural groups;
- BD. an understanding of how the cultural composition of California is changing and how this change is impacting the delivery of law enforcement services;
- CE. an understanding of the benefits of valuing diversity both within a law enforcement organization and within the community it serves; and
- DF. an understanding of principles associated with professional community contacts and techniques for effective interaction with cultural groups.

~~Instruction described in this domain is designed to provide fundamental instruction on how to professionally interact with a broad spectrum of cultural groups. Content is intended to complement locally developed training which specifically addresses the history, customs, religious conventions, or core values of cultural groups within the community served.~~

The goals of instruction on **Sexual Harassment** are to provide the students with:

- EG. an understanding of the nature and historical perspectives associated with sexual harassment;
- FH. a knowledge of state and federal laws which define sexual harassment;
- GI. an understanding of behaviors which constitute sexual harassment;

- HJ. an understanding of how to respond to sexually offensive or unwanted behavior in the workplace, and if necessary, how to initiate a sexual harassment complaint; and
- HK. an understanding of the state mandated sexual harassment complaint process guidelines, legal remedies available, and protection from retaliation against complainants of sexual harassment.

The goals of instruction on **Hate Crimes** are to provide the students with:

- JL. a knowledge of laws which define a hate crime;
- KM. an understanding of the indicators of hate crimes;
- LN. ~~a knowledge~~ an understanding of legal rights of, and remedies available to, victims of hate crimes;
- MO. an understanding of the impact of hate crimes on victims, victim's families and the community; and
- NP. an understanding of elements which comprise an effective law enforcement response to a hate crime.

The goals of instruction on Gang Awareness are to provide students with:

- Q. an awareness of the types of gangs common to California;
- R. an awareness of gang culture and dynamics;
- S. an awareness of the law enforcement methods that are useful in suppressing gang activity;
- T. an understanding of criteria which can assist in identifying suspected gangs, gang subgroups, gang crimes, and individual gang members;
- U. an understanding of the importance of identifying that an incident involves gang activity and transmitting gang-related information and affiliation to field personnel; and
- V. an awareness of laws related to criminal gang activity.

## II. REQUIRED TOPICS

~~The following topics shall be covered:~~

- A. History of community policing
- B. Benefits of community policing to organization, community and employee
- C. Role of the public safety dispatcher in community policing
- ~~A~~D. California laws which define a cultural group
- ~~B~~E. Terminology associated with diversity, ethnicity, and human relations
- ~~C~~F. California's cultural past, present, and future
- ~~D~~G. Professional, personal, and organizational benefits of valuing cultural diversity
- ~~E~~H. Definitions of prejudice and discrimination, and the difference between the two
- ~~F~~I. The difference between cultural stereotyping and law enforcement profiling
- ~~G~~J. Verbal and nonverbal factors which contribute to negative public responses to law enforcement
- ~~H~~K. Strategies for effective cultural contacts
- ~~I~~L. State and federal laws relating to sexual harassment to include:
  - 1. Title VII
  - 2. Government Code Section 12940 et. seq.
  - 3. Concept of "quid pro quo"
  - 4. Concept of hostile work environment
  - 5. Current Case Law
- ~~J~~M. Causes of Sexual Harassment
  - 1. Gender Issues
  - 2. Power Issues

KN. Examples of Ssexual Hharassment to include:

1. Verbal
2. Physical
3. Visual
4. Written material
5. Sexual Favors
6. Threats
7. Hostile work environment
8. Force

EO. How to respond to a complaint of sexual harassment

MP. ~~State m~~Mandated sexual harassment complaint process guidelines

NQ. Legal remedies and protection from retaliation against complainants of sexual harassment

OR. Laws which define a hate crime

PS. Indicators that a crime is hate motivated

QT. Legal rights of, and remedies available to, victims of hate crimes

U. Types of gangs and examples

V. Gang culture

W. Gang jargon, signs and symbols

X. Dispatcher's role in enhancing officer safety on gang-related calls

### III. REQUIRED TESTS

None

#### IV. REQUIRED LEARNING ACTIVITIES

Students shall be provided with an opportunity to engage in the following learning activity:

- A. Given a diagnostic instrument, questionnaire, personal inventory or equivalent method, students will be accorded the opportunity to conduct a self-assessment to determine their own level of cultural sensitivity and experience in interrelating with cultural groups.
1. The learning activity should provide the student with an opportunity to determine their current level of experience in dealing with cultural groups.
  2. The learning activity should also serve as a starting point for an instructor-facilitated classroom discussion and/or small group discussions which address perceptions, experiences, fears, and stereotypes concerning contact with cultural groups.

Discussion may include, but is not limited to cultural stereotypes, ethnophobia, homophobia, xenophobia, gender bias, and media impact on cultural perceptions.

#### IV. HOURLY REQUIREMENTS

Students shall be provided with a minimum of 12 hours of instruction on Community Policing/eCultural dDiversity/sSexual hHarassment/hHate eCrimes/Gang Awareness.

#### VI. ORINATION DATE

November 1, 1994

#### VII. REVISION DATES

January 1, 1999

# **PUBLIC SAFETY DISPATCHER COURSE**

## **SPECIFICATIONS FOR LEARNING DOMAIN #11 GANG AWARENESS**

**November 1, 1994**

### **I. INSTRUCTIONAL GOAL**

The goals of instruction on Gang Awareness are to provide students with:

- A: knowledge of the types of gangs common to California;
- B: an understanding of the reasons why people join gangs;
- C: an understanding of gang culture; and
- D: knowledge of the relationship between gang membership and criminal activity.

### **II. REQUIRED TOPICS**

The following topics shall be covered:

- A: Types of gangs and examples
- B: Gang culture
- C: Gang jargon, signs and symbols
- D: Dispatcher's role in enhancing officer safety on gang-related calls

### **III. REQUIRED TESTS**

None

### **IV. REQUIRED LEARNING ACTIVITIES**

None

### **V. HOURLY REQUIREMENTS**

Students shall be provided with a minimum of 4 hours of instruction on Gangs:

# PUBLIC SAFETY DISPATCHER COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #1210 OVERVIEW OF EMERGENCY MEDICAL SERVICES

~~November 1, 1994~~ January 1, 1999

### I. INSTRUCTIONAL GOALS

The goals of instruction on Overview of Emergency Medical Services (EMS) is are to provide students with:

- A. a basic understanding ~~and legal requirements~~ of emergency medical dispatching;
- B. a basic understanding of the legal requirements of emergency medical dispatching;
- C. an understanding of the components and organization of the EMS system;
- D. an understanding of EMS terminology and definitions;
- E. an understanding of dispatch procedures related to medical emergencies;
- F. an understanding of the three levels of emergency medical dispatching;
- G. an understanding of the types and roles of emergency service providers;
- H. an understanding of emergency service provider levels;
- I. an understanding of liability issues associated with medical dispatching; and
- J. an understanding of Emergency Medical Dispatching (EMD) terminology and definitions.

### II. REQUIRED TOPICS

- A. Organization of the EMS system
- B. EMS and EMD terminology
- C. Dispatching other public service unit(s) or ambulance to medical emergencies
- D. Basic medical or EMS complaint dispatching functions within the law enforcement system

E. ~~Three levels of emergency medical dispatching~~

FE. Three types and roles of emergency service responders providers to include:

1. First responders
2. Emergency Medical Technicians (EMTs)
3. Paramedics

GF. ~~Five provider levels of emergency services~~ Emergency service provider levels

HG. Liability issues associated with dispatching medical assistance

### III. REQUIRED TESTS

None

### IV. REQUIRED LEARNING ACTIVITIES

None

### V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on Overview of Emergency Medical Services.

### VI. ORIGINATION DATE

November 1, 1994

### VII. REVISION DATES

January 1, 1999

# PUBLIC SAFETY DISPATCHER COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #1311 STRESS MANAGEMENT

~~November 1, 1994~~ January 1, 1999

### I. INSTRUCTIONAL GOALS

The goals of instruction on Stress Management is are to provide students with:

- A. the ability to recognize the sources, symptoms and effects of stress; and
- B. ~~how to make use an understanding of recognized stress reduction techniques in a dispatcher's working environment.~~

### II. REQUIRED TOPICS

- A. Definition of stress
- B. Types of stress
- C. Symptoms of stress
- D. Sources of stress
- E. Acute and long-term effects of stress
- F. ~~Coping mechanisms~~ Stress reduction techniques
- G. Critical Incident Stress Debriefing (CISD)
  - 1. Physiological, emotional and cognitive responses
  - 2. Difference between defusing and debriefing
- H. Resources
  - 1. Peer counseling/support
  - 2. Employee Assistance Programs (EAPs)
  - 3. Critical Incident Stress Debriefing Teams (CSID)/Critical Incident Response Teams (CIRT)

III. REQUIRED TESTS

None

IV. REQUIRED LEARNING ACTIVITIES

None

The student will understand the impact of the work environment in relation to emotional and physical stress. The learning activity shall reinforce an awareness of stress-reducing techniques.

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **64 hours** of instruction on Stress Management.

VI. ORIGINATION DATE

November 1, 1994

VII. REVISION DATES

January 1, 1999

# PUBLIC SAFETY DISPATCHER COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #1412 CRITICAL INCIDENTS

~~November 1, 1994~~ January 1, 1999

### I. INSTRUCTIONAL GOALS

The goals of instruction on Critical Incidents ~~is~~ are to provide students with:

- A. an understanding of the dispatch procedures and roles associated with required in catastrophic or unusual enforcement or emergency situations;
- B. a knowledge of resources available to provide guidance in the effective handling of critical incidents;
- C. an understanding of the procedures related to the activation of an Emergency Operation Center;
- D. a knowledge of the advice and information that should be provided to the public in hazardous situations or critical incidents;
- E. a knowledge of the components and activation of Standardized Emergency Management System (SEMS); and
- F. an understanding of the public safety dispatcher's role in critical incidents.

### II. REQUIRED TOPICS

- A. Types of critical incidents in which the dispatcher might will play a critical role to include:
  - 1. ~~(e.g., n~~Natural disasters,
    - a. ~~e~~Earthquakes
    - b. Severe weather
  - 2. ~~e~~Explosions,
  - 3. HazMat,
  - 4. ~~t~~Transportation accidents, etc.)

5. Evacuations
  6. Fires
- B. Resource material available to guide the dispatcher through a critical incident to include:
1. ~~(e.g., e~~Call out lists;
  2. ~~d~~Disaster preparedness manuals;
  3. ~~e~~Operational guidelines;
  4. ~~g~~General orders;
  5. ~~p~~Policy manuals;
  6. ~~DOT Guidebook~~North American Response Guidebook, etc.
  7. Maps
- C. Emergency Operation Center activation criteria and guidelines
- D. Advising citizens of actions to take in hazardous situations or critical incidents (e.g., chemical spills, severe weather).
- E. Incident Command System (ICS) Components and procedures to activate the Standardized Emergency Management System (SEMS)
- F. ~~Field-related critical i~~ncidents relating to impacting officer safety to include:
1. Hostage/barricaded situations
  2. Suicide incidents
  3. Bomb incidents
  4. ~~(e.g., felony stops, family disputes;~~High-risk stops/contacts
  5. SWAT call outs; etc.)
  6. Officer-involved shooting
  7. Fatal incidents involving officers

8. Civil unrest

III. REQUIRED TESTS

None

IV. REQUIRED LEARNING ACTIVITIES

None

The student will participate in a learning activity that will reinforce the student's understanding of the dispatch procedures and roles associated with critical incidents to include:

1. Identify threats to safety
2. Prioritize appropriate field unit response
3. Deploy appropriate resources
4. Manage available resources based on incident priorities
5. Maintain flexibility
6. Document incident events
7. Incident review

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **14 hours** of instruction on Critical Incidents.

VI. ORIGINATION DATE

November 1, 1994

VII. REVISION DATES

January 1, 1999

# ~~PUBLIC SAFETY DISPATCHER COURSE~~

## ~~SPECIFICATIONS FOR LEARNING DOMAIN #15 PRACTICAL APPLICATION ACTIVITIES~~

~~November 1, 1994~~

### ~~I. INSTRUCTIONAL GOALS~~

~~The goal of instruction in Practical Application Activities is to allow students to apply job-related dispatcher skills, tasks and knowledge in a simulated working environment.~~

### ~~II. REQUIRED TOPICS~~

~~NONE~~

### ~~III. REQUIRED TESTS~~

~~None~~

### ~~IV. REQUIRED LEARNING ACTIVITIES~~

~~A. Given a work simulation activity, the student will receive a telephone complaint regarding at least four of the following:~~

- ~~1. Crime in progress~~
- ~~2. Alarm call~~
- ~~3. Domestic violence/family disturbance~~
- ~~4. Fire incident~~
- ~~5. Medical incident~~
- ~~6. Traffic incident~~

~~The student will gather relevant information, maintain control of the conversation, communicate clearly with the complainant, verify details with the complainant and relay the information to the radio dispatcher in a timely and logical manner.~~

~~B. Given a work simulation activity, the student will dispatch a call for service regarding at least four of the following:~~

- ~~1. Crime in progress~~

2. ~~Alarm call~~
3. ~~Domestic violence/family disturbance~~
4. ~~Fire incident~~
5. ~~Medical incident~~
6. ~~Traffic incident~~

~~The student will dispatch the call using proper radio procedure, radio broadcasting rules, regulations and policy, radio codes, prioritizing radio traffic, maintaining officer safety, range of available field resources, keeping track of field units, status updates to field units, dispatching cover units, broadcasting dangerous information.~~

V. **HOURLY REQUIREMENTS**

~~Students shall be provided with a minimum of 12 hours of Practical Application Activities.~~

VI. **ORIGINATION DATE**

~~November 1, 1994~~

**PUBLIC SAFETY DISPATCHER COURSE**  
**SPECIFICATIONS FOR LEARNING DOMAIN #1613**  
**LAW ENFORCEMENT TELECOMMUNICATIONS**  
**~~November 1, 1994~~ January 1, 1999**

I. **INSTRUCTIONAL GOALS**

The goals of instruction in Law Enforcement Telecommunications is are to provide students with information regarding the use of telecommunications systems and the release of protected information as required by the California Department of Justice and the Federal Bureau of Investigation- to include:

- A. a knowledge of the information available and the requirements for making inquiry into law enforcement information systems and the capability of cross referencing the information contained within these systems;
- B. a knowledge of the information systems directly accessible to California law enforcement agencies;
- C. a knowledge of the state laws and policies for obtaining, verifying, and disseminating telecommunication information including restricted and unrestricted information; and
- D. a knowledge of the requirements for entering records into law enforcement information systems.

II. **REQUIRED TOPICS**

The following topics shall be covered:

- A. The procedures for making inquiry into law enforcement information systems and the capability of cross referencing the information obtained within these systems for:
  - 1. Wants and warrants
  - 2. Stolen property, including vehicles and firearms
  - 3. Criminal histories
  - 4. DMV information
  - 5. Missing persons

- B. The statewide information systems directly accessible to California law enforcement agencies:
- C. The state laws and policies for obtaining, verifying, and disseminating telecommunication information including restricted and unrestricted information:
- D. The procedures for ~~making input~~ entering records into law enforcement information systems:
- E. Computer information systems to include:
  - 1. Departmental
  - 2. Regional
  - 3. Specialized

### III. REQUIRED TESTS

~~2-hour Department of Justice required examination~~

None

### IV. REQUIRED LEARNING ACTIVITIES

None

### V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **6 hours** of instruction on Law Enforcement Telecommunications.

### VI. ORIGINATION DATE

November 1, 1994

### VII. REVISION DATES

January 1, 1999

COMMISSION ON PEACE OFFICERS STANDARDS AND TRAINING  
PROPOSED REGULATION

1018. Public Safety Dispatcher Programs.

(a) through (f) continued

The document, *Training Specifications for the Public Safety Dispatchers' Basic Course* adopted effective December 19, 1994 and amended \_\_\_\_\_\* is herein incorporated by reference.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report and Recommendation to Schedule a Public Hearing to Revise and Update Reserve Training Program		Meeting Date November 5, 1998
Bureau Basic Training Bureau	Reviewed By Ken Whitman <i>[Signature]</i>	Researched By Frank Decker <i>[Signature]</i>
Executive Director Approval <i>[Signature]</i>	Date of Approval 10-21-98	Date of Report October 2, 1998
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

**ISSUE**

Should the Commission schedule a public hearing to consider revising and updating the Reserve Training Program using the proposed modular training format and amend Commission Regulation 1007(b) and Commission Procedures D-1, H-1, H-3, H-4, and H-5?

**BACKGROUND**

The Reserve Training Program has been the subject of two Senate Bills [SB 1874 (1995) and SB 786 (1998)] which have resulted in major changes to requirements for reserve peace officers. The bills amended Penal Code Section 832.6 and the mandated changes have impacted the areas of assignment, supervision, and training. Senate Bill 1417 has been signed by the Governor and will make additional changes to Penal Code Section 832.6 and impact the Reserve Training Program effective January 1, 1999. Attachment A contains a summary of these legislative changes and a copy of SB 1417.

Senate Bill 1874 established the Regular Basic Course as the entry level training requirement for Level I reserves and directed the Commission 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. The bill also mandated the development of a supplemental course for existing Level I reserve officers desiring to satisfy the basic training course for deputy sheriffs and police officers. The reserve training system was already presented in a three-module format and the requirement for a supplemental course was satisfied by the development of Module D. Senate Bill 786 expanded the duties of Level III reserves. It also changed the supervision requirements for Level II reserves and authorized them to perform Level III duties without immediate supervision. Senate Bill 1417 further expands Level III duties and mandates a Continuing Professional Training (CPT) requirement for Level II reserve officers.

The legislative amendments to Penal Code Section 832.6 have created a need to revise and update the existing Module A, B, C, and D system that is currently being presented to train reserve officers statewide.

Because of the legislative changes; the Commission authorized the Executive Director to sign a contract for a Special Consultant under the POST Management Fellowship Program to conduct a study and make recommendations regarding reserve officer training standards. A Special Consultant was selected and the study began in January 1998.

POST staff formed two ad hoc committees to provide field input on the study and assist in the design of the proposed modular training format. One of the committees consisted of subject matter experts on the reserve program, and the other committee was made up of reserve and basic course training presenters. Representatives of the California Reserve Peace Officers' Association (CRPOA) participated in all phases of the study.

### ANALYSIS

Prior to the passage of SB 786, Level III reserves were deployed and authorized to carry out limited duties, not requiring general law enforcement powers in their routine performance. With the passage of SB 786, Level III reserves are now authorized to perform a variety of limited support duties which places them in an enforcement capacity in a public setting.

Prior to SB 786, Level II reserves, working in a general law enforcement assignment, were required to be under the immediate supervision of a peace officer who possessed a basic certificate. Senate Bill 786 changed the requirement for supervising peace officers from possession of the basic certificate to completion of the Regular Basic Course. This means that the peace officer supervising Level II reserves may now have less experience because he or she has not served as a full-time officer for at least a year to qualify for a basic certificate. SB 786 also authorized Level II reserves to perform specified duties without immediate supervision.

Senate Bill 1874 made significant changes to the training requirements for Level I reserve officers. The entry level training standard for Level I reserves was raised to completion of the basic course requirement. Under the current regulations a Level I reserve officer may satisfy the basic training requirement by completion of Modules A, B, C, and D. The Module D mandated supplemental course is lengthy and difficult to present because it is an add-on to the existing system. Module D is not readily available statewide and many current Level I candidates have trouble finding a Module D presentation to complete the training requirement.

The legislative changes mandating the new training requirements and assignments for all levels of reserve officer were compared to the current Module A, B, C (222-hour) and Module D (442-hour) format. Based on the comparison it is evident that the present training requirement and presentation format is outdated and does not meet the training needs of newly appointed reserve officers. Attachment B outlines the existing reserve training program.

### Development of a new modularized reserve instructional system

The study demonstrated the need for a new reserve instructional system to replace the present format. Because the training requirement for a Level I reserve is completion of the Regular Basic Course; the completion of a reserve program format must be equivalent to the basic course. It is proposed that there be three modules of training to address the training needs of each level of reserve. To avoid the confusion inherent in the titles of the current modules (A, B, C, and D); the title of each proposed module corresponds to the level of reserve training it provides (i.e., Level III Module - Level III reserve).

The development of a new modular instructional system was undertaken with the following objectives in mind:

1. Aligning and blending the modules with the Regular Basic Course.
2. Providing an entry level training format that meets the needs of newly appointed reserve peace officers.
3. Providing a training format for Level III and II reserve officers that may be delivered by existing reserve training presenters.
4. Maintaining the integrity of the learning domains in the Regular Basic Course to accommodate the testing process.
5. Providing a method for the reserve training modules to be updated whenever changes are made in the Regular Basic Course.
6. Maintaining credibility with the field and training presenters.

The concept of the proposed modular training model is to divide the Regular Basic Course content into a three-module format that meets the entry level training requirements of all three levels of reserve officer. The proposed three module training format is based on the expanded duties for Level III reserves, the changes in supervision and assignment for Level II reserves, and the basic course training requirement for Level I reserves. Development of the proposed training model began with the comparison of the current entry level training for Level III reserves [PC 832 Course (Module A)] and a list of training requirements developed by staff and the Ad Hoc Reserve Fact Finding Committee. Attachment C contains the analysis of Limited Support Duties.

The results of this comparison indicated that the PC 832 Course should be enhanced to provide the training necessary to perform these assignments.

Since the PC 832 Course is the required entry level training for many categories of peace officer in addition to Level III reserves (e.g., Park Rangers, etc.), staff felt that modifying the PC 832 course at this time would not be appropriate.

Instead a supplemental course was developed that would build on to the foundation of the PC 832 Course to provide a Level III reserve with the additional training necessary to perform limited support duties outlined in the legislation. The combination of the PC 832 Course and the supplemental course would constitute the proposed Level III Module. It is proposed that the new two-part Level III training requirement be a total of *162 hours* (PC 832 Arrest and Firearms - *64 hours* and the supplemental course - *98 hours*). Attachment D outlines the additional training needs for Level III reserves.

The present entry level training course for Level II reserves (Module B) consists of 90 hours of training. The development of this training standard was based on the requirement that a Level II, assigned to general law enforcement duties, would be under the immediate supervision of an officer who possessed a basic certificate. The course content of the proposed Level II Module is based on the impact of two legislative mandates: 1) the lower experience level required for the supervising peace officer, and 2) the assignment of Level II reserves to specified enforcement tasks and duties without immediate supervision. As in the case with Level III reserves; Level II training needs to be strengthened and enhanced to prepare candidates to meet these standards.

To meet this requirement some subject matter content was moved from Modules C and D. Existing subject matter content in Module B was expanded to complete learning domains and facilitate alignment of the three-module format with the Regular Basic Course. It is proposed that the new Level II module training requirement be a total of *224 hours*. Successful completion of the two-part Level III training requirement would be a prerequisite requirement for trainees applying for entry into the Module II reserve training. Attachment E outlines the course content of the Level II module.

The proposed Level I Module contains the balance of the Regular Basic Course material not covered in the other modules as well as the POSTRAC and scenario tests required as part of the Regular Basic Course. The redistribution of subject matter over a three-module system has the effect of decreasing the course length of Level I training and makes the module easier to present. Completion of the Level I Module satisfies the requirements of the Regular Basic Course in the same manner as the current Module D program. It is proposed that the Module I training requirement be a total of *344 hours*.

POST Administrative Manual section D-1-3(a)(5) specifies that only academies may present the current Module D training. The current Module D is a component of the Regular Basic Course and only POST-certified academies may present this course. This was established primarily to limit access to POST-developed tests so that they remain secure. The proposed Level I Module should only be presented by an academy for the same reason.

A training specification document titled *Training Specifications for the Regular Basic Course - Modular Format* is being developed for use with the modularized reserve training program. Attachment F is a chart that outlines the structure of the proposed Regular Basic Course - Modular Format.

The Ad Hoc Reserve Fact Finding Committee reviewed the proposed three-module system and supported the overall concept. The Ad Hoc Reserve Training Committee has reviewed and supports the proposed three-module format. The proposed training model was also discussed with approximately 140 participants at a two-day reserve coordinators update course in August. The concept was well received and is strongly supported. The California Reserve Peace Officers' Association supports the proposed three-module system as well.

There are a total of 730 hours of training in the proposed three-module format. This exceeds the minimum standard of 664 hours required in the Regular Basic Course. The additional training hours are necessary to accommodate the proposed modular presentation format. The redundant training also serves to reinforce material that trainees may be taking at widely spaced training intervals. Attachment G provides an overview of the redundant training that is necessary to successfully present this modular training program.

There is a planned two-year overlap period between the implementation of the proposed new modular instructional system and the decertification of the present reserve training format. The Module A, B, C, and D format would be available to accommodate students who have started their training under the present system. At the end of the two-year period, Modules A, B, and C would be decertified. Module D would be available for an additional year for those students who completed Module C during the overlap period.

#### Field Training for Reserve Officers

At the present time there is no field training requirement for Level I or II reserves. The 200 hours of structured field training for non-designated Level I reserves who completed the Module A, B, and C format was no longer required when the Regular Basic Course became the entry level training standard for Level I reserves, because there was no field training requirement for basic course graduates. The continuous field training requirement for Level II reserves was eliminated by the passage of senate Bill 786.

Following a public hearing on November 6, 1997, the Commission approved the establishment of a mandatory POST-approved Field Training Program for regular officers assigned to general law enforcement patrol duties. This action implements one of the objectives of the strategic plan, to increase standards and competencies of officers, by integrating a mandatory field training program as part of the basic training requirement. This requirement becomes effective January 1, 1999. Completion of the basic course has been the entry level training level training requirement for Level I reserve officers since January 2, 1997.

For this reason, it is proposed that the field training requirement be extended to Level I reserves. This is a recommendation of both Ad Hoc Committees and is necessary to remain consistent with the basic training requirement.

It is proposed that any Level I reserve officer appointed after July 1, 1999 complete the POST-approved FTO program at their respective agency. The agency's approved program must be a minimum of ten weeks (400 hours). The Level I reserve would be required to complete a minimum of 400 hours of structured field training over an extended period of time to satisfy this requirement. Agencies could also extend this requirement to Level II and Level III reserve officers if they chose to at the local level. Staff strongly supports the field training component.

### Reserve Officer Certificates

The reserve officer certificate is currently issued to Level I reserves who have completed Modules A, B, and C, 200-hours of structured field training, and 200-hours of general law enforcement experience. The certificate criteria is not applicable to Level I reserves appointed after January 1, 1997 because the training standard for those individuals is the Regular Basic Course with no requirement for field training.

It is proposed that the requirements for issuance of the reserve certificate be revised to reflect the new training standards and requirements, including a requirement to complete a minimum 400-hour POST-approved field training program at their respective agencies. The Ad Hoc Reserve Fact Finding Committee made this recommendation and it is supported by staff.

### SUMMARY

Senate Bills 1874 and 786 have caused major changes in the Reserve Program. Senate Bill 1417 will enact additional changes effective January 1, 1999. These changes have impacted all three levels of reserve peace officers.

The entry level training requirement for Level I reserves has been increased, the supervision requirement for Level II reserves has been revised and they have been authorized to perform specified enforcement duties without immediate supervision, and Level III reserves have been given expanded duties. The present Module A, B, C, and D training format is outdated and should be revised to meet the entry level training needs of newly appointed reserve officers.

Field training for Level I and II reserves has been eliminated due to legislative changes. Field training is mandated for graduates of the Regular Basic Course after January 1, 1999. This same requirement should be extended to Level I reserve officers appointed on or after July 1, 1999. The criteria for the issuance of reserve officer certificates should be revised to reflect the changes in training requirements for Level I reserves and the inclusion of the field training component.

Drafts of the proposed regulatory language for Commission Regulation 1007(b) and for Commission Procedures D-1, H-1, H-3, H-4, and H-5 are included as Attachment H.

The proposed Regular Basic Course - Modularized Instructional System will be a significant step in the elevation of professional training standards for California reserve officers. A complete report and formal presentation of the proposed reserve training program will be made at the November 1998 Commission meeting. It is recommended that the Commission schedule a public hearing for the January 1999 meeting.

**RECOMMENDATION**

If the Commission concurs, the appropriate action would be a MOTION to schedule a public hearing in January 1999 to revise and update reserve training requirements and to amend Commission Regulation 1007(b) and Commission Procedures D-1, H-1, H-3, H-4, and H-5.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

RESERVE TRAINING PROJECT

SUMMARY OF LEGISLATIVE CHANGES

The passage of SB1874 amended Penal Code section 832.6 and caused the following changes to requirements for reserve peace officers:

- Established a continuing professional training requirement for Level I reserves, effective July 1, 1995.
- Required the development of a course to allow reserves who have completed Modules A, B, and C to satisfy the requirements of the Regular Basic Course with no unnecessary redundancy in training (Module D).
  - This course became available on January 1, 1996.
- Established the Regular Basic Course as the entry level training requirement for Level I reserves, effective January 2, 1997.
- Established the category of limited, non-designated Level I reserve, effective January 2, 1997.

The passage of SB 786 amended Penal Code section 832.6; effective January 1, 1998, and resulted in the following changes to requirements for reserve peace officers:

- Eliminated the category of limited, non-designated Level I reserve.
- Changed the supervision requirement for Level II reserves.
- Eliminated the continuous field training requirement for Level II reserves.
- Authorized Level II reserves to perform Level III duties without immediate supervision.
- Authorized Level III reserves to perform specified limited support duties.
- Established a proximate supervision requirement for Level III reserves performing limited support duties.

Senate Bill 1417 will amend section 832.6 of the Penal Code Effective January 1, 1999. The provisions of this bill are as follows:

- Establishes a continuing professional training requirement for Level II reserves.
  - This is the same requirement that is currently in place for Level I reserves.
- Adds report taking to the limited support duties authorized for Level III reserves.
- Changes the supervision requirement for Level III reserves from "proximately supervised" to "supervised in the accessible vicinity".
- Clarifies the definition of peace officer authorized to supervise a Level III reserve assigned to perform limited support duties.
- Authorizes Level III reserves to transport prisoners without immediate supervision.

CALIFORNIA 1998 LEGISLATIVE SERVICE  
1998 Portion of 1997-98 Regular Session

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Additions are indicated by < <+ Text +> >; deletions by  
< <- \*\*\*-> >. Changes in tables are made but not highlighted.

CHAPTER 190  
S.B. No. 1417

PEACE OFFICERS--RESERVE--ADDITIONAL CLASSIFICATIONS AND REQUIREMENTS

AN ACT to amend Sections 417 and 832.6 of, and to repeal Section 417.1 of, the Penal Code, relating to peace officers.

[Approved by Governor July 18, 1998.]

[Filed with Secretary of State July 20, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1417, Knight. Peace officers.

(1) Existing law defines peace officer for purposes of the prohibition against every person drawing or exhibiting any firearm in a rude, angry, or threatening manner in the immediate presence of a peace officer.

This bill would revise this definition to include additional classifications of officers, including a reserve or auxiliary sheriff or city police officer, or a deputy sheriff, and accordingly make a conforming change by repealing the provision that specifically applies this definition to these officers for purposes of the above prohibition. By expanding the scope of a crime, the bill would impose a state-mandated local program.

(2) Under existing law, a level II reserve officer has the powers of a peace officer when he or she meets specified conditions that include, among other things, completion of the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training. Existing law also describes the duties of a level III reserve officer who, among other things, is required to be proximately supervised by a peace officer, as defined by a specified provision of law.

This bill would additionally require level II reserve officers to satisfy the continuing professional training requirement prescribed by the commission. The bill also would revise the provision covering level III reserve officers to require that they instead be supervised in the accessible vicinity by, among others, a full-time, regular peace officer employed by a law enforcement agency authorized to have reserve officers and include report taking among the duties of level III reserve officers while authorizing these officers to transport prisoners without immediate supervision.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

SECTION 1. Section 417 of the Penal Code is amended to read:

< < CA PENAL § 417 > >

417. (a)(1) Every person who, except in self-defense, in the presence of any other person, draws or exhibits any deadly weapon whatsoever, other than a firearm, in a rude, angry, or threatening manner, or who in any manner, unlawfully uses the same in any fight or quarrel is guilty of a misdemeanor, punishable by imprisonment in a county jail for not less than 30 days. Every person who violates this section when the other person is in the process of cleaning up graffiti or vandalism is guilty of a misdemeanor, punishable by imprisonment in a county jail for not less than three months nor more than one year.

(2) Every person who, except in self-defense, in the presence of any other person, draws or exhibits any firearm, whether loaded or unloaded, in a rude, angry, or threatening manner, or who in any manner, unlawfully uses the same in any fight or quarrel is guilty of a misdemeanor, punishable by imprisonment in a county jail for not less than three months. Every person who violates this section when the other person is in the process of cleaning up graffiti or vandalism is guilty of a misdemeanor, punishable by imprisonment in a county jail for not less than three months nor more than one year.

(b) Every person who, except in self-defense, in the presence of any other person, draws or exhibits any loaded firearm in a rude, angry, or threatening manner, or who, in any manner, unlawfully uses any loaded firearm in any fight or quarrel upon the grounds of any day care center, as defined in Section 1596.76 of the Health and Safety Code, or any facility where programs, including day care programs or recreational programs, are being conducted for persons under 18 years of age, including programs conducted by a nonprofit organization, during the hours in which the center or facility is open for use, shall be punished by imprisonment in the state prison for one, two, or three years, or by imprisonment in a county jail for not less than three months, nor more than one year.

(c) Every person who, in the immediate presence of a peace officer, draws or exhibits any firearm, whether loaded or unloaded, in a rude, angry, or threatening manner, and who knows, or reasonably should know, by the officer's uniformed appearance or other action of identification by the officer, that he or she is a peace officer engaged in the performance of his or her duties, and that peace officer is engaged in the performance of his or her duties < - \* \* - > > < +, shall be punished > > by imprisonment in a county jail for not less than nine months and not to exceed one year, or in the state prison.

As used in this section, "peace < + officer + > >" means any person designated as a peace officer < - \* \* - > > < + pursuant to Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 > > .

< < Repealed: CA PENAL § 417.1 > > .

SEC. 2. Section 417.1 of the Penal Code is repealed.

SEC. 3. Section 832.6 of the Penal Code is amended to read:

< < CA PENAL § 832.6 > >

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 level I reserve officer deputized or appointed pursuant to paragraph (1) or (2) of subdivision (a) or subdivision (b) of Section 830.6 and 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. For level I reserve officers appointed prior to January 1, 1997, the basic training requirement shall be the course that was prescribed at the time of their appointment. Reserve officers appointed pursuant to this paragraph shall satisfy the continuing professional training requirement prescribed by the commission.

(2) A level II reserve officer 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 who has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training, and the level II reserve officer has completed the course required by Section 832 and any other training prescribed by

the commission.

Level II reserve officers appointed pursuant to this paragraph may be assigned, without immediate supervision, to those limited duties that are authorized for level III reserve officers pursuant to paragraph (3). <<+ Reserve officers appointed pursuant to this paragraph shall satisfy the continuing professional training requirement prescribed by the commission.+ >>

(3) Level III reserve officers may be deployed and are authorized only to carry out limited support duties not requiring general law enforcement powers in their routine performance. Those limited duties shall include traffic control, security at parades and sporting events, <<-\* \* \*->> <<+report taking,+>> evidence transportation, parking enforcement, and other duties that are not likely to result in physical arrests. Level III reserve officers while assigned these duties shall be <<-\* \* \*->> supervised <<+in the accessible vicinity+>> by a level I reserve officer or a <<-\* \* \*->> <<+ full-time, regular peace officer employed by a law enforcement agency authorized to have reserve officers. Level III reserve officers may transport prisoners without immediate supervision+>>. Those persons shall have completed the training required under Section 832 and any other training prescribed by the commission for those persons.

(4) A person assigned to the prevention and detection of a particular crime 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. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

CA LEGIS 190 (1998)

END OF DOCUMENT

## COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

## RESERVE TRAINING PROJECT

## THE EXISTING RESERVE TRAINING PROGRAM

The existing reserve training format consists of four modules A, B, C, and D used to train three levels of reserves. The reserve levels and training requirements are listed below:

Level III	- Module A	<u>64 hours</u>
	Total	64 hours
Level II	- Module A	64 hours
	- Module B	<u>90 hours</u>
	Total	154 hours
Level I	- Module A -	64 hours
	- Module B -	90 hours
	- Module C -	68 hours
	- Module D -	<u>442 hours</u>
	Total	664 hours

A comparison of the current requirements for the three levels of reserve and the existing training program brought out the following points about the system:

- The Module A, B, and C format was developed in 1986 and last modified in 1992.
  - There have been significant changes in the reserve program since it was implemented.
  - The reserve modules have not been updated to reflect emerging training issues and legislative mandates that have modified the Regular Basic Course.
- Module A (PC 832 Course) does not provide the training necessary to perform the limited support duties, authorized for Level III reserves, because some subject matter is only presented in Module B (Level II training).
- Level II reserves are required to complete Modules A and B but some of the training that a Level II should have is contained in Module C.
- The Module A, B, and C format was intended to train limited, non-designated Level I reserves, a category of reserve officer that was eliminated by the passage of Senate Bill 786.
- Non-designated Level I reserves appointed prior to January 2, 1997 were required to complete Modules A, B, and C (222 hours) + 200 hours of structured field training.

## THE EXISTING RESERVE TRAINING PROGRAM

-2-

- Module C no longer meets the training requirements for Level I reserves.
  - A reserve who completes Modules A, B, and C, can only become a Level II.
  - Level I reserves are required to complete Modules A, B, C, and D
- Module D was developed in 1995 in response to the requirement stipulated in Senate Bill 1874 for a "bridging course".
  - It was intended to be an interim course pending the restructuring of the reserve training modules.
  - It is difficult and expensive to present because of the course length (442 hours), written and scenario testing requirements, number of instructors needed, and necessary logistical support.
  - For these reasons; only a few academies have chosen to present Module D.
- Under the present system, the difference in required entry level training between a Level II and a Level I reserve is 510 hours (Modules C and D).

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

RESERVE TRAINING PROJECT

ANALYSIS OF LIMITED SUPPORT DUTIES

Due to the passage of Senate Bill 786, Level III reserve officers are now authorized to perform specified limited support duties. Based on an analysis of these duties, the following entry level training requirements have been developed for Level III reserves. Some of these requirements are already specified in the PC 832 Course.

TRAFFIC CONTROL

Traffic control tactics, flashlight, etc.  
Use of highway flares/flare patterns  
Failure to obey lawful order of peace officer

SECURITY AT PARADES AND SPORTING EVENTS

Tactical communications skills  
Peace officer interactions with the public  
Officer safety  
Aerosol chemical agents  
Use of force  
Baton use  
First Aid/CPR

PRISONER TRANSPORTATION

Driver awareness  
Person searches  
Handcuffing  
Care and custody of arrested person  
Reasonable use of physical force  
Taking personal property from an arrested person  
Solicitation of business for attorney or bail bondsman  
Inhumane or oppressive treatment of prisoners  
Assault under color of authority  
Bringing firearms/tear gas into a detention facility  
Arrestee's right to make telephone calls  
Minor's right to make phone calls  
Eavesdropping on a prisoner

## ANALYSIS OF LIMITED SUPPORT DUTIES

-2-

### EVIDENCE TRANSPORTATION

- Driver awareness
- Methods of collecting, marking and protecting evidence
- Maintaining chain of custody
- Crime scene containment

### PARKING ENFORCEMENT

- Issuing notice of parking violation
- Authority to remove vehicles from the roadway
- Completion of storage/impound report
- Violator contact
- Tactical communications skills

### REPORT WRITING (Pending under Senate Bill1417)

- Note taking techniques
- Uses of notes
- Uses of written reports
- Investigative report writing
- Characteristics of good reports
- Questions answered in complete reports
- Element of crimes common to "cold" reports

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

RESERVE TRAINING PROJECT

ADDITIONAL TRAINING FOR LEVEL III RESERVES

Assignment to limited support duties, as specified by Senate Bill 786, places the Level III reserve in an enforcement capacity, in a public setting. The present entry level training course for Level III reserves (PC 832 Course) does not provide training to perform all of the limited support duties. For this reason, a course that supplements the PC 832 Course has been developed to provide a Level III reserve with the additional training necessary to perform these duties. The combination of the PC 832 Course and the supplemental course constitutes the Level III Module. The Level III Module is part of a proposed three module format which is equivalent to the Regular Basic Course. Some training hours have also been added to this module to complete certain learning domains in order to facilitate alignment with the Regular Basic Course and to provide additional training in other areas. It is proposed that the two part Level III module training requirement be a total of 162 hours (PC 832 Arrest and Firearms - 64 hours and the supplemental course - 98 hours). Refer to Attachment H, Necessary Redundancy, for an overview of additional training hours.

The following is a list of the additional hours by learning domain:

LD #1 - HISTORY, PROFESSIONALISM AND ETHICS (6 Hours)

Additional training is included to present the concept of intervention and to expand on professionalism and ethics. The additional instruction also completes the requirements for this learning domain.

LD #2 - CRIMINAL JUSTICE SYSTEM (2 Hours)

Additional instruction covers the rest of the criminal justice system and also completes the requirements for this learning domain.

LD #5 - INTRODUCTION TO CRIMINAL LAW (1 Hour)

Additional instruction is included to complete the requirements for this learning domain.

## ADDITIONAL TRAINING FOR LEVEL III RESERVES

-2-

### LD #6 - PROPERTY CRIMES (2 Hours)

Level III reserves will be involved in writing "cold" (suspects unknown, etc.) reports. Training from this learning domain has been included in Level III training to cover the elements of property crimes that are common to this type of report.

### LD #7 - CRIMES AGAINST PERSONS (2 Hours)

Level III reserves will be involved in writing "cold" (suspects unknown, etc.) reports. Training from this learning domain has been included in Level III training to cover the elements of crimes against persons that are common to this type of report.

### LD #15 - LAWS OF ARREST (2 Hours)

Level III reserves are not intended to perform general law enforcement assignments or duties likely to result in physical arrest. However, they have peace officer powers and the authority to make an arrest if necessary. Additional training is provided in this subject area to reinforce the instruction they received in the PC 832 Course.

### LD #16 - SEARCH AND SEIZURE (2 Hours)

Level III reserves may be assigned to contain crime scenes and/or conduct preliminary investigations. They are given training in the definition of search and seizure terms to supplement the instruction they received in the PC 832 Course.

### LD #18 - INVESTIGATIVE REPORT WRITING (4 Hours)

Level III reserves will be involved in taking various types of reports. Additional instruction is provided in this subject area to prepare them for this type of assignment.

### LD #19 - VEHICLE OPERATIONS (8 Hours)

Level III reserves are now authorized to drive vehicles in the performance of their duties (prisoner and evidence transportation). The 8-hour Driver Awareness course from Module B of the present reserve training system was moved into Level III training to provide training in this area.

## ADDITIONAL TRAINING FOR LEVEL III RESERVES

-3-

### LD #20 - USE OF FORCE (3 Hours)

In this course, Level III reserves will receive training in aerosol chemical agents and impact weapons, as well as additional training in arrest and control. Additional instruction is provided in the use of force to support that training.

### LD #23 - CRIMES IN PROGRESS (4 Hours)

Level III reserves are not assigned to general law enforcement functions or to duties likely to result in physical arrests. However, some of the authorized limited support duties put them in the field where they may encounter crimes in progress. Training from this learning domain has been included in Level III training to provide an awareness of basic concepts of officer safety and tactics involved in handling crimes in progress situations.

### LD #28 - TRAFFIC ENFORCEMENT (4 Hours)

Level III reserves are now authorized to do traffic control and parking enforcement. Subjects from this learning domain have been included in the supplemental course to prepare Level III reserves to perform these duties.

### LD #30 - PRELIMINARY INVESTIGATION (2 Hours)

Level III reserves are authorized to transport evidence. They are given additional instruction in collecting, marking and protecting evidence as well as maintaining the chain of custody to prepare them for this type of assignment.

### LD #31 - CUSTODY (4 Hours)

Level III reserves are now authorized to transport prisoners. The entire learning domain has been included in Level III training to provide training in the legal aspects of dealing with persons in custody.

### LD #33 - ARREST AND CONTROL/ BATON (15 Hours)

Level III reserves will be working in the field, performing limited support duties. They need the availability of an impact weapon as a force option. Baton certification and additional training in searching, handcuffing, and control holds is included in Level III training to meet this need.

## ADDITIONAL TRAINING FOR LEVEL III RESERVES

-4-

### LD #34 - FIRST AID AND CPR (21 Hours)

City police officers, deputy sheriffs, etc., except those whose duties are primarily clerical or administrative, are required to meet the standards prescribed by the Emergency Medical Services Authority for the administration of first aid and cardiopulmonary resuscitation (PC 13518). Level III reserves now fall under this requirement because they may perform assignments which put them in the field. For this reason, instruction in first aid and CPR was moved into Level III training

### LD #35 - FIREARMS/CHEMICAL AGENTS (4 Hours)

Level III reserves will be working in the field, performing limited support duties. They need the availability of an aerosol chemical agent as a force option. Module A of Chemical Agents for Peace Officers training (PC 12403) has been included in Level III training to meet this need.

### LD #36 - INFORMATION SYSTEMS (4 Hours)

Level III reserves frequently assist detective units by doing telephone work and law enforcement information systems inquiries. The entire learning domain on Information Systems has been included in Level III training to meet California Department of Justice requirements.

### LD #42 - CULTURAL DIVERSITY/DISCRIMINATION (4 Hours)

Sexual harassment incidents are an area of great concern. Training has been included in Level III training to address this concern.

### POST-CONSTRUCTED COMPREHENSIVE TESTS (4 Hours)

The examination on First Aid and CPR (learning domain 34) and an examination developed to meet the testing requirements of learning domains 2, 5, 31, and 36.

The chart on the following page is a breakdown of the subject areas and hours of training in the PC 832 Course and the supplemental course. The learning domains highlighted in bold type are subject areas that are not presented in the PC 832 Course.

ADDITIONAL TRAINING FOR LEVEL III RESERVES

-5-

LEVEL III MODULE (2 PART FORMAT)

LD	Title	Level III Module		Total Hours
		PC832	Level III	
1	History, Professionalism and Ethics	2	6	8
2	Criminal Justice System	2	2	4
3	Community Relations	4	-	4
5	Introduction to Criminal Law	5	1	6
6	<b>Property Crimes</b>	-	2	2
7	<b>Crimes Against Persons</b>	-	2	2
15	Laws of Arrest	3	2	5
16	Search and Seizure	1	2	3
17	Presentation of Evidence	2	-	2
18	Investigative Report Writing	3	4	7
19	<b>Vehicle Operations</b>	-	8	8
20	Use of Force	3	3	6
23	<b>Crimes In Progress</b>	-	4	4
28	<b>Traffic Enforcement</b>	-	4	4
30	Preliminary Investigation	2	2	4
31	<b>Custody</b>	-	4	4
33	Arrest and Control/Baton	10	15	25
34	<b>First Aid and CPR</b>	-	21	21
35	Firearms/Chemical Agents	24	4	28
36	<b>Information Systems</b>	-	4	4
39	Crimes Against the Justice System	1	-	1
42	<b>Cultural Diversity/Discrimination</b>	-	4	4
	Minimum Instructional Hours	62	94	156
	PC 832 Arrest Course Examination	2	-	2
	POST-Constructed Comprehensive Tests	-	4	4
	Total Minimum Required Hours	64	98	162

Note: The requirements for the following learning domains are completed in this module:

- LD #1 - History, Professionalism and Ethics
- LD #2 - Criminal Justice System
- LD #5 - Introduction to Criminal Law
- LD #31 - Custody
- LD #34 - First Aid and CPR
- LD #36 - Information Systems

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

RESERVE TRAINING PROJECT

LEVEL II MODULE

Prior to the passage of Senate Bill 786, Level II reserves were authorized to perform general law enforcement assignments under the immediate supervision of a peace officer who possessed a Basic Certificate. Effective January 1, 1998, SB 786 amended Penal Code section 832.6 and the supervision requirement was changed to an officer who has completed the Regular Basic Course. SB 786 also authorizes Level II reserves to perform Level III limited support duties without immediate supervision. The primary impact of this legislation, on Level II reserves, is that the supervising peace officer may have less experience because he or she has not served as a full time officer for at least a year to qualify for a Basic certificate. Secondly, there is no requirement for immediate supervision when a Level II is assigned to perform Level III duties.

The present entry level training course for Level II reserves (Module B) consists of 90 hours of training. The lower experience level required for supervision coupled with assignment to limited support duties that do not require immediate supervision indicates that entry level training for Level II reserves should be enhanced to properly prepare a candidate for these assignments. The Level II module is part of a proposed three module format which is equivalent to the Regular Basic Course. It was developed to provide newly appointed reserves with the training necessary to perform in a general law enforcement assignment. Some subject matter was moved from Modules C and D, of the current reserve training system, to strengthen Level II training. Some training hours have also been added to this module to complete certain learning domains in order to facilitate alignment with the Regular Basic Course and to provide additional training in other areas. It is proposed that the Level II module consist of 224 hours of training. Refer to Attachment I, Necessary Redundancy, for an overview of additional training hours.

The planned midterm examination for the Regular Basic Course was also taken into consideration in the distribution of course material and training hours. A candidate who has completed Level III and II training will have completed the training necessary to take the midterm examination.

The following is a list of training hours by learning domain:

## LEVEL II MODULE

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### LD #3 - COMMUNITY RELATIONS (8 Hours)

This learning domain has been moved from Level I to Level II training and expanded to meet the requirements of the Regular Basic Course. Additional training includes: an understanding of community-based and problem-oriented policing concepts and the ability to use tactical communication techniques to defuse conflict and obtain voluntary compliance.

### LD #4 - VICTIMOLOGY/CRISIS INTERVENTION (6 Hours)

The material in this learning domain was not included in the present Module A, B, and C format. It was added to this module because Level II reserves, assigned to general law enforcement duties, will come into contact with crime victims.

### LD #6 - PROPERTY CRIMES (8 Hours)

The material in this subject area expands on the instruction received in Level III training and completes the training requirements for this learning domain.

### LD #7 - CRIMES AGAINST PERSONS (8 Hours)

The material in this subject area expands on the instruction received in Level III training and completes the training requirements for this learning domain.

### LD #8 - GENERAL CRIMINAL STATUTES (4 Hours)

The material in this subject area is divided between Modules B and C in the current reserve training system. Material from both modules was combined in the Level II module and expanded to meet the requirements of the Regular Basic Course.

### LD #9 - CRIMES AGAINST CHILDREN (6 Hours)

This learning domain has been moved from Level I to Level II training and expanded to meet the requirements of the Regular Basic Course.

### LD #10 - SEX CRIMES (6 Hours)

This learning domain has been moved from Level I to Level II training and expanded to meet the requirements of the Regular Basic Course.

## LEVEL II MODULE

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### LD #15 - LAWS OF ARREST (7 Hours)

The balance of the material in this learning domain is presented in Level II training to complete the requirements of the Regular basic course.

### LD #16 - SEARCH AND SEIZURE (9 Hours)

The balance of the material in this learning domain is presented in Level II training to complete the requirements of the Regular basic course.

### LD #17 - PRESENTATION OF EVIDENCE (6 Hours)

The balance of the material in this learning domain is presented in Level II training to complete the requirements of the Regular basic course.

### LD #18 - INVESTIGATIVE REPORT WRITING (33 Hours)

The rest of this learning domain is included in this module because Level II reserves will be expected to take all types of reports while working in a general law enforcement assignment.

### LD #20 - USE OF FORCE (6 Hours)

Training in this subject expands on the student's knowledge of the conditions under which force can be lawfully used and gives instruction on the importance of effective tactical communication in use-of-force situations.

### LD #21 - PATROL TECHNIQUES (4 Hours)

Level II reserves are assigned to general law enforcement duties. Training on patrol techniques has been included in this module to familiarize Level II reserves with patrol operations. The entire learning domain is presented in the Level I module for credit and testing purposes.

### LD #22 - VEHICLE PULLOVERS (6 Hours)

Level II reserves are assigned to general law enforcement duties. Training from this learning domain has been included in Level II training to provide an awareness of basic concepts of officer safety and tactics involved in vehicle pullover tactics. The entire learning domain is presented in the Level I module for credit and testing purposes.

## LEVEL II MODULE

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### LD #23 - CRIMES IN PROGRESS (6 Hours)

Level II reserves are assigned to general law enforcement duties. Training from this learning domain has been included in Level II training to provide an awareness of basic concepts of officer safety and tactics involved in handling crimes in progress situations. The entire learning domain is presented in the Level I module for credit and testing purposes.

### LD #26 - UNUSUAL OCCURRENCES (2 Hours)

Training on unusual occurrences has been included in this module to make Level II reserves aware of officer responses to unusual occurrences. The entire learning domain is presented in the Level I module for credit and testing purposes.

### LD #30 - PRELIMINARY INVESTIGATION (8 Hours)

Instruction in this subject is provided on sudden infant syndrome investigations, interview and interrogation techniques, and courtroom testimony. Instruction and testing on this learning domain is completed in the Level I module.

### LD #33 - ARREST AND CONTROL/BATON (15 Hours)

Additional training and testing in searching, handcuffing, control holds, and use of the baton is included in this module. Instruction and testing on this learning domain is completed in the Level I module.

### LD #35 - FIREARMS/CHEMICAL AGENTS (32 Hours)

Shotgun and chemical agents training as well as additional handgun training is provided in this module. Instruction and testing on this learning domain is completed in the Level I module.

### LD #37 - PERSONS WITH DISABILITIES (6 Hours)

Training on persons with mental disorders is provided in Module C of the current reserve format. Instruction in this area has been moved into Level II training and expanded to include the rest of the learning domain which deals with persons with physical and developmental disabilities.

## LEVEL II MODULE

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### LD #39 - CRIMES AGAINST THE JUSTICE SYSTEM (4 Hours)

Part of this learning domain is presented in the PC 832 Course. Instruction in the entire learning domain is presented in Level II training for credit and testing purposes.

### LD #40 - WEAPONS VIOLATIONS (4 Hours)

Instruction in a portion of this learning domain is presented to Level II reserves in Module B of the current format. The balance of the material in this learning domain is presented in Level II training to complete the requirements of the Regular Basic Course.

### LD #41 - HAZARDOUS MATERIALS AWARENESS (2 Hours)

Training on hazardous materials incidents has been included in this module to make Level II reserves aware of officer responses to hazardous materials incidents. The entire learning domain is presented in the Level I module for credit and testing purposes.

### LD #42 - CULTURAL DIVERSITY/DISCRIMINATION (20 Hours)

Instruction in the areas of cultural diversity and hate crimes is provided in Level II training to complete the requirements of this learning domain.

### POST-CONSTRUCTED COMPREHENSIVE TESTS (8 Hours)

Examinations developed to meet the testing requirements of specified learning domains.

Note: The requirements for the following learning domains are completed in this module:

- LD #3 - Community Relations
- LD #4 - Victimology/Crisis Intervention
- LD #6 - Property Crimes
- LD #7 - Crimes Against Persons
- LD #8 - General Criminal Statutes
- LD #9 - Crimes Against Children
- LD #10 - Sex Crimes
- LD #15 - Laws of Arrest
- LD #16 - Search and Seizure
- LD #17 - Presentation of Evidence
- LD #18 - Investigative Report Writing

## LEVEL II MODULE

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- LD #20 - Use of Force
- LD #37 - Persons With Disabilities
- LD #39 - Crimes Against the Justice System
- LD #40 - Weapons Violations
- LD #42 - Cultural Diversity/Discrimination

## COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

## REGULAR BASIC COURSE - MODULAR FORMAT

LD	Title	Level III Module		Level II Module	Level I Module	Total Hours	Basic Course	Necessary Redundancy
		PC832	Level III					
1	History, Professionalism and Ethics	2	6	-	-	8	8	-
2	Criminal Justice System	2	2	-	-	4	4	-
3	Community Relations	4	-	8	-	12	12	-
4	Victimology/Crisis Intervention	-	-	6	2	8	6	+2
5	Introduction to Criminal Law	5	1	-	-	6	6	-
6	Property Crimes	-	2	8	-	10	10	-
7	Crimes Against Persons	-	2	8	-	10	10	-
8	General Criminal Statutes	-	-	4	-	4	4	-
9	Crimes Against Children	-	-	6	-	6	6	-
10	Sex Crimes	-	-	6	-	6	6	-
11	Juvenile Law and Procedures	-	-	-	6	6	6	-
12	Controlled Substances	-	-	-	12	12	12	-
13	ABC Law	-	-	-	4	4	4	-
14	Deleted	-	-	-	-	-	-	-

LD	Title	Level III Module		Level II Module	Level I Module	Total Hours	Basic Course	Necessary Redundancy
		PC832	Level III					
15	Laws of Arrest	3	2	7	-	12	12	-
16	Search and Seizure	1	2	9	-	12	12	-
17	Presentation of Evidence	2	-	6	-	8	8	-
18	Investigative Report Writing	3	4	33	-	40	40	-
19	Vehicle Operations	-	8	-	24	32	24	+8
20	Use of Force	3	3	6	2	14	14	+2
21	Patrol Techniques	-	-	4	12	16	12	+4
22	Vehicle Pullovers	-	-	6	14	20	20	+6
23	Crimes in Progress	-	4	6	16	26	16	+10
24	Handling Disputes/Crowd Control	-	-	-	12	12	12	-
25	Domestic Violence	-	-	-	8	8	8	-
26	Unusual Occurrences	-	-	2	4	6	6	+2
27	Missing Persons	-	-	-	4	4	4	-
28	Traffic Enforcement	-	4	-	22	26	22	+4
29	Traffic Accident Investigation	-	-	-	12	12	12	-
30	Preliminary Investigation	2	2	8	30	42	42	-
31	Custody	-	4	-	-	4	4	-

LD	Title	Level III Module		Level II Module	Level I Module	Total Hours	Basic Course	Necessary Redundancy
		PC832	Level III					
32	Lifetime Fitness	-	-	-	40	40	40	-
33	Arrest and Control/Baton	10	15	15	30	70	60	+10
34	First Aid and CPR	-	21	-	-	21	21	-
35	Firearms/Chemical Agents	24	4	32	24	84	72	+12
36	Information Systems	-	4	-	-	4	4	-
37	Persons With Disabilities	-	-	6	1	7	6	+1
38	Gang Awareness	-	-	-	8	8	8	-
39	Crimes Against the Justice System	1	-	4	-	5	4	+1
40	Weapons Violations	-	-	4	-	4	4	-
41	Hazardous Materials Awareness	-	-	2	4	6	4	+2
42	Cultural Diversity/Discrimination	-	4	20	-	24	24	-
	Minimum Instructional Hours	<b>62</b>	<b>94</b>	<b>216</b>	<b>291</b>	<b>663</b>	<b>599</b>	<b>+64</b>
	Scenario Tests	-	-	-	40	40	40	-
	PC 832 Arrest Course Examination	2	-	-	-	2	-	+2
	POST-Constructed Comprehensive Tests	-	4	8	-	12	-	-
	POSTRAC Tests	-	-	-	13	13	25	-
	Total Minimum Required Hours	<b>64</b>	<b>98</b>	<b>224</b>	<b>344</b>	<b>730</b>	<b>664</b>	<b>+66</b>

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

RESERVE TRAINING PROJECT

NECESSARY REDUNDANCY

The proposed reserve training model consists of a three module format which is designed to replace the current Module A, B, C, and D system. Entry level training for reserve officers is delivered in a modular format because there are three different levels or categories of reserve. Each level has different assignments and supervision requirements.

Level III

- Authorized to perform specified limited support duties and other duties not likely to result in physical arrest.
- These duties must be performed under the proximate supervision of a Level I reserve or regular peace officer.
- No general law enforcement assignments [PAM Section H-1-2 (i)].

Level II

- Authorized to work in general law enforcement assignments if they are under the immediate supervision of a peace officer who has completed the Regular Basic Course.
- May perform Level III duties without immediate or proximate supervision.

Level I

- Authorized to perform general law enforcement assignments.
- The supervision requirement for a Level I reserve is the same as a regular officer.

Reserve training classes generally take place on weekday evenings and on weekends. This format is appropriate for reserve training because the majority of candidates are engaged in full time employment in another field and their reserve activities are an avocation.

The proposed three module format consists of one training module for each level of reserve. This system has some redundant training built into it, which is necessary to accommodate the modular format.

The basic concept of a modular format is that each module serves as preparation and a prerequisite for the succeeding module (building block approach). One of the features of this system is that the student may take an extended length of time to complete the entire program.

## NECESSARY REDUNDANCY

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This means that there could be months or years between the beginning and the end of the program as well as between individual modules. This can create a retention problem for the student, particularly if he or she is not working as a reserve officer in the period(s) between modules.

The retention problem caused by an extended length of time between training courses is exemplified by Module D. This module is a 442-hour course which is designed to allow reserves who have taken Modules A, B, and C to satisfy the requirements of the Regular Basic Course with no unnecessary redundancy in training. Some Module D presenters have found that students have a difficult time with the academic and testing aspects of the course because the testing covers material presented in previous modules and there is no built in review process. Some of these presenters have addressed the testing issue by requiring extensive outside study and/or increasing the length of their courses. The average length of Module D presentations is 530 hours, or 19.9% over the minimum requirement.

Another example of review prior to testing is found in the Basic Course Waiver process. Candidates going through this process are required to pass skills tests in the final phase. The majority of these candidates opt to take the 136-hour Requalification Course, which includes the skills testing as part of the course, rather than take the tests "cold". This is recognition, on the part of candidate, of the need for redundant training and a review of material taken in earlier classes.

There are additional reasons for redundancy in training:

- Additional training for reinforcement of basic concepts in the area of critical skills.
- Training for specified duties only requires part of a large learning domain which will be presented in its entirety in a later module for credit/testing purposes.
- Portions of training, that will be given in Level I training, are presented in Level III and/or II training for purposes of awareness/officer safety and/or familiarization.
- Review for scenario/skills testing.

### Reinforcement of basic concepts

There are some critical skills such as person searches, handcuffing, control holds, weapon retention, and firearms which require extensive entry level training. Training in these areas is provided in all three modules. Additional or redundant training in critical skills also addresses many risk management concerns.

### Presenting a portion of a large learning domain

In order to perform some of the authorized limited support duties, Level III reserves need

## NECESSARY REDUNDANCY

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additional training that is not provided in the current format (PC 832 Course). In some cases the training needed is part of a large learning domain. Many of the learning domains must be presented as a whole due to testing and/or mandated training requirements. It would be impractical to present a large domain in Level III training. It would extend the length of the module unnecessarily and give Level III reserves training in areas outside their specified duties. It would be more practical to give them the part(s) of the domain applicable to limited support duties and then present the entire domain in a later module (for testing purposes).

### Awareness/Officer Safety

Even though a Level III reserve may not be assigned, required, or expected to handle a crimes in progress situation; he or she could be in the field, on an unrelated assignment, and come in contact with this type of incident. Level III reserves need some training in this area so they are aware of the basic concepts of officer safety and tactics involved in handling such a situation. The concept is to prepare them to avoid the incident (if possible), advise dispatch and/or regular field personnel, and contain the situation (pending the arrival of regular officers) if they can't avoid it.

Level III reserves will have to drive vehicles in order to perform limited support duties. There is no provision in the current system for them to receive any type of driver awareness training. Level III reserves do not necessarily need the full 24 hours of vehicle operations required in the Regular Basic Course because the limited support duties do not involve emergency vehicle operations. However, they do need driver awareness training. Reserves will receive the entire vehicle operations learning domain in Level I training.

### Familiarization

Level II reserves will be working, under supervision, in general law enforcement assignments. They need familiarization in the areas of patrol techniques, vehicle pullovers, and crimes in progress. Portions of these learning domains are presented in Level II training with the entire domain being presented in Level I training.

### Review for scenario/skills testing

Redundancy is necessary to prepare students for testing due to the possibility there has been an extended period of time since their previous training. All scenario testing takes place in Level I training. It is necessary to add review time to prepare candidates for the scenarios that deal with learning domains that were covered in Level III or Level II training.

## NECESSARY REDUNDANCY

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The course hours in Modules A, B, C, and D and the Regular Basic Course are minimum requirements. As noted above, the average course length of Module D presentations is 19.9% above the minimum. A survey of Reserve and Basic Course training shows the following average course lengths:

<u>Course</u>	<u>Minimum</u>	<u>Average</u>	<u>Difference</u>
Basic Course - Intensive	664 hours	860 hours	+ 29.5%
Basic Course - Extended	664 hours	809 hours	+ 21.8%
Modules A, B, and C	222 hours	265 hours	+ 19.3%

The survey shows that the majority of presenters choose to exceed the minimum course length. The minimum course length for the proposed reserve training model is 9.9% greater than the Basic Course. This agrees favorably with the actual length of most Basic Course presentations.

The following is a list of necessary redundancy by learning domain:

### LD #4 - VICTIMOLOGY/CRISIS INTERVENTION

- Entire 6 hours of LD presented in Level II.
- 2 additional hours in Level I as a review for scenario testing.

### LD #19 - VEHICLE OPERATIONS

- 8 hours of Driver Awareness in Level III Training because Level III reserves are authorized to drive as part of limited support duties.
- Entire 24 hour Vehicle Operations block presented in Level I.

### LD #20 - USE OF FORCE

- 2 additional hours overall.
- 2 hours in Level I as a review for scenario testing.

### LD #21 - PATROL TECHNIQUES

- 4 hours in Level II to familiarize candidates with patrol operations.
- Entire 12 hours of LD presented in Level I for credit/testing purposes.

### LD #22 - VEHICLE PULLOVERS

- 6 hours in Level II to familiarize candidates with vehicle pullover tactics.
- Entire 14 hours of LD presented in Level I for credit/testing purposes.

## NECESSARY REDUNDANCY

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### LD #23 - CRIMES IN PROGRESS

- 4 hours in Level III Training to make candidates aware of basic concepts of officer safety and tactics involved in handling crimes in progress situations.
- 6 hours in Level II to familiarize candidates with tactics/procedures.
- Entire 16 hours of LD presented in Level I for credit/testing purposes.

### LD #26 - UNUSUAL OCCURRENCES

- 2 hours in Level II to make candidates aware of officer responses to unusual occurrences
- Entire 4 hours of LD presented in Level I for credit/testing purposes

### LD #28 - TRAFFIC ENFORCEMENT

- 4 hours in Level III Training to prepare candidates for limited support duties.
- Entire 22 hours of LD presented in Level I for credit/testing purposes.

### LD #33 - PERSON SEARCHES, BATON, ETC.

- 10 additional hours overall.
  - Additional hours in Level III - Part 2 for baton certification and reinforcement of training in Part 1.

### LD #35 - FIREARMS/CHEMICAL AGENTS

- 12 additional hours overall.
  - 4 hours in Level III for Chemical Agents for Peace Officers.
  - 4 hours in Level II for review/practice.
  - 4 hours in Level I for review/practice.

### LD #37 - PERSONS WITH DISABILITIES

- Entire 6 hours of LD presented in Level II.
- 1 additional hour in Level I as a review for scenario testing.

### LD #39 - CRIMES AGAINST THE JUSTICE SYSTEM

- 1 hour in PC832.
- Entire 4 hours of LD presented in Level II for credit/testing purposes.

### LD #41 - HAZARDOUS MATERIALS AWARENESS

- 2 hours in Level II to make candidates aware of first responder actions at hazardous materials incidents
- Entire 4 hours of LD presented in Level I for credit/testing purposes

Revised: 10/20/98

### PROPOSED REVISION TO REGULATION 1007

#### 1007. Reserve Officer Minimum Standards and Waiver of Training Requirements for Modules B and/or C.

(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 ~~(defined in PAM, section H-1-2(a))~~, before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily meet complete the training requirements of the Regular Basic Course (PAM, section D-1-3).

~~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).~~

~~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).~~

All Level I reserve officers appointed on or after 7-1-99, upon completing the Regular Basic Course training requirement shall complete a POST-approved Field Training Program (PAM, section D-13) prior to working alone in a general law enforcement assignment. The Field Training Program, which shall be delivered over a minimum of 10 weeks (400 hours), shall be based upon structured learning content as recommended in the POST Field Training Program Guide or upon a locally developed field training guide which includes the minimum POST-specified topics.

~~Every non-designated Level I reserve peace officer shall also satisfy the Continuing Professional Training requirement set forth in Regulation 1005(d).~~

- (32) ~~Every Level II reserve peace officer (defined in PAM, section H-1-2(b)), before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the POST-certified Reserve Training Modules A and B (see PAM, Section H-3-3).~~

Every Level II reserve peace officer [defined in PAM, section H-1-2(b)], appointed on or after 7-1-99, before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the POST-certified two-part Reserve Level III Module and the Reserve Level II Module (PAM, section D-1-3).

Every Level II reserve peace officer shall also satisfy the Continuing Professional Training requirement set forth in Regulation 1005(d).

- (43) ~~Every Level III reserve peace officer (see PAM, Section H-1-2(e), before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the POST-certified Reserve Training Module A (see PAM, Section H-3-3).~~

Every Level III reserve peace officer [defined in PAM, section H-1-2(c)], appointed on or after 7-1-99, before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the POST-certified two-part Reserve Level III Module (PAM, section D-1-3).

- (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 830.6(a), meet the selection requirements for Level I reserve peace officer assignment ~~as described in paragraph (a)~~, and have completed the training and general law enforcement experience as described in paragraph (b)(1) and in PAM , Section H-4.
- (zd) ~~The Commission may waive completion of a POST-certified training program required by Section 1007 paragraph (b) of the Regulations~~ for an individual who has completed training equivalent to the requirements of Module B and/or C. This waiver shall be determined by an evaluation and examination process as specified in PAM, Section D-12, Waiver of Training for Reserve Officer Modules B and/or C.

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 Ssection 1005(a) and that portion of the Reserve Officer Minimum Standards established in Ssection 1007(b) of the Regulations which relate to Basic Training. Basic Training includes the Regular Basic Course, District Attorney Investigators' Basic Course, Specialized Investigators' Basic 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 1-7. The Law Enforcement Code of Ethics shall be administered to students *taking the Regular Basic Course, District Attorney Investigators' Basic Course, and Specialized Investigators' Basic Course.* Requirements for certification and presentation of these courses are *specified in Regulations 1052 through 1056.* 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 Ssection 1-3(a). Testing and training requirements vary by delivery format and are described in Ssection 1-3(b), *standard format*; Ssection 1-3(c), *reserve format*; ~~and~~ Ssection 1-3(d), *transition program-pilot format*; and section 1-3(e), modular format. Requirements for reporting successful course completion are contained in Commission Regulation 1055(j).

(a) **Regular Basic Course Terminology**

- (1) **Learning Domain.** An instructional unit that covers related subject matter. 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 that is capable of presenting all components of the *Training Specifications for the Regular Basic Course* and meeting the requirements for POST course certification as specified in Regulations 1051-1054. Only academies may present a POST-certified Regular Basic Course in the *standard format*, or Module D in the *reserve format*, or part 2 in the *transition program-pilot format*, or Level I in the modular format
- (6) **Delivery Formats.** The formats for delivering the Regular Basic Course include the *standard format*, the *reserve format*, and the *transition program-pilot format*, and the modular format.
- (A) **Standard Format.** The Regular Basic Course is delivered in a one-part instructional sequence. Testing and training requirements are prescribed in Section 1-3(b). Except as provided for in Section 1-3(b)(9), the course shall be delivered by a single academy.
- (B) **Reserve Format.** Modules A, B and C, as set forth in Regulation 1007 are required prerequisite training for admission to Module D. Completion of Module D constitutes satisfaction of the Regular Basic Course training requirement. Except as provided for in Section 1-3(b)(9) the Module D course shall be delivered by a single academy. Testing and training requirements are prescribed in Section 1-3(c).
- (C) **Transition Program-Pilot Format.** Part 1 is a series of POST-certified Administration of Justice (AJ) or Criminal Justice (CJ) courses delivered by a California community college. Part 1 is required prerequisite training for admission to a POST comprehensive examination and part 2. Completion of part 2 constitutes satisfaction of the Regular Basic Course training requirement. Part 2 is instruction delivered by an academy. Testing and training requirements are prescribed in Section 1-3(d).
- (D) **Modular Format.** The Regular Basic Course is delivered in a three-part instructional sequence. Completion of the Level III, Level II and Level I Modules, as set forth in Regulation 1007, constitutes satisfaction of the Regular Basic Course training requirement. Testing and training requirements are prescribed in section 1-3(e). The Level I Module is instruction delivered by an academy. Except as provided for in section 1-3(b)(9), the Level I Module shall be delivered by a single academy.
- (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. Depending on the delivery format, five types of test 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.
- (C) **Scenario Test.** A job-simulation test that measures acquisition of complex

psychomotor skills required to achieve one or more instructional goals.

(D) **Physical Abilities Test.** A POST-developed test of physical abilities described in the *Basic Academy Physical Conditioning Manual - 1996*.

(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.

(8) **Test-Item Use and Security Agreement.** An agreement between a Regular Basic Course presenter academy and POST that identifies the terms and conditions under which an presenter academy may be provided access to acquire and use specific POST-constructed knowledge and comprehensive tests. Failure to accept or abide by the terms and conditions of this such 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 Courses that POST has certified for presentation in the *standard* format [defined in §section 1-3(a)(6)(A)].

(1) **Topics.** Academies shall provide instruction on all topics specified in *Training Specifications for the Regular Basic Course*.

(2) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each learning domain is specified in *Training Specifications for the Regular Basic Course*. The total minimum hourly requirement for the Regular Basic Course is 664 hours.

(3) **POST-Constructed Knowledge Tests.** As specified in *Training Specifications for the Regular Basic Course*, 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, alternate form of the same test. If a student fails the second test, the student fails the course.

(4) **Scenario Tests.** As specified in *Training Specifications for the Regular Basic Course*, 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.

- (5) **Exercise Tests.** As specified in *Training Specifications for the Regular Basic Course*, 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.
- (6) **Learning Activities.** As specified in *Training Specifications for the Regular Basic Course*, 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.
- (7) **Physical Conditioning Program.** Students must complete the POST physical conditioning program as described in the *Basic Academy Physical Conditioning Manual - 1996*.
- (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 *Basic Academy Physical Conditioning Manual - 1996*. 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.
- (9) **Single Academy.** The Regular Basic Course shall be completed under the sponsorship of one academy unless POST has approved a contractual agreement dividing responsibility for delivering the Regular Basic Course between an academy and other training presenters.
- (10) **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 Reserve Format**

The testing and training requirements in this section apply to the four-part *reserve* format [as defined in §section 1-3(a)(6)(B)] for completing the Regular Basic Course. Successful completion of these four training modules fulfills the requirements for the Regular Basic Course.

- (1) **Module A.** Course content is specified in Commission Procedure H-5, incorporated by reference into Commission Regulation 1007.
- (2) **Module B.** Course content is specified in Commission Procedure H-5, incorporated by reference into Commission Regulation 1007. Module A is a prerequisite to Module B.
- (3) **Module C.** Course content is specified in Commission Procedure H-5, incorporated by reference into Commission Regulation 1007. Module B is a prerequisite to Module C.
- (4) **Module D.** Course content is specified in *Training Specifications for the Reserve Training Module "D"*.
  - (A) **Prerequisites.** Each applicant to a Reserve Training Module "D" course must present proof of the following prerequisites to the training presenter's satisfaction.
    1. Successful completion of reserve modules A, B and C with a combined minimum total of 222 hours.
    2. Successful completion (within the last 3 years) of the First Aid and CPR training requirements for public safety personnel as prescribed by the Emergency Medical Services Authority (EMSA) and set forth in the California Code of Regulations, Title 22, Division 9, Chapter 1.5, §100005-§100028.
  - (B) **Abbreviated Course.** Module "D" may be presented in an abbreviated course of fewer hours than specified in *Training Specifications for the Reserve Training Module "D" - 1995*, when an academy presenter demonstrates through submittal of a course outline comparison that the hours in Module "D" can be reduced because some required topics and hours, learning activities, scenarios, or exercises in the academy's previously presented Modules A, B and C have included the Module "D" required topics and hours, learning activities, scenarios, or exercises. All students accepted to an abbreviated Module "D" course shall have previously satisfied the omitted Module "D" requirements in their Modules A, B and C training.
  - (C) **Topics.** Academies shall deliver instruction on all topics specified in *Training Specifications for the Reserve Training Module "D"*.
  - (D) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each domain is specified in *Training Specifications for the Reserve Training Module "D"*. The total minimum hourly requirement for Module D is 442 hours.
  - (E) **POST-Constructed Knowledge Tests.** As specified in *Training Specifications for the Reserve Training Module "D"*, 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, alternate form of the same test. If a student fails the second test, the student fails Module D.

- (F) **Scenario Tests.** As specified in *Training Specifications for the Reserve Training Module "D"*, 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 Module D.
- (G) **Exercise Tests.** As specified in *Training Specifications for the Reserve Training Module "D"*, 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 Module D.
- (H) **Learning Activities.** As specified in *Training Specifications for the Reserve Training Module "D"*, 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 Module D 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 Module D.
- (I) **Physical Conditioning Program.** Students must complete the POST physical conditioning program as described in the *Basic Academy Physical Conditioning Manual - 1996*.
- (J) **Physical Abilities Test Battery.** At the conclusion of the POST physical conditioning program, students shall pass a POST-developed physical abilities test battery as described in Ssection 1-3(b)(8).

(d) **Testing and Training Requirements for the Transition Program-Pilot Format**

The testing and training requirements in this section apply to the courses that POST has certified for presentation in the *transition program-pilot format* [defined in Ssection 1-3(a)(6)(C)]. Successful completion of part 1 is a required prerequisite for admission to a comprehensive examination and part 2. Completion of part 2 constitutes satisfaction of the Regular Basic Course training requirement.

- (1) **Topics.** Instruction shall be delivered on all topics specified in *Training Specifications for the Regular Basic Course* as described below:
  - (A) **Part 1.** Instruction on topics specified in learning domains 1 through 10, 15 through 18, 31, 34, 36, 37, 39, 40, and 42 shall be delivered in AJ or CJ courses [as defined in §section 1-3(a)(6)(C)].
  - (B) **Part 2.** Instruction on topics specified in learning domains 11 through 13, 19 through 30, 32, 33, 35, 38, and 41 shall be delivered by an academy.
- (2) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each learning domain is specified in *Training Specifications for the Regular Basic Course*. The total minimum hourly requirement for part 1 of the Transition Program - Pilot Format is 211 hours and 453 hours for part 2.
- (3) **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*, 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 10, 15 through 18, 31, 36, 37, 39, 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, a POST-constructed knowledge test is required for learning domain 34, First Aid and CPR, which is in the part 1 instructional sequence. Students who fail the First Aid and CPR 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 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 [as defined in §section 1-3(a)(7)(B)] 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 10, 15 through 18, 31, 36, 37, 39, 40, and 42. The test shall be administered and scored by POST or its agents, not by an academy or community 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 calendar days (from date notification of results is mailed) to prepare for a retest; and (c) be provided with an opportunity to be retested with a POST-constructed, 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*, POST-constructed knowledge tests are required in some, but not all, learning domains. Where a POST-constructed knowledge test is required in learning domains 11 through 13, 19 through 30, 32, 33, 35, 38, 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, alternate form of the same test. If a student fails the second test, the student fails part 2 of the instructional sequence.

(4) **Other Tests.**

- (A) **POST-Developed Report Writing Test.** Students who complete the instruction specified in §section 1-3(d)(1)(A) shall 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 community 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 calendar days (from date notification of results is mailed) to prepare for a retest; and (c) be provided with an opportunity to be retested with a POST-developed, 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 2 of the Instructional sequence.** 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 part 2 of the instructional sequence.
- (C) **Exercise Tests Administered During Part 1 of the Instructional sequence.** As specified in *Training Specifications for the Regular Basic Course*, exercise tests are required in some, but not all, learning domains. Where an exercise test is required in learning domains 1 through 10, 15 through 18, 31, 34, 36, 37, 39, 40, or 42, it shall be administered in conjunction with AJ or CJ courses [as defined in §section 1-3(a)(6)(B)]. 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.

- (D) **Exercise Tests Administered During Part 2 of the Instructional Sequence.** Where an exercise test is required in learning domains 11 through 13, 19 through 30, 32, 33, 35, 38, 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 instructional sequence.
- (5) **Learning Activities in Part 1 of the Instructional Sequence.** As specified in *Training Specifications for the Regular Basic Course*, learning activities are required in some, but not all, learning domains. Where a learning activity is required in learning domains 1 through 10, 15 through 18, 31, 34, 36, 37, 39, 40, or 42, the opportunity to participate in that activity shall be provided in conjunction with AJ or CJ courses [as defined in §section 1-3(a)(6)(B)]. 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 cannot advance to part 2 of the instructional sequence.
- (6) **Learning Activities in Part 2 of the Instructional Sequence.** Where a learning activity is required in learning domains 11 through 13, 19 through 30, 32, 33, 35, 38, 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 instructional sequence 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 instructional sequence.
- (7) **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 *Basic Academy Physical Conditioning Manual - 1996*.
- (8) **Physical Abilities Test Battery.** At the conclusion of the POST physical conditioning program, students shall pass a POST-developed physical abilities test battery as described in §section 1-3(b)(8).
- (9) **Additional Criteria for Applicants Entering Part 2 of the Instructional Sequence.** In addition to other minimum requirements for attendance of a Regular Basic Course, applicants to part 2 of the instructional sequence must receive a minimum passing score on the POST-constructed comprehensive test and the POST-developed report writing test. Presenters of part 2 shall verify with POST that these minimum testing scores have been met. Academies may establish additional criteria for entering part 2 of the instructional sequence.

- (10) **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 *transition program-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.
- (11) **Administration, Scoring, and Processing of the POST-Constructed Comprehensive Test and the 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 the POST-developed report writing test, students must successfully complete part 1 of the instructional sequence. In addition, the student must provide an official copy of his/her community college transcript(s), indicating successful completion of all AJ/CJ courses that incorporate POST-certified part 1 testing and training requirements specified in Sections 1-3(d)(1) to 1-3(d)(5), inclusive, and an attestation signed by the community college AJ/CJ department head that the student met or exceeded these part 1 testing and training requirements.
- (B) **Application to Take the Tests.** A request to take the tests must be submitted to POST in writing. The request must include the applicant's full name, social security number, mailing address, and telephone number. The request must also include the name of the community college(s) where the part 1 curriculum was completed and the dates of attendance. Applicants must arrange for the community college(s) to send the applicant's community college transcript(s) directly to POST. The transcript(s) must be accompanied by an attestation(s) as described in section (d)(11)(A). Both the transcript(s) and attestation(s) must include the applicant's full name, social security number, and mailing address. Receipt by POST of the written request, the applicant's transcript(s) and the community college AJ/CJ department head's attestation(s) 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 calendar 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 tests within 90 calendar days of the day on which the application process was completed. Applicants shall be notified of the time and date of the tests at least 30 calendar days prior to the day on which the tests will be administered.
- (E) **Notification of Test Results.** Applicants shall be notified in writing of their test results, pass or fail, within 30 calendar days of taking the tests. For examinees who failed the test, POST shall identify those areas where the examinees' performance was below average.

- (F) **Failure on the First Attempt.** Examinees who fail either or both tests on their first attempt may submit a written request to be retested. The request to retest must include the applicant's full name, social security number, mailing address, and telephone number. The request must also include the date and location where the examinee was originally tested.
- (G) **Retesting.** POST shall retest examinees who fail a test on their first attempt no later than 90 calendar days after the examinee has submitted a written request to be retested.
- (H) **Notification of Retest Results.** Examinees shall be notified of their test results within 30 calendar days of the day on which they were retested.
- (I) **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.

(e) **Testing and Training Requirements for the Modular Format**

The testing and training requirements in this section apply to the three-part modular format [as defined in section 1-3(a)(6)(D)] for completing the Regular Basic Course. Successful completion of Level III and II is a required prerequisite for admission to an entrance examination for Level I. Successful completion of the three-part format fulfills the requirements for the Regular Basic Course.

- (1) **Two-part Level III Module.** The two-part Level III Module consists of the PC 832 Arrest and Firearms course and the Level III course. Successful completion of the PC 832 Arrest and Firearms course as specified in Regulation 1080 (b) and 1081(a)(1) is a prerequisite for the Level III course.
  - (A) **Topics.** Presenters shall deliver instruction on all PC 832 and Level III topics specified in *Training Specifications for the Regular Basic Course - Modular Format* for the two-part Level III Module.
  - (B) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each PC 832 and Level III learning domain is specified in *Training Specifications for the Regular Basic Course - Modular Format*. The total minimum hourly requirement for the two-part Level III Module is 162 hours.
  - (C) **POST-Constructed Tests** Students who complete the Level III instruction specified in section 1-3(e)(1) must pass the following two POST-constructed tests before advancing to the Level II Module.
    - 1. A POST-Constructed Knowledge Test [as defined in section 1-3(a)(7)(A)] for learning domain 34, First Aid and CPR. Students must earn a score equal to or greater than the minimum passing score established by POST. The test shall be administered and scored by POST or its agents in accordance with POST-specified procedures. Students who fail the First Aid and CPR 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 presenter, to prepare for a retest; and (c) be provided with an opportunity to be retested with a POST-constructed alternate form of the same test. If a student fails the second test, the student cannot advance to the Level II module.

2. A POST-Constructed Comprehensive Test [as defined in Ssection 1-3(a)(7)(B)]. Students must pass a POST-constructed comprehensive test before advancing to the Level II Module. The POST-constructed comprehensive test may assess knowledge of any of the topics specified in learning domains 2, 5, 31, and 36. Students must earn a score equal to or greater than the minimum passing score established by POST. The test shall be administered and scored by POST or its agents in accordance with POST-specified procedures. Students who fail the POST-constructed comprehensive 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 reasonable time, established by the presenter, to prepare for a retest; and (c) be provided with an opportunity to be retested with a POST-constructed, alternate form of the same test. If a student fails the second test, the student cannot advance to the Level II Module.

(D) Exercise Tests. As specified in *Training Specifications for the Regular Basic Course - Modular Format*, exercise tests are required in some, but not all, PC 832 and Level III 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 acceptable to the presenter. 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 Level III Module.

(E) Learning Activities. As specified in *Training Specifications for the Regular Basic Course - Modular Format*, learning activities are required in some, but not all, PC 832 and Level III 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 Level III Module unless the presenter 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 comparable learning activity. If a student fails to participate in a learning activity after being given a second opportunity, the student fails the Level III Module.

(2) **Level II Module.**

(A) **Prerequisite.** Each applicant to a Level II Module must present proof of the following prerequisites to the training presenter's satisfaction.

1. Successful completion of the Level III Module.
2. Current (within the last 3 years) in First Aid and CPR training requirements for public safety personnel as prescribed by the Emergency Medical Services Authority (EMSA) and set forth in the California Code of Regulations, Title 22, Division 9, Chapter 1.5, §100005-§100028.
3. Current (within the last 3 years) in PC 832 training requirements.

(B) **Topics.** Presenters shall deliver instruction on all topics specified in *Training Specifications for the Regular Basic Course - Modular Format* for the Level II Module.

(C) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each Level II learning domain is specified in *Training Specifications for the Regular Basic Course - Modular Format*. The total minimum hourly requirement for the Level II Module is 224 hours.

(D) **POST-Constructed Comprehensive Test.** Students who complete instruction specified for the Level II Module must pass three POST-constructed comprehensive tests [as defined in section 1-3(a)(7)(B)] before advancing to the Level I Module. Students must earn a score on each test that is equal to or greater than the minimum passing score established by POST. The first POST-constructed comprehensive test may assess knowledge of any of the topics specified in learning domains 6, 7, 8 and 39. The second POST-constructed comprehensive test may assess knowledge of any of the topics specified in learning domains 15, 16, 17 and 20. The third POST-constructed comprehensive test may assess knowledge of any of the topics specified in learning domains 9, 10, 37 and 40. Each test shall be administered and scored by POST or its agents in accordance with POST-specified procedures. Students who fail a POST-constructed comprehensive 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 reasonable time, established by the presenter, to prepare for a retest; and (c) be provided with an opportunity to be retested with a POST-constructed, alternate form of the same test. If a student fails the second test, the student cannot advance to the Level I Module.

(E) **Exercise Tests.** As specified in *Training Specifications for the Regular Basic Course - Modular Format*, exercise tests are required in some, but not all, Level II 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 acceptable to the presenter. 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 Level II Module.

(F) Learning Activities. As specified in *Training Specifications for the Regular Basic Course - Modular Format*, learning activities are required in some, but not all, Level II 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 Level II Module unless the presenter 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 comparable learning activity. If a student fails to participate in a learning activity after being given a second opportunity, the student fails the Level II Module.

(3) Level I Module.

(A) Prerequisites. Each applicant to a Level I Module must present proof of the following prerequisites to the training presenter's satisfaction.

1. Successful completion of the Level III and Level II Modules
2. Current (within the last 3 years) in First Aid and CPR training requirements for public safety personnel as prescribed by the Emergency Medical Services Authority (EMSA) and set forth in the California Code of Regulations, Title 22, Division 9, Chapter 1.5, §100005-§100028.
3. Current (within the last 3 years) in PC 832 training requirements.
4. Passage of a POST-constructed Level I Entrance Examination.

(a) POST-Constructed Level I Entrance Examination  
Students who complete the Level III and II instruction specified in section 1-3(e)(1) must pass a POST-constructed comprehensive test [as defined in Section 1-3(a)(7)(B)] before advancing to the Level I module. The POST-constructed comprehensive test may assess knowledge of any of the topics specified in the following Level III and Level II Learning Domains: 2, 5 through 10, 15 through 17, 20 31, 36, 37, 39, and 40. Students must earn a score equal to or greater than the minimum passing score established by POST. The test shall be administered and scored by POST or its agents in accordance with POST-specified procedures. Students who fail the 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 minimum of 15 calendar days (from date notification

of results) to prepare for a retest; and (c) be provided with an opportunity to be retested with a POST-constructed, alternate form of the same test. If a student fails the second test, the student cannot advance to the Level I Module.

(1) Eligibility. Students who successfully complete Levels II and III of the Regular Basic Course - Modular Format are eligible to take the POST Level I Entrance Examination; passage of this examination is required prior to admittance into the Level I Module.

(2) Application. Persons seeking to take the POST Level I Entrance Examination shall make written request to a POST-approved Level I presenter and provide the presenter with verifiable information of eligibility [see subsection D-1-3(e)(3)(A)].

(3) Use of Examination Results: Presenters may require applicants to pass the POST Level I Entrance Examination immediately prior to admittance to the Level I module, or may accept the results achieved by the applicant during a previous administration. Level I Entrance Examination test results are valid for a period of one year from the date of testing.

(4) Requalification: Any person who does not enter a Level I module within one year of passing the POST Level I Entrance Examination must requalify to enter Level I by passing the POST Level I Entrance Examination [see subsection D-1-3(e)(2)(B)].

(C) Topics. Presenters shall deliver instruction on all topics specified in *Training Specifications for the Regular Basic Course - Modular Format* for the Level I Module.

(D) Hourly Requirements. The minimum number of hours of instruction that shall be delivered for each Level I learning domain is specified in *Training Specifications for the Regular Basic Course - Modular Format*. The total minimum hourly requirement for the Level I Module is 344 hours.

- (E) POST-Constructed Knowledge Tests. As specified in *Training Specifications for the Regular Basic Course - Modular Format*, POST-constructed knowledge tests are required in some, but not all, Level I 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, alternate form of the same test. If a student fails the second test, the student fails the Level I Module.
- (F) Scenario Tests. As specified in *Training Specifications for the Regular Basic Course - Modular Format*, scenario tests are required in some, but not all, Level I 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 Level I Module.
- (G) Exercise Tests. As specified in *Training Specifications for the Regular Basic Course - Modular Format*, exercise tests are required in some, but not all, Level I 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 Level I Module.
- (H) Learning Activities. As specified in *Training Specifications for the Regular Basic Course - Modular Format*, learning activities are required in some, but not all, Level I 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 Level I Module 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 comparable learning activity. If a student fails to participate in a learning activity after being given a second opportunity, the student fails the Level I Module.

(I) Physical Conditioning Program. Students must complete the POST physical conditioning program as described in the *Basic Academy Physical Conditioning Manual - 1996*.

(J) Physical Abilities Test Battery. At the conclusion of the POST physical conditioning program, students shall pass a POST-developed physical abilities test battery as described in section 1-3(b)(8).

**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. Specialized Investigators' Basic Course Definitions and Requirements:** The terms used to describe testing and training requirements are defined in paragraph 1-5(a). Testing and training requirements are described in paragraph 1-5(b). Testing, training, content and hourly requirements are provided in detail in *Training Specifications for the Specialized Investigators' Basic Course - 1995*. Requirements for reporting successful course completion are contained in Commission Regulation 1055(i). The P.C. 832, Arrest and Firearms Course, described in Regulation 1081(a)(1), is a course prerequisite.

(a) **Definitions of Terms Used to Describe Testing and Training Requirements**

(1) **Learning Domain.** An instructional unit that covers related subject matter. Each Specialized

Investigators' Basic Course learning domain is described in *Training Specifications for the Specialized Investigators' Basic Course - 1995*. 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. Three types of tests may be used in the Specialized Investigators' 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) **Scenario Test.** A job-simulation test that measures acquisition of complex psychomotor skills required to achieve one or more instructional goals.
    - (C) **Exercise Test.** Any test other than a POST-constructed knowledge test or scenario 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 training presenter and POST that identifies the terms and conditions under which the training presenter 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 Specialized Investigators' Basic Course - 1995*, training presenters shall provide appropriate instruction on each required topic.
  - (2) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each learning domain is specified in the *Training Specifications for the Specialized Investigators' Basic Course - 1995*. The total minimum hourly requirement for the Specialized Investigators' Basic Course is 364 hours.
  - (23) **POST-Constructed Knowledge Tests.** As specified in *Training Specifications for the Specialized Investigators' Basic Course - 1995*, POST-constructed knowledge tests may be required in some 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 training presenter, 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 training presenter 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.

- (34) **Scenario Tests.** As specified in *Training Specifications for the Specialized Investigators' Basic Course - 1995*, scenario tests may be required in some 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 training presenter. 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 training presenter determines that there were extenuating circumstances or the student performed marginally (as determined by the training presenter), 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.
- (45) **Exercise Tests.** As specified in *Training Specifications for the Specialized Investigators' Basic Course - 1995*, exercise tests may be required in some 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 training presenter. 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 training presenter determines that there were extenuating circumstances or the student performed marginally (as determined by the training presenter), 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.
- (56) **Learning Activities.** As specified in *Training Specifications for the Specialized Investigators' Basic Course - 1995*, learning activities may be required in some 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 training presenter 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.
- (67) **Training Presenter Requirements.** POST has established minimum, statewide training standards for the Specialized Investigators' 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.

**1-6. Public Safety Dispatchers' Basic Course Definitions and Requirements:** The terms used to describe testing and training requirements are defined in paragraph 1-6(a). Testing and training requirements are described in paragraph 1-6(b). Testing, training, content, and hourly requirements are provided in detail in *Training Specifications for the Public Safety Dispatchers' Basic Course*. 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 Public Safety Dispatchers' Basic Course learning domain is described in *Training Specifications for the Public Safety Dispatchers' Basic Course*. 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. Three types of tests may be used in the Public Safety Dispatchers' 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) **Scenario Test.** A job-simulation test that measures acquisition of complex psychomotor skills required to achieve one or more instructional goals.
  - (C) **Exercise Test.** Any test other than a POST-constructed knowledge test or scenario 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 training presenter and POST that identifies the terms and conditions under which the training presenter 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 Public Safety Dispatchers' Basic Course*, training presenters shall provide appropriate instruction on each required topic.
- (2) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each learning domain is specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*. The total minimum hourly requirement for the Public Safety Dispatchers' Basic Course is 120 hours.
- (23) **POST-Constructed Knowledge Tests.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, POST-constructed knowledge tests may be required in some 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 training presenter, 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 training presenter 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.

- (34) **Scenario Tests.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, scenario tests may be required in some 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 training presenter. 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 training presenter determines that there were extenuating circumstances or the student performed marginally (as determined by the training presenter), 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.
- (45) **Exercise Tests.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, exercise tests may be required in some 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 training presenter. 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 training presenter determines that there were extenuating circumstances or the student performed marginally (as determined by the training presenter), 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.
- (56) **Learning Activities.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, learning activities may be required in some 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 training presenter 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.
- (67) **Training Presenter Requirements.** POST has established minimum, statewide training standards for the Public Safety Dispatchers' 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.

**1-7. Coroners' Death Investigation Course:** The Coroners' Death Investigation Course contains the following Functional Areas and minimum hours. This course partially fulfills the minimum basic training required under 1005(a)(5) for peace officer members of Coroners' Offices. With prior POST approval, flexibility shall be granted

to adjust hours between functional areas.

**Functional Areas:**

1.0	Course Overview Administrative Issues	1 hour
2.0	Death Investigation	40 hours
3.0	Introduction to Disaster Management	2 hours
4.0	Role of Coroner/Public Administrator	4 hours
5.0	Coroners' Law	2 hours
6.0	General Laboratory Practices	4 hours
7.0	Vehicle Fatalities	2 hours
8.0	Forensic Use of Medical Records	2 hours
9.0	Forensic Anthropology	4 hours
10.0	Forensic Pathology	10 hours
11.0	Death and Grief Bereaved	2 hours
12.0	A.I.D.S. and Other Communicable Diseases	2 hours
13.0	Forensic Odontology	4 hours
14.0	Test	1 hour
	<b>Total Minimum Required Hours</b>	<b>80 hours</b>

## PROPOSED REVISION TO COMMISSION PROCEDURE H-1

### DEFINITIONS

#### Purpose

1-1. This Commission procedure sets forth definitions pertaining to the Reserve Officer Program which are not included in Commission Regulation 1001.

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) "A Level I reserve" refers to a trained reserve officer as described in Penal Code Section 832.6 (a)(1), and who is assigned specific police functions whether or not working alone ~~{[830.6(a)(1)]}~~ OR to the prevention and detection of crime and the general enforcement of the laws of this state ~~{[830.6(a)(2)]}~~ whether or not working alone.
  - (1) The authority of a "non-designated" Level I reserve shall extend only for the duration of assignment to specific police functions, as provided by Penal Code section 830.6 (a)(1).
  - (2) The authority of a "designated" Level I reserve, assigned to the prevention and detection of crime and the general enforcement of the laws of this state, shall include the full powers and duties of a peace officer as provided by Penal Code Section 830.1. A Level I reserve is "designated" by authority of a city ordinance or a county resolution [Penal Code section 830.6 (a)(2)].
- (b) "A Level II reserve" refers to a trained reserve officer as described in Penal Code Section 832.6 (a)(2), who works under the immediate supervision of a peace officer ~~possessing a basic certificate~~ who has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission, and is assigned to the prevention and detection of crime and the general enforcement of the laws of this state.
- (c) "A Level III reserve" refers to a trained reserve officer as described in Penal Code Section 832.6 (a)(3), who is supervised in the accessible vicinity by a Level I reserve officer or a full time regular peace officer employed by a law enforcement agency authorized to have reserves and deployed in such limited functions as would not usually require support duties not requiring general law enforcement powers in their routine performance. Those limited support duties shall include traffic control, security at parades and sporting events, report taking, evidence transportation, parking enforcement, and other duties that are not likely to result in physical arrests. Level III reserve officers may transport prisoners without immediate supervision.
- (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) "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.~~

- (fe) "Immediate supervision for Level II reserves" means the reserve officer acts under the direction of a peace officer, ~~possessing a basic certificate~~ who has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission, and who is routinely in the physical proximity of and available to the reserve officer; however, allowance is permitted for necessary temporary separations.
- ~~(g) "Peace officer possessing a basic certificate" refers to a regular officer or a reserve officer who has been issued a regular POST Basic Certificate.~~
- (hf) "Prevention and detection of crime and the general enforcement of laws" refers to the peace officer authority of a Level I or Level II reserve officer assigned to investigate crime, or patrol a geographic area and personally handle the full range of requests for police services, and take enforcement action on the full range of law violations for which the reserve's department has enforcement responsibility.
- (ig) "Working alone" refers to a qualified Level I reserve officer who works without immediate supervision and makes independent decisions. Two qualified Level I reserves, or a qualified Level I reserve and a regular officer, are not precluded from working together.

Revised 10/20/98

## PROPOSED REVISION TO COMMISSION PROCEDURE H-3

### COMMISSION PROCEDURE H-3 RESERVE OFFICER TRAINING

#### Purpose

3-1. This Commission procedure sets forth the minimum training standards for reserve officers, explains exemptions and the application of previous training as a method of meeting standards, ~~and addresses the required field training for Level I and Level II reserve peace officers.~~

#### Training Standard

3-2. Previous 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 in Regulation 1007.

- (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.)
- (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 ~~r~~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) Equivalent training may be established through the Basic Course Waiver Evaluation and Examination Process described in PAM Section D-11.

3-3. Reserve Officer Minimum Hour Requirements: Reserve Officer training, as required by Regulation 1007(b), shall be completed prior to assignment of peace officer duties as follows:

MINIMUM HOUR REQUIREMENTS

Module A - 64 hours	Field Training - <del>200</del> 400 hours
Module B - 90 hours	Regular Basic
Module C - 68 hours	Course* - 664 hours
Module D - 442 hours	*or equivalent (Reg-1008)

Level III Module - 162 hours  
 - PC 832 - 64 hours\*\*  
 - Level III - 98 hours  
Level II Module - 224 hours  
Level I Module - 344 hours

MINIMUM TRAINING REQUIREMENTS

<u>Level</u>	<u>Course(s)</u>
<u>Level III Reserve appointed prior to 7-1-99</u>	Module A
<u>Level III Reserve appointed on or after 7-1-99</u>	<u>Level III Module</u>
<u>Level II Reserve appointed prior to 7-1-99</u>	Modules A; and B
<u>Level II Reserve appointed on or after 7-1-01</u>	<u>The Level III and Level II Modules</u>
Non-designated Level I Reserve appointed on or before 1-1-97	Modules A, B, and C plus field training
<u>Designated and Non-designated Level I Reserve appointed after 1-1-97</u>	Regular Basic Course*
<u>Designated and non-designated Level I Reserve appointed on or after 7-1-99</u>	<u>Regular Basic Course*</u> <u>plus field training</u>
<u>Limited, non-designated Level I Reserve with exemption [see Regulation 1007(b)(2)(A)] after 1-1-97</u>	<u>Modules A, B, and C</u> <u>plus field training</u>

\* or equivalent (Reg. 1008 & Procedure D-1)

\*\* Module A and PC 832 are the same course.

**3-4. Exemption to Minimum Training:** Only reserve peace officers appointed prior to January 1, 1979, may be exempted by the appointing authority from Level I or Level II training requirements. (See Penal Code §section 832.6, Stats. 1977 C. 987)

**3-5. Transfer of Exemption:** Any reserve peace officer appointed prior to January 1, 1979, and exempted by the appointing authority from the minimum training standards for Level I or Level II reserve peace officers, cannot after that date be appointed to either of these levels by another law enforcement department, unless the reserve peace officer has been awarded the POST Reserve Officer Certificate or has met the training requirements for the appropriate level of reserve peace officer assignment on or before the date of the person's appointment as a reserve peace officer by the subsequent appointing law enforcement agency.

**3-6. Changing Exemption Designation:** Each reserve officer appointed prior to January 1, 1979, and exempted from training requirements should be designated to a specific reserve officer level by the appointing authority. This level designation may be changed by the appointing authority irrespective of the January 1, 1979 operative date of Penal Code §section 832.6. Level I reserve officers exempted from training requirements (whom the appointing authority may wish to be designated to have full powers of a peace officer as provided by Penal Code §section 830.1, effective January 1, 1981) must have been issued the POST Reserve Officer Certificate prior to that date.

~~**3-8. Field Training:** Field training shall be provided by the reserves' respective departments and designed on the concepts and appropriate subject matter included in the "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.~~

~~(b) Level II reserve officers shall be engaged in a continuous field training program approved by POST (see paragraphs 3-10 of this section).~~

~~(1) Level II reserve officers shall be regularly provided training in the field, as appropriate, to improve their knowledge and skills.~~

~~(2) A Field Training Program for Level II reserve officers shall be consistent with the guidelines set forth in paragraph 3-9 of this section.~~

~~(3) If Level II reserve officers are to be, or subsequently may be, assigned as Level I reserves, the Field Training Program should be designed to avoid unnecessary duplication of training.~~

**3-9. Level II Field Training Guidelines:** General guidelines for development of Level II field training programs are:

~~(a) Field training shall be provided on a continuous basis and appropriately structured to the needs of the department.~~

~~(b) Field instruction shall be presented by peace officers issued POST Basic Certificates who and are deemed qualified to instruct by the department head.~~

~~(c) Field training shall be based on the concepts and appropriate subject matter described in the "POST Field Training Guide."~~

~~(d) Refresher first aid and cardiopulmonary instruction should be included in the training.~~

~~**3-10. Level II Field Training Program Approval:** Departments establishing field training programs for Level II~~

~~reserve officers shall design the programs using the guidelines set forth in paragraph 3-9 of this section. Such programs are considered POST-approved programs if they are documented in department files. Documentation shall include a narrative description and attestation by the department head that the guidelines have been followed in the program design and delivery. Submission of the program to POST for specific approval is not necessary. Review of the program and documents will be conducted during conformance inspections.~~

### Training Documentation

**3-117. Training Files and Records:** Departments shall document reserve officer training and experience by establishing and maintaining files and procedures which are similar to those used for regular officer training.

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#### 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, July 1, 1992, and February 22, 1996.

## PROPOSED REVISION TO COMMISSION PROCEDURE H-4

### RESERVE OFFICER CERTIFICATES

#### Purpose

4-1. This Commission procedure describes reserve officer certificates and certificates of recognition, sets forth certificate eligibility requirements, and describes certificate processing procedures.

#### Types of Certificates

4-2. **Types of Certificates:** The Commission has established two types of certificates for reserve officers:

- (a) **Certificate of Recognition:** This certificate may be issued by department heads to Level I, II or III reserve officers upon a person's designation to a specific reserve officer level.
- (b) **Reserve Officer Certificate:** This certificate is issued by POST to reserve officers who meet the requirements for Level I assignment and in addition have completed 200 hours of general law enforcement experience. The certificate is not required by statute nor necessary to exercise peace officer powers as a Level I reserve officer.

#### Certificate of Recognition

4-3. **Certificate of Recognition Criteria:** POST has not established specific eligibility criteria for issuing Certificates of Recognition. This certificate is designed primarily to be used by departments to give recognition or to document progression to various levels of reserve officer assignment. Each department head may develop criteria and procedures for issuance of the Certificate of Recognition.

4-4. **Supplies of Certificates:** Certificate of Recognition forms may be obtained by department heads from POST, Administrative Services Bureau.

#### Reserve Officer Certificate

4-5. **Eligibility:** To be eligible for the award of a Reserve Officer Certificate, a reserve officer must:

- (a) Have been selected according to minimum selection standards described in Commission Regulation 1007(a); AND
- (b) Currently be appointed or deputized as a Level I reserve officer as described in Penal Code §section 830.6 (a); AND
- (c) Have completed the training and general law enforcement experience prescribed by the Commission as set forth in paragraph 4-6 of this section.

**4-6. Required Experience and Training:** The Commission has established the required training and experience for award of the Reserve Officer Certificate as follows:

(a) General Law Enforcement Experience

(1) In addition to the required classroom training; and 200 hours of field training when required, a Level I reserve officer must have completed no less than 200 hours of satisfactory service while assigned to the prevention and detection of crime and the general enforcement of the laws of this State.

(b) Training

(1) Reserve officers appointed prior to January 1, 1979:

	200 Hours	Verification	200 Hours
	Classroom	Field	General Law
	Training	Field	Enforcement
			Experience
200 hours non-certified Reserve Officer Course(s) completed before 1-1-79 (*)	No(**)	Yes	Yes
Satisfactory completion of the training requirements of the regular Basic Course (PAM, Section D-1)	No	No	Yes

(2) Reserve officers appointed from January 1, 1979 through December 30, 1980:

	200 Hours	Verification	200 Hours
	Classroom	Field	General Law
	Training	Field	Enforcement
			Experience
200 hours non-certified Reserve Officer Course(s) started prior to 1-1-79 and completed before 1-1-80 (*)	Yes	Yes(**)	Yes
200 hours certified Reserve Officer Course(s)	Yes	No	Yes
Satisfactory completion of the training requirements of the regular Basic Course (PAM, Section D-1)	No	No	Yes

(3) Reserve Officers appointed on or after January 1, 1981:

	200 Hours	Verification	200 Hours
	Classroom	Field	General Law
	Training	Field	Enforcement
			Experience
Satisfactory completion of the training requirements of the regular Basic Course (PAM, Section D-1)	No	No	Yes
200 hours certified Reserve Officer Course(s) (***)	Yes	No	Yes

(1) Reserve Officers appointed on or after January 1, 1999:

<u>Classroom Training</u>	<u>200 Hours Field</u>	<u>Verification PC 832</u>	<u>200 Hours General Law Enforcement Experience</u>
<u>Satisfactory completion of the training requirements of the Regular Basic Course (PAM, section D-1)</u>	<u>No</u>	<u>No</u>	<u>Yes</u>

(2) Reserve Officers appointed on or after July 1, 1999:

<u>Classroom Training</u>	<u>400 Hours Field</u>	<u>Verification PC 832</u>	<u>200 Hours General Law Enforcement Experience</u>
<u>Satisfactory completion of the training requirements of the Regular Basic Course (PAM, section D-1)</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>

**4-7. Application Process:** Application for award of the Reserve Officer Certificate shall be made on POST Form 2-256, "Application for Award of POST Reserve Officer Certificate." Completion of the form requires:

- (a) Copies (not originals) of transcripts, certificates of completion and other documents must accompany the application to verify all training indicated.
- (b) Signature of the applicant attesting to the truth of the information provided and subscription to the Law Enforcement Code of Ethics.
- (c) Signature of the reserve officer's department head attesting that minimum selection, training and experience requirements have been met, the applicant is of good moral character, and is worthy of the award.

**4-8. Application Submission:** Mail one completed application form and supporting documents to POST, Administrative Services Bureau, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083. Copies of the application and supporting documents should be retained in the personnel files of the submitting department.

**4-9. Cancellation:** The Commission may deny or cancel any Reserve Officer Certificate as provided in Commission Regulation 1011(b) and as described in PAM, Section F-2, Denial or Cancellation of Professional Certificates.

~~(\*) Must be equivalent to 200-hour regular officer Basic Course as it existed prior to July 1, 1978.~~

~~(\*\*) Application form (POST 2-256) signed by department head may serve as verification~~

~~(\*\*\*) Refer to PAM Section H-3-2e for equivalent training provisions for non-designated Level I reserve officers.~~

Revised 10/20/98

## **PROPOSED REVISION TO 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. That methodology is not mandated for ~~Reserve Peace Officer~~ Module A, B, & C Course presentations.

#### **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 the Regular Basic Course performance objectives and unit guides as illustrative content but are not required to do so.

MODULE A - 64 HOURS - ARREST AND FIREARMS (P.C. 832)

(For full satisfaction of Level III reserve training requirements until 6-30-99)

Course Outline

**Arrest Course 40 Hours**  
(Required for all peace officers)

- (A) Professional Orientation (4 Hours)\*
- (B) Community Relations (2 Hours)\*
- (C) Law (12 Hours)\*
- (D) Laws of Evidence (3 Hours)\*
- (E) Communications (5 Hours)\*
- (F) Investigation (2 Hours)\*
- (G) Arrest and Control (10 Hours)\*
- POST Exmaination (2 Hours)\*

**Firearms Course 24 Hours**  
(Required for peace officers carrying firearms)

Classroom (8 Hours)\*

- (A) Firearms Safety
- (B) Handgun Familiarization
- (C) Firearms Care and Cleaning
- (D) Firearms Shooting Principles

Range (15 Hours)\*

- (E) Firearms Range
- POST Examination (1 Hour)\*

Complete curriculum requirements are contained in the document, "~~POST Curriculum Requirements~~ Performance Objectives for the PC 832 Course - 19924."

\*POST Recommended Hours

## MODULE B - 90 HOURS

(For partial satisfaction of Level II reserve training requirements until 6-30-99;  
refer to PAM, Section H-3-3 for additional training requirements)

### Course Outline

	<u>Minimum Hours</u>		<u>Minimum Hours</u>
A. Professional Orientation	1	F. Patrol Procedures	42
1. History and Principles of Law Enforcement		1. Patrol Concepts	
2. Law Enforcement Profession		2. Perception Techniques	
B. Law	4	3. Observation Techniques	
1. Theft Law		4. Beat Familiarization	
2. Burglary Law		5. Problem Area Patrol Techniques	
3. Receiving Stolen Property Law		6. Patrol "Hazards"	
4. Malicious Mischief Law		7. Pedestrian Approach	
5. Assault/Battery Law		8. Vehicle Pullover Technique	
6. Assault with Deadly Weapon Law		9. Miscellaneous Vehicle Stops	
7. Mayhem Law		10. Felony/High-Risk Pullover Field Problem	
8. Crimes Against Public Peace Law		11. Wants and Warrants	
C. Communications	8	12. Search/Handcuffing/Control Simulation	
1. Report Writing Mechanics		13. Tactical Considerations/Crimes-in-Progress	
2. Report Writing Application		14. Officer Survival	
3. Uses of the Telephone/Radio/Telecommunications		15. Hazardous Occurrences	
D. Vehicle Operation	8	16. First Aid and CPR	
1. Introduction to Vehicle Operation		G. Traffic	4
2. Vehicle Operation Factors		1. Initial Violator Contact	
3. Code 3		2. License Identification	
4. Vehicle Operation Liability		3. Traffic Stop Hazards	
5. Vehicle Inspection		4. Issuing Citations and Warnings	
6. Vehicle Control Techniques		5. Traffic Direction	
E. Force and Weaponry	12	H. Custody	1
1. Simulated Use of Force		1. Custody	
2. Handgun		2. Custody Procedures	
3. Shotgun		3. Prisoner Rights and Responsibilities	
4. Shotgun Shooting Principles		I. Physical Fitness and Defense Techniques	8
5. Handgun/Night Range/(Target)		1. Baton Techniques	
6. Handgun/Combat/Night Range		2. Baton Demonstration	
7. Shotgun/Combat/Day Range		J. Examinations	2
8. Shotgun/Combat/Night Range			

Note: Other subjects may be included as local needs suggest. However, chemical agent training should not be considered as a part of the Level II Reserve Course. In adding subjects, consideration should be given to the content in Module A.

MODULE C - 68 HOURS

(For partial satisfaction of "non-designated" Level I reserve training requirements the prerequisites for Module D; refer to PAM, Section H-3-3 D-1-3(c)(4)(A) for additional requirements.)

Course Outline

	<u>Minimum Hours</u>		<u>Minimum Hours</u>
A. Professional Orientation	1	E. Patrol Procedures	24
1. Department Orientation		1. Interrogation	
2. Career Influences		2. Vehicle Search Techniques	
3. Administration of Justice Components		3. Building Search Techniques	
4. Related Law Enforcement Agencies		4. Missing Persons	
5. California Corrections System		5. Burglary-in-Progress Calls	
B. Police Community Relations	1	6. Robbery-in-Progress Calls	
1. Citizen Evaluation		7. Prowler Calls	
2. Crime Prevention		8. Crimes-in-Progress/Field Problems	
3. Factors Influencing Psychological Stress		9. Handling Disputes	
C. Law	24	10. Family Disputes	
1. Crimes Against Children Law		11. Repossessions	
2. Public Nuisance Law		12. Landlord/Tenant Disputes	
3. Robbery Law		13. Defrauding an Innkeeper	
4. Homicide Law		14. Handling Dead Bodies	
5. Crimes Against Children		15. Handling Animals	
6. Rape Law		16. Mentally Ill	
7. Controlled Substance Law		17. Fire Conditions	
8. Hallucinogens Law		18. Barricaded Suspects/Hostage Situations	
9. Narcotics Law		19. Domestic Violence	
10. Marijuana Law		F. Traffic	4
11. Alcoholic Beverage Control Law		1. Introduction to Traffic	
12. Juvenile Alcohol Law		2. Vehicle Code	
13. Juvenile Law and Procedure		3. Vehicle Registration	
D. Laws of Evidence	8	4. Vehicle Code Violations	
1. Privileged Communications		5. Alcohol Violations	
2. Subpoena		6. Auto Theft Investigation	
3. Burden of Proof		7. Traffic Accident Investigation	
4. Legal Showup		G. Criminal Investigation	4
		1. Crime Scene Search	
		2. Information Gathering	
		3. Courtroom Demeanor	
		4. Sexual Assault Investigation	
		5. Child Sexual Abuse and Exploitation Investigation	
		H. Examinations	2

Note: Hours and instructional topics may be adjusted with prior POST approval.

Historical Note:

Procedure H-5 was adopted and incorporated by reference into Commission Regulation 1007 effective July 15, 1982, and subsequently amended on February 15, 1987, and July 1, 1992.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report and Recommendation to Amend Contract for Reserve Training Program		Meeting Date November 5, 1998
Bureau Basic Training Bureau	Reviewed By Ken Whitman <i>[Signature]</i>	Researched By Staff
Executive Director Approval <i>[Signature]</i>	Date of Approval 10-13-98	Date of Report September 22, 1998
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission amend the existing contract with the Los Angeles County Sheriff's Department for the services of Lieutenant Frank Decker to develop a plan for the delivery of Level II and Level III reserve training until June 30, 1999 at a cost not to exceed \$61,304?

BACKGROUND

In July 1996, the Commission authorized the Executive Director to contract for services of a Special Consultant under the POST Management Fellowship Program to conduct a study and make recommendations regarding scope and length of training for Levels III, II, and I reserve officers. On July 17, 1997 the Commission approved a contract for the services of the Special Consultant and subsequently POST contracted with the Los Angeles County Sheriff's Department for the services of Lieutenant Frank Decker for a one-year period beginning January 1, 1998 through December 31, 1998 to manage the Reserve Training Program.

Lieutenant Decker has been assigned as a Special Consultant in the Management Fellowship Program to update POST's training standards for reserve officers. The new training standards are required as a result of the passage of Senate Bills 1874, 786, and 1416. Planned work has also included resequencing and modularizing the training courses for reserve levels to facilitate ultimate completion of the Regular Basic Course with minimum duplication of training. Work on the proposed training model has been completed and is included under a separate agenda item.

ANALYSIS

The proposal to extend Lieutenant Decker's assignment by six months is associated with Strategic Plan objective B.16 that addresses "maximizing the availability of Level I reserve training." This objective emerged from concerns of law enforcement agencies located in rural areas not in proximity with reserve training presenters. POST also has a statutory mandate in Penal Code Section 832.6 to make reserve training readily available to those that require it.

If the contract amendment and extension is approved by the Commission it is proposed that Lieutenant Decker will begin the task of developing a plan for delivering at least Reserve Training Modules II and III to remote areas using alternative delivery methods such as Internet, multimedia, videos, student workbooks, etc. for the purpose of reducing student travel and training time in some of the cognitive areas. Trainees would be expected and required to assume a greater responsibility for the learning and prepare themselves to pass all of the POST written, skills, and scenario testing required by the Commission.

The alternative delivery of reserve training is an ambitious one and would require a thorough plan to research all of the issues. The initial plan would limit the phases to Reserve Training Modules II and III. Based upon the proposed plan developed by Lieutenant Decker, the Commission could determine whether POST should incur the cost for moving ahead with an alternative program for the delivery of reserve training and making that training readily available statewide.

The Los Angeles County Sheriff's Department has agreed to amending the contract for the continuation of these services based on the result of actions taken by the Commission to approve the contract extension.

#### RECOMMENDATION

It is recommended that the Commission amend the existing contract with the Los Angeles County Sheriff's Department for the services of Lieutenant Frank Decker for an additional six-month period of time at a cost not to exceed \$61,304.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

<b>Agenda Item Title</b> Request and Recommendation to Adopt Revisions to the Continuing Professional Training Requirement.		<b>Meeting Date</b> November 5, 1998
<b>Bureau</b> Training Program Services	<b>Reviewed By</b> Bud Lewallen <i>[Signature]</i>	<b>Researched By</b> Ted Prell
<b>Executive Director Approval</b> <i>[Signature: Kenneth J. O'Brien]</i>	<b>Date of Approval</b> 10-10-98	<b>Date of Report</b> October 7, 1998
<b>Purpose</b> <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact:</b> <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

**ISSUE**

Should the Commission set a public hearing for the January 1999 meeting for the purpose of updating POST's regulations for the Continuing Professional Training (CPT) requirement?

**BACKGROUND**

POST's current requirement specifies that every peace officer below the rank of a middle-management position (normally Lieutenant) and Level I reserve officers satisfactorily complete the CPT requirement of 24 or more hours at least once every two years after meeting the basic training requirement. This requirement may be met by the satisfactory completion of one or more certified Technical Courses totaling 24 or more hours, the Advanced Officer Course, or satisfactory completion of an alternative method of compliance as determined by the Commission. In addition to the above methods of compliance, supervisors may satisfy the requirement by completing POST-certified Supervisory or Management Training Courses. This requirement was last updated February 22, 1986 when the requirement was increased to its present level and expanded to first line supervisors. In 1996 changes were made to require CPT training for Level I reserve officers.

The purpose of the CPT requirement is to help ensure that officers remain competent in necessary job skills and knowledge. CPT is also used to address local/agency training needs, legal update and re-occurring statutory training mandates. Because training needs vary from officer assignment to officer assignment, from agency to agency and from year to year, POST affords considerable flexibility to law enforcement agencies in determining what training can satisfy the CPT requirement. POST recommends, but does not require, some Advanced Officer Course content including: New Laws; Recent Court Decisions and/or Search and Seizure Refresher; Officer Survival Techniques; New Concepts, Procedures, Technology; Discretionary Decision Making; and Civil Liability Causing Subjects.

At its July 1997 meeting, the Commission adopted its first Strategic Plan after extensive field input. The plan calls for "raising the bar" on POST standards on a wide front and more specifically objective A.3 provides:

"Review POST's Continuing Professional Training (CPT) requirement including hours, frequency, content and whether it should be extended to law enforcement managers and executives, public safety dispatchers, and Level II reserve officers."

A year long study on the CPT requirement commenced in July 1997 with the assistance of a retired POST Annuitant. Extensive input was received from three ad hoc committees (Attachment A), a survey of all law enforcement agencies, and analysis of POST's training records. While this study resulted in numerous

recommendations (Attachment B) that continue to be analyzed, this report recommends the implementation of several changes which appear to be needed at this time including:

1. Extend the current CPT requirement to "middle-management positions," " executive positions," Public safety dispatchers, public safety dispatch supervisors, and Level II reserve peace officers.
2. Expand the means for satisfying the CPT requirement to include Executive Training Courses and Seminars for "middle-management and executive positions."
3. Modify Commission Procedure D-2 (Advanced Officer Course) to change the focus from Advanced Officer Course and instead include reference to POST's Continuing Professional Training requirement that would add to the list of recommended topics - Ethics and Perishable Skills Refresher.

## ANALYSIS

### Recommendation #1 – Extend the current CPT requirement to "middle-management positions" and "executive positions," public safety dispatchers, public safety dispatch supervisors, and Level II reserve officers.

Results of POST's CPT study recommended no change in the hours or frequency of the training requirement except in conjunction with establishing a supplemental training requirement on refreshing perishable skills. Perishable skills are described as those skills used by an enforcement officer to obtain voluntary compliance or to compel compliance by the use of force. Tactical Communications/Interpersonal Skills, Arrest and Control Techniques, Chemical Agents, Impact Weapons, Firearms, Use of Force Decision Making, and Drivers Training are all perishables skills. This recommendation continues to be researched.

Rationale for extending the CPT requirement to "middle-management" and "executive positions" is that they also have refresher training needs on a periodic basis. POST's training records indicates that about 45% of the 2280 Executives and 27% of the 3327 Middle Managers are already completing the training necessary to satisfy the CPT requirement. Although input continues to be solicited from professional organizations that represent these personnel, input to date strongly suggests support for this proposal.

"Middle-management," positions as defined in POST regulations, "is a management peace officer position between the first-level supervisory position, for which commensurate pay is authorized, and which, in the upward chain of command, is responsible principally for management and/or command duties, and most commonly is the rank of Lieutenant or higher."

"Executive position," as defined by POST regulations, "is a position occupied by a department head, assistant department head, or a position between middle-management and department head that is responsible principally for command assignments, the supervision of subordinate middle management and supervisory positions, is most commonly the rank of Captain or higher, and is a position for which commensurate pay is authorized."

It is estimated that the cost to POST to reimburse for this additional training would be approximately \$600,000.00 annually.

Regarding public safety dispatchers POST has, by statutory requirement, a public safety dispatcher program. Over 335 agencies voluntarily participate that employ approximately 6330 public safety dispatchers. Recognizing the critical role that public safety dispatchers play in the operation of law enforcement agencies, the legislature created a specific statute (Penal Code Section 13525) to provide aid to those agencies that desire to provide training to their public safety dispatchers. In 1989 POST's initial response was to establish certain selection requirements and to require completion of the 120-hour Public Safety Dispatchers' Basic Course. Although recognized as a need at the time, no action was taken to establish a CPT requirement. POST's ad hoc dispatcher advisory committee overwhelmingly supports the recommendation to require CPT of public safety

dispatchers and public safety dispatch supervisors. POST's training records indicate that 50% of existing public safety dispatchers currently satisfy the CPT requirement by completing POST-certified training. Update public safety dispatcher-training courses and others complementary to public safety dispatchers currently exist and are increasing in number each year, which should make CPT more readily available. Such courses are relatively inexpensive and therefore the fiscal impact on POST should be approximately \$390,000.00 per year. It is expected that most public safety dispatcher agencies already satisfy the CPT requirement either through POST-certified training or in-house departmental training that can become POST-certified.

POST currently has approximately 2250 Level II reserves participating in the program. Level II reserves perform general law enforcement duties in a ride along capacity with regular officers and therefore have the same training refresher needs. SB 1417, effective January 1, 1999 requires Level II reserve officers to satisfy a CPT requirement determined by POST. Since reserve officers are ineligible for POST reimbursement, this proposal will have no fiscal impact on POST. Fiscal impact upon employing agencies should be minor because reserves are generally non-paid volunteers and routinely attend the same departmental or locally based training as regular officers.

Attachment C provides the proposed language changes to regulation 1005(d) and 1018(d) that would implement Recommendation #1.

**Recommendation #2 - Expand the means for satisfying the CPT requirement to include Executive Training Courses for "middle-management and executive positions."**

Currently, POST Regulation 1005(d)(2) authorizes supervisors to satisfy the CPT requirement by completing POST-certified supervisory or management training courses, in addition to the other means of satisfaction. Since numerous managers and executives attend executive courses and seminars it is appropriate to recommend that this training be recognized for purposes of satisfying CPT.

Supervisors will continue to satisfy the CPT requirement by successfully completing an Advanced Officer course, Technical course or courses, or supervisory or management training course. Managers and executives, in addition to those alternatives, may also satisfy the CPT requirement by successfully completing any executive training course.

POST's CPT study also recommended that federally presented law enforcement training and college education courses should be recognized for CPT. These concepts are being further researched and are not included as recommendations at this time.

**Recommendation #3 - Modify Commission Procedure D-2 (Advanced Officer Course) to delete reference to Advanced Officer Course and include reference to POST's Continuing Professional Training Requirement that would add Ethics and Perishable Skills Refresher to the list of recommended topics.**

Commission Procedure D-2 currently describes POST's requirements and procedures for the Advanced Officer Course. POST training records reveal that only about 14% of officers satisfied the CPT requirement via the Advanced Officer Course in 1996 and 12 % in 1997. Most satisfy the requirement by completing Skills and Knowledge Courses or other Technical Courses certified by the Commission. Procedure D-2 should be recast into requirements and procedures concerning CPT that indicates the Advanced Officer Course is only one means of satisfying the requirement. Attachment D specifies the technical changes proposed for Procedure D-2. The topics of Ethics and Perishable Skills Refresher are proposed to be added to the list of POST recommended topics to satisfy CPT. It is believed that these topics are very important and should be added at this time. On the perishable skills refresher topic, the POST CPT study recommended this become a supplemental 12-hour training requirement every year for officers assigned to field duties. This concept, while it has substantial merit, needs further evaluation and therefore is not a part of these recommendations.

This proposal would have the effect of changing the focus of Commission Regulation from the Advanced Officer course to the CPT requirement itself. At the same time, POST will continue to certify Advanced Officer Courses that are 24 hours minimum and include POST recommended topics listed in Procedure D-2, current law enforcement training needs, or topics from the Basic Course.

#### SUMMARY

Because these recommendations will require some adjustment for law enforcement agencies to comply, they are recommended to become effective July 1, 2000. This delay would also permit additional public safety dispatcher specific courses to be certified. Attachment E provides Notice of Public Hearing.

#### RECOMMENDATION

Schedule a Public Hearing for the January, 1999 Commission meeting for the purpose of amending Commission Regulations and Procedures that would update the POST Continuing Professional Training requirement.

Attachments

**ATTACHMENT A**

**PUBLIC SAFETY DISPATCHER COMMITTEE**

1. Training Coordinator  
Sue Bacon  
San Mateo Communications
2. Communications Manager  
Terry Brown  
Santa Barbara Sheriff's  
Department
3. Communications Manager  
Cherie Curzon  
Riverside County Sheriff's  
Department
4. Communications Manager  
Danita Chrombach  
Ventura County Sheriff's  
Department
5. Communications Supervisor  
Carol Fleischer  
Irvine Police Department
6. Sergeant Greg Kast  
Oakland Police Department
7. Communications Supervisor  
Terry Laymance  
South Lake Tahoe Police  
Department
8. Captain Tom Marriscolo  
Burlingame Police Department
9. Communications Supervisor  
Terri Mazzanti  
Rhonert Park Police Department
10. Public Safety Dispatcher  
Sheri Marshall  
Chico Police Department
11. Supervising Dispatcher-Training  
Coordinator  
Jenny McHenry  
Sacramento Police Department
12. Operations Supervisor  
Rosanna McKinney  
Santa Cruz Consolidated  
Communications Center
13. Officer Rod O'Hern  
Chico Police Department
14. Senior Public Safety Dispatcher  
Cori Smith  
San Jose Police Department
15. Communications Manager  
Jaime Young  
San Mateo Communications

**CONTINUING PROFESSIONAL  
TRAINING STEERING  
COMMITTEE**

- 1. Lieutenant Stephen Ahee  
Sacramento Sheriff's Department**
- 2. Commander Brad Bennett  
South Lake Tahoe Police  
Department**
- 3. Lieutenant Greg Bottrell  
San Bernardino Sheriff's  
Department**
- 4. Sergeant Steve Brackett  
Santa Monica Police Department**
- 5. Officer Richard Carranza  
Santa Monica Police Department**
- 6. Lieutenant Bob Fonzi  
San Bernardino Sheriff's  
Department**
- 7. Armour Larry Guevara  
Orange Police Department**
- 8. Sergeant Tom McDonald  
Los Angeles Police Department**
- 9. Sergeant Mike McMillan  
Santa Cruz County Sheriff's  
Department**
- 10. Sgt. Bob Medkeff  
Los Angeles Police Department**
- 11. Officer Rod O'Hern  
Chico Police Department**
- 12. Sergeant Richard Sabo  
Alameda County Sheriff's  
Department**
- 13. Training Officer Hugh Tate  
Costa Mesa Police Department**
- 14. Lieutenant Ray Tucker  
Alameda County Sheriff's  
Department**
- 15. Captain Jeff Turley  
Riverside County Sheriff's  
Department**
- 16. Officer Rhonda Wood  
Irvine Police Department**
- 17. Undersheriff (retired)  
Wally Walker  
Santa Cruz County Sheriff's  
Department**
- 18. Lieutenant Bill Whealton  
El Dorado County Sheriff's  
Department**

## CONTINUING PROFESSIONAL TRAINING-DISPATCHER COMMITTEE

Rolfe Appel, Lieutenant  
Sacramento County Sheriff's Department

Gregory G. Bottrell, Lieutenant  
San Bernardino County Sheriff's Department

Danita Chrombach  
Communications Manager  
Ventura County Sheriff's Department

Deborah Davis  
Operations Manager  
Shasta Area Safety Communications Agency

Claye Durbin  
Bureau Manager  
Fresno Police Department

Terrye L. Flowers  
Communications Manager  
Bakersfield Police Department

Corby Harvey  
Police Communications Supervisor  
Oakland Police Department

Larry Henness, Lieutenant  
Los Angeles Police Department

Frank Hoff  
Police Dispatch Supervisor  
San Diego Police Department

Pamela R. Katz  
Dispatch Supervisor  
San Francisco Police Department

Rex Martin  
Communications Director  
San Francisco Police Department

Jenny McHenry  
Supervising Dispatcher  
Sacramento Police  
Department

Rosanna McKinney  
Training Supervisor  
Santa Cruz Consolidated  
Communications Center

Joanne McLaughlin,  
Lieutenant  
Los Angeles County Sheriff's  
Department

John McMahon, Lieutenant  
San Bernardino Sheriff's  
Department

Art Rodriguez  
Supervising Communications  
Operator  
Los Angeles County Sheriff's  
Department

Patricia White  
Senior Communications  
Operator  
Los Angeles Police  
Department

## ATTACHMENT B

### Continuing Professional Training (CPT) Committee Major Recommendations

- Extend the current CPT requirement of 24 hours of training every 2 years to chief executives, law enforcement managers, public safety dispatchers, dispatcher supervisors and Level II Reserve Officers.
- Adopt a CPT requirement that twelve hours of perishable skills would be required within the first year of graduating from basic training and twelve hours of perishable skills would be mandated each 12 months thereafter for all peace officers, whose primary assignment was not administrative or clerical, including reserve officers.
- Adopt a process whereby certain courses of training are “approved” by POST for the purpose of satisfying additional CPT training, in addition to the current certification process.
- Certify or approve perishable skills instructors who would be qualified to teach POST certified or approved perishable skills courses of training.
- Certify or approve Public Safety Dispatcher instructors, who would be qualified to teach specific Public Safety Dispatcher courses.
- Certify or approve:
  - Out of state private and federal law enforcement training courses.
  - College courses.
  - Training conferences.
  - Internet training.

**Commission on Peace Officer Standards and Training**  
**RECOMMENDED AMENDMENTS TO POST ADMINISTRATIVE MANUAL**  
**CONTINUING PROFESSIONAL TRAINING**

**1005. Minimum Standards for Training.**

- (d) Continuing Professional Training (Required).
- (1) Every peace officer, ~~below the rank of a middle management position as defined in section 1001(r) and every designated and non-designated Level I and Level II Reserve Officer as defined in Commission Procedure H-1-2(a) and H-1-2(b), Public Safety Dispatcher as defined in Commission Procedure 1001(w), and Public Safety Dispatch Supervisor,~~ shall satisfactorily complete the Advanced Officer Course Continuing Professional Training (CPT) requirement of 24 or more hours at least once every two years after meeting the basic training requirement. The CPT requirement is set forth in PAM, section D-2.
  - (2) The above requirement may be met by satisfactory completion of one or more certified Advanced Officer Courses, Technical courses, and POST Special Seminars (those designed for training and not those designed to provide advice/input to POST), 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 satisfy the requirement by completing POST-certified Supervisory or Management Training Courses. A further description of POST Special Seminars is set forth in PAM, section D-8. Requirements for Technical Courses are set forth in PAM, section D-6.~~
  - (3) ~~Every regular officer, regardless of rank, may attend a certified Advanced Officer Course and the jurisdiction may be reimbursed.~~
  - (3) Peace officer supervisors may satisfy the CPT requirement by completing POST-certified Supervisory and Management Training Courses, in addition to the methods specified in (2) above.
  - (4) Peace officers in middle management or executive positions may satisfy the CPT requirement by completing any Executive training courses, in addition to the methods specified in (2) and (3) above.
  - (4.5) Requirements for The Advanced Officer Course are set forth in the POST Administrative Manual, Section D-2; shall consist of time blocks of not less than two hours each, regardless of the subject matter, with an overall minimum of no less than 24 hours. The maximum time period for presenting an Advanced Officer Training Course is 180 days.

(e) Executive Development Course (Optional).

- (1) The Executive Development Course is designed for department heads and their executive staff positions. Every regular officer who is appointed to an executive position may attend a certified Executive Development Course and the jurisdiction may be reimbursed, provided the officer has satisfactorily completed the training requirements of the Management Course.
- (2) Every regular officer who will be appointed within 12 months to a department head or executive position may attend a certified Executive Development Course if authorized by the department head and the officer's jurisdiction may be reimbursed, provided the officer has satisfactorily completed the training requirements of the Management Course.
- (3) Requirements for the Executive Development Course are set forth in PAM, section D-5.

~~(f) Technical Courses (Optional):~~

- ~~(1) Technical Courses are designed to develop skills and knowledge in subjects requiring special expertise.~~
- ~~(2) Requirements for Technical Courses are set forth in PAM, section D-6.~~

(g) Approved Courses.

- (1) Approved courses pertain only to training mandated by the Legislature for various kinds of peace officers and other groups. The Commission may designate training institutions or agencies to present approved courses.
- (2) Requirements for Approved Courses are set forth in Regulation 1081.

~~(h) Seminars (Optional):~~

- ~~(1) Seminars are designed to disseminate information or study and solve current and future problems encountered by law enforcement.~~
- ~~(2) Requirements for Seminars are set forth in PAM, section D-8.~~

**1018. Public Safety Dispatcher Programs.**

(d) Minimum Training Standards for Public Safety Dispatchers.

- (1) Every public safety dispatcher shall satisfactorily complete the POST-certified Public Safety Dispatchers' Basic Course as set forth in PAM, section D-1-6 before or within 12 months after the date of appointment, promotion, reclassification, or transfer to a public safety dispatcher position; or possess the Public Safety Dispatcher Certificate.
- (2) Every public safety dispatcher, and public safety dispatch supervisor, shall also satisfactorily complete the Continuing Professional Training requirement set forth in Regulation 1005(d).

Commission on Peace Officer Standards and Training  
POST ADMINISTRATIVE MANUAL  
COMMISSION PROCEDURE D-2

ADVANCED OFFICER COURSE CONTINUING PROFESSIONAL TRAINING

**Purpose**

**2-1. Specification of ~~Advanced Officer Course: Continuing Professional Training~~:** This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005 (d) of the Regulations for ~~Advanced Officer Training~~ Continuing Professional Training.

**Course Objective**

**2-2. ~~Advanced Officer Course Continuing Professional Training Objectives:~~** ~~The Advanced Officer Course Continuing Professional Training is designed to provide updating update and refresher training at the operations-level in cognitive areas and psychomotor skills. It is not to be used to present single-subject presentations. Since these are designed to train personnel in a specific subject area, single subjects are more properly addressed in POST-certified Technical Courses. Flexibility is to be permitted in course content and manner of course offering in order to meet changing conditions and local needs.~~

~~The Advanced Officer Course shall not be used to circumvent Commission-imposed limitations of funding for specific training.~~

**Course Recommended Content**

**2-3. ~~Advanced Officer Course Continuing Professional Training Content:~~** The Commission recommends the following topics be considered, but not required, as part of ~~the Advanced Officer Course~~ Continuing Professional Training for officers assigned to enforcement duties:

New Laws  
Recent Court Decisions and/or Search and Seizure Refresher  
Officer Survival Techniques  
New Concepts, Procedures, Technology  
Discretionary Decision Making (Practical Field Problems)  
Civil Liability-Causing Subjects  
Ethics  
\*Perishable Skills

\*Perishable skills are those skills used by an enforcement officer to obtain compliance by persuasion, or to compel compliance by the use of force. These skills tend to deteriorate if not reinforced through training and practice; Tactical Communications, Defensive Tactics, Chemical Agents, Impact Weapons, Firearms, Use of Force Judgement, and Driver's Training.

The course training may ~~contain~~ include the Advanced Officer Course or other currently needed subject matter such as, the topical areas of the Basic Course, Commission Procedure D-1. It is suggested elective subjects address current and local problems or needs. ~~of a general, rather than a specific, nature.~~

~~2-4. Presentation and Curriculum Design: Curriculum design and the manner in which the Advanced Officer Course is proposed to be presented may be developed by the advisory committee of each agency certified to present the Advanced Officer Course and shall be presented to the Commission for approval.~~

~~2-5. Minimum Hours: The Advanced Officer Course, shall consist of time blocks of not less than two hours each, regardless of subject matter with an overall minimum of no less than 24 hours. The maximum time period for presenting an Advanced Officer Course is 180 days.~~

~~2-6. Student Testing: Students in each Advanced Officer Course presentation shall be tested on the course content.~~

**Commission on Peace Officer Standards and Training**

**NOTICE OF PROPOSED REGULATORY ACTION TO AMEND COMMISSION  
REGULATION 1005 AND COMMISSION PROCEDURE D-2**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Penal Code Sections 13503 (powers of the Commission on POST), 13506 (authority for the Commission on POST to adopt regulations), and in order to interpret, implement, and make specific Sections 13510 of the Penal Code (authority for the Commission on POST to adopt and amend rules establishing minimum standards for California law enforcement officers) proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the Code of Regulations. A public hearing to adopt the proposed amendments/additions will be held before the full Commission on:

Date:

Time:

Place:

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

**INFORMATIVE DIGEST**

Commission Regulation 1005 requires every peace officer below the rank of a middle management position and every Level I Reserve Officer to satisfactorily complete 24 hours of approved Continuing Professional Training (CPT) at least once every two years after meeting the basic training requirement.

The above requirement may be met by satisfactory completion of the Advanced Officer Course, 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 satisfy the requirements by completing POST-certified Supervisory or Management Training Courses.

Currently, there is no requirement for Department Heads, Middle Managers, \*Level II Reserves, Dispatchers, or Dispatch Supervisors to attend CPT.

\*Level II Reserve officers, pursuant to SB 1417, have been mandated to satisfy the CPT requirement prescribed by the Commission.

POST staff formed a CPT steering Committee, developed a survey addressing CPT issues and sent it to over 600 local law enforcement agencies and other organizations in the POST reimbursement program. Based on the survey results, POST training records and law enforcement input, the Commission is proposing amendments to Regulation 1005 and Procedure D-2. These amendments would require CPT for Department Heads, Middle Managers, Dispatchers and Dispatch Supervisors. It would expand the means for satisfying the CPT requirements to include management and executive training courses, and would delete reference to the Advanced Officer Course, and include reference to POST's CPT requirement that would add Ethics and \*Perishable Skills refresher to the list of recommended topics.

\*Perishable Skills are those skills used by an enforcement officer to obtain compliance by persuasion, or to compel compliance by the use of force. These skills tend to deteriorate if not reinforced through training and practice; Tactical Communications, Defensive Tactics, Chemical Agents, Impact Weapons, Firearms, use of Force Judgement, and Driver's Training.

#### **PUBLIC COMMENT**

The Commission hereby requests written public comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on \_\_\_\_\_ . Written comments should be directed to Kenneth J. O'Brien, 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 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 listed 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 (8:00 a.m. to 5:00 p. m., Monday through Friday).

### **ESTIMATE OF ECONOMIC IMPACT**

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

Nondiscretionary Costs/Savings to Local Agencies: None

Local mandate: None

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

Declaration Relating to Impact on All California Businesses: The Commission on Peace Officer Standards and Training, in the development of the proposed amendment to the regulation, has assessed the potential for adverse economic impact on businesses in California, including the ability of California businesses to compete with the businesses in other states, and has found that the proposed amendment to Regulation 1005(d)(2) and Procedure D-2, and the addition of Regulation 1018(d)(2) will have no effect. This finding was based on the determination that the proposed amendment to Regulation 1005(d)(2) and D-2 and the addition of Regulation 1018(d)(2) in no way applies to business.

Costs Impact on Private Persons or Entities: None

Housing Costs: None

### **ASSESSMENT**

The adoption of the proposed amendment 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 consideration 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 \_\_\_\_\_, 1601 Alhambra Blvd., Sacramento, CA., or by telephone at (916) 227-\_\_\_\_\_

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

<b>Agenda Item Title</b> Exceptions to Minimum Hourly Training Requirements for Legislatively-Mandated Training Courses		<b>Meeting Date</b> November 5, 1998
<b>Bureau</b> Training Program Services	<b>Reviewed By</b> Bud Newallen <i>[Signature]</i>	<b>Researched By</b> Dennis Aronson
<b>Executive Director Approval</b> <i>[Signature]</i>	<b>Date of Approval</b> 10-13-98	<b>Date of Report</b> October 7, 1998
<b>Purpose</b> <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact:</b> <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

**ISSUE**

Should the Commission modify Regulation 1081(a) to establish authority for exceptions to the minimum hourly training requirements for legislatively mandated training courses?

**BACKGROUND**

Regulation 1081(a) identifies minimum hours and content for 24 statutorily mandated training requirements for which the Commission is responsible. The minimum hours are generally based upon instruction that is presented using conventional means, such as in an instructor-led classroom. No authority exists for allowing fewer hours for courses that may use individualized, self-paced instruction and technology for delivery, such as computer-based interactive multimedia. This proposal seeks in part to implement POST Strategic Plan objective B.10 concerning the development of competency-based training courses.

**ANALYSIS**

Studies have shown that one of the benefits of interactive multimedia instruction is reduction in time required to master training objectives. Based on data POST has gathered, this time savings ranges from 25 to 60 percent as compared to instructor-led classroom instruction. Having authority for allowing exceptions to specified course hours has the following advantages:

- Trainees would spend only as much time as is necessary to attain required competencies.
- Training would be consistent with POST's Strategic Plan objectives to develop competency-based training and develop alternative approaches for delivering training.
- Required testing would provide assurance that trainees have attained the specified competencies.

One issue arising out of this proposed regulation change is the number of hours credit for courses requiring less time when using technology-based delivery. Staff recommends that students receive credit for the same number of hours that would be given in a traditional course. Demonstration of competencies through appropriate testing would be required.

### Financial Impact

Courses developed to ensure mastery of competencies that have testing mechanisms included generally cost more to develop than hourly-based courses that do not include tests. The cost difference between the two modes of instruction will vary depending on the size of the course and the type of media used (e.g., multimedia versus print). While the cost to develop a competency-based, individualized course may be high, in the long term, the overall cost of instruction could be less, assuming that the costs for student travel and for instructor salaries may be reduced or eliminated.

### Technical Amendment

In addition to the substantive material previously discussed, staff is also proposing a technical amendment to Regulation 1005(g) and 1081(a) and 1081(b). In each, the recommendation is to replace the term "approved" courses with "legislatively mandated" courses. The purpose of this change is to more accurately reflect the nature of these courses. Attachment A has the text of the proposed changes.

### RECOMMENDATION

Subject to the results of a Notice of Proposed Regulatory Action, approve a modification to Regulation 1081(a) to establish authority for exceptions to the minimum hourly training requirements for legislatively-mandated training courses and to approve the technical amendments to Regulations 1005(g), 1081(a), and 1081(b) to replace the term "approved" courses with "legislatively-mandated" courses.

POST Regulation 1005(g) - Approved Legislatively-Mandated Courses

- (1) Approved Legislatively-mandated courses pertain only to training mandated by the Legislature for various kinds of peace officers and other groups. The Commission may designate training institutions or agencies to present approved Legislatively-mandated courses.
- (2) Requirements for Approved Legislatively-mandated Courses are set forth in Regulation 1081.

POST Regulation 1081 - Minimum Standards for Legislatively-Mandated Courses

- (a) Approved Legislatively-mandated courses, as specified in Commission Regulation 1005(g), pertain to training mandated by the Legislature for various kinds of peace officers and other groups for which the Commission has responsibility to establish minimum standards. The Commission may approve legislatively-mandated courses that can be completed in fewer than the minimum hours. In such cases, the courses must be competency-based, where each student demonstrates mastery of clearly specified learning outcomes. Approved Legislatively-mandated courses shall meet the following minimum content and hours. Requirements for certification and presentation of these courses are specified in Regulations 1052 - 1056.

1081(a)(1) through 1081(a)(24)(D) continued

- (b) Certain legislatively-mandated courses, referred to as "approved" courses in Commission Regulations 1005(g) and 1081(a), that are specified in Title 4, Chapter 1, and the courses that begin with section 13516 of the Penal Code, may be waived through a POST evaluation of previous training. The evaluation may indicate full or partial satisfaction of the mandated courses' minimum content requirements.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

<b>COMMISSION AGENDA ITEM REPORT</b>		
<b>Agenda Item Title</b> Proposed Curriculum and Guideline Changes For Child Abuse Investigation (PC 13517)	<b>Meeting Date</b> November 5, 1998	
<b>Bureau</b> Training Program Services	<b>Reviewed By</b> <i>Bud Lewallen</i>	<b>Researched By</b> Don Moura
<b>Executive Director Approval</b> <i>Kenneth J. O'Brien</i>	<b>Date of Approval</b> <i>10-13-98</i>	<b>Date of Report</b> October 9, 1998
<b>Purpose</b> <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact:</b> <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

**ISSUE**

- 1) Should the Commission approve proposed changes to curriculum and hours changes for child abuse training and POST guidelines for child abuse investigation?
- 2) Should the Commission authorize the Executive Director to reproduce and distribute the guidelines?

**BACKGROUND**

Penal Code Section 13517 mandates that the Commission prepare guidelines establishing standard procedures which may be followed by law enforcement agencies in the investigation of child abuse (Attachment A). This statute also requires POST to prepare and implement an optional course for the training of specialists in the investigation of child abuse cases. These guidelines and curriculum were amended in 1986 to include the addition of mandated material for the investigation of child physical abuse and neglect, sexual abuse and exploitation. Both the guidelines and training have recently been updated to incorporate changes in law and investigative procedures.

**ANALYSIS**

An advisory council of child abuse investigation subject matter experts was formed (Attachment B) from appropriate groups and individuals. Since 1986, many new strategies and protocols for the investigation of child abuse, sexual abuse and exploitation cases have occurred, specifically in the areas of interview/interrogation, interagency cooperation, collection of evidence (including serology, DNA, CODIS, etc.) case management, and investigator wellness. After extensive review, proposed changes to the guidelines and curriculum were developed to reflect these contemporary practices and concerns. Because of these additions, and the adult learning methods used in presenting this new curriculum, the advisory council recommended, and staff concurred, the extension of the minimum training hours from 24 to 40 (Attachment C). Three of the four existing child abuse investigation courses are already at 40 hours. Since this training course is optional, the adoption of the revised training requirement for specialists assigned to the investigation of child abuse cases does not require regulatory action. In regards to the Basic Course, it already contains a minimum of 12 hours of training on child abuse, therefore, no changes to that curriculum are recommended.

As with the curriculum, considerable changes are proposed for POST's voluntary guidelines for child abuse investigation which provides a basis for law enforcement agencies to evaluate their policies and procedures (Attachment D). These guidelines reflect the current state of the art practices in law enforcement with regard to child abuse investigation. If the Commission approves of these guidelines, it would be planned that POST would revise and distribute its publication, *Guidelines for the Investigation of Child Physical Abuse and Neglect, Child Sexual Abuse and Exploitation*.

#### RECOMMENDATION

- 1) Approve the proposed revisions to POST requirements for child abuse training and guidelines for child abuse investigation.
- 2) Authorize the Executive Director to reproduce and distribute the guidelines.

**PC§ 13517. Child Abuse or Neglect Investigation - Guidelines and Training**

- (a) The commission shall prepare guidelines establishing standard procedures which may be followed by police agencies in the detection, investigation, and response to cases in which a minor is a victim of an act of abuse or neglect prohibited by this code. The guidelines shall include procedures for determining whether or not a child should be taken into protective custody. The guidelines shall also include procedures for minimizing the number of times a child is interviewed by law enforcement personnel.
- (b) The course of training leading to the basic certificate issued by the commission shall, not later than July 1, 1979, include adequate instruction in the procedures described in subdivision (a).
- (c) The commission shall prepare and implement an optional course of training of specialists in the investigation of cases in which a minor is a victim of an act of abuse or neglect prohibited by this code.
- (d) The commission shall consult with the State Office of Child Abuse Prevention in developing the guidelines and optional course of training.

## ***POST Child Abuse Investigation Guidelines/Curriculum Review Committee***

Cheryl Mouras-Ashby, Chief  
Office of the Governor  
Office of Criminal Justice Planning  
Violence Against Children Branch

John Isaacson  
Office of the Governor  
Office of Criminal Justice Planning

Robert Barry, Director  
Delinquency Control Institute-USC

Dick Kuest, Child Abuse Specialist  
CA Department of Social Services  
Office of Child Abuse Prevention

Cathy M. Boyle, RNC, PNP  
UCDMC Child Protection Center

Carl Lewis, Officer  
Los Gatos Police Department

Sharon Crowley, RN, MN, FCNS

Deputy Mitch Loman  
Los Angeles County Sheriff's Department

Scott Currie, Senior Detective  
Corona Police Department

Kee MacFarlane, M.S.W.  
Director of Training and Education  
Children's Institute International

Michael A. DiMatteo, Detective  
San Bernardino Sheriff's Department  
Chino Hills Police/Sheriff

Lori Marquette, Senior Deputy  
Training Coordinator  
Riverside County Sheriff's Department  
Academy of Justice

Patrick Flood (Detective-Retired)  
Sacramento County Sheriff's Department

Michele McKay-McCoy, Deputy DA  
Santa Clara Co. District Attorney's Office

Denise Garland, Training Specialist  
San Bernardino County Sheriff's Dept.  
Regional Training Center

Mike Hertica, Lieutenant  
Torrance Police Department

Patty O'Ran, Manager  
Family Violence Prevention Programs  
Crime and Violence Prevention Center  
Office of the Attorney General

Maril O'Shaughnessy, Coordinator  
Institute of Criminal Investigation

Thomas Sirkel, Sergeant  
Los Angeles County Sheriff's Department

Harold Sagan, Detective  
Fairfield Police Department  
Crimes Against Persons

Laurie Smith  
Riverside County Child Protective Services

Mike Savage, Deputy DA  
Sacramento County DA's Office

R.P. "Toby" Tyler, Sergeant  
San Bernardino County Sheriff's Dept.

Eileen Schifrin, Training Coordinator  
Children's Institute International

Patrick White, Inspector  
San Francisco Police Department  
Juvenile Division

Commission on Peace Officer Standards and Training

**CHILD ABUSE INVESTIGATION COURSE**

Child Abuse Investigation - ~~24~~ 40 Hours  
(Optional Technical Course)

- \* (A) ~~General Child Abuse Investigative Procedures~~  
Introduction/Overview Of Child Abuse
  - \* (B) ~~Child Neglect and Emotional Abuse/Deprivation~~  
Laws Related To Child Abuse
  - \* (C) ~~Physical Child Abuse~~  
Investigative Techniques
  - (D) ~~Sexual Abuse and Exploitation of Children~~  
Special Investigative Techniques
  - (E) ~~Interview and Interrogation Techniques~~  
Interagency Cooperation
  - \* (F) ~~Community Child Care Facilities~~  
Interviews
  - \* (G) ~~Course Critique and Student Evaluation~~  
Evidence
  - (H) Case Management
  - (I) Investigator Wellness
- \* The Basic Course contains 12 hours of training on these indicated topics

Commission on Peace Officer Standards and Training

**CHILD ABUSE INVESTIGATION COURSE**

Comprehensive Expanded Course Outline

1.0 INTRODUCTION/OVERVIEW OF CHILD ABUSE

1.1 LEARNING GOAL:

The learner will understand the scope of the problem of child abuse.

1.1.1 LEARNING OBJECTIVE:

The learner will identify child abuse as a serious problem with significant societal consequences.

- A. History of society's response to child abuse
  - 1. Law enforcement response to child abuse
  - 2. Medical discovery of abuse through x-rays
  - 3. Battered Child Syndrome
  - 4. Mandatory child abuse reporting laws
  - 5. Multidisciplinary response
- B. Scope of problem
  - 1. State and local statistics on crime against children
  - 2. National child abuse reporting statistics

1.2 LEARNING GOAL:

The learner will become familiar with the various forms of child abuse.

1.2.1 LEARNING OBJECTIVE:

The learner will define the major categories of child abuse.

- A. Physical abuse
- B. Sexual abuse
- C. Emotional abuse
- D. Neglect
- E. Sexual exploitation
- F. Domestic violence affecting children

1.3 LEARNING GOAL:

The learner will recognize that the protection of the child is the primary role of law enforcement in investigating child abuse.

1.3.1 LEARNING OBJECTIVE:

The learner will describe law enforcement's role in the protection of the child.

- A. Balancing the needs of the investigation with the needs of the victim
- B. The welfare and protection of the child is paramount
- C. Victim sensitivity

**1.3.2 LEARNING OBJECTIVE:**

The learner will discuss the necessity for a thorough investigation in order to determine the validity of an allegation of child abuse.

- A. Importance of an objective and unbiased investigation
- B. Incomplete investigation could result in serious consequences for innocent persons
- C. Incomplete investigation could result in risk to the child

**1.4 LEARNING GOAL:**

The learner will understand the value of multidisciplinary resources in investigating child abuse.

**1.4.1 LEARNING OBJECTIVE:**

The learner will identify the value of utilizing a multidisciplinary approach to investigating child abuse cases.

- A. Law enforcement
- B. Child Protective Services (CPS)
- C. Prosecution
- D. Medical
- E. Victim/Witness Programs
- F. Treatment resources (Mental Health)
- G. Other community resources

**2.0 LAWS RELATED TO CHILD ABUSE****2.1 LEARNING GOAL:**

The learner will understand the legal definition of child abuse and related statutes.

**2.1.1 LEARNING OBJECTIVE:**

The learner will identify the specific elements of statutes related to child abuse.

- A. Penal Code
- B. Welfare and Institution Code
- C. Education Code
- D. Other related statutes

**2.2 LEARNING GOAL:**

The learner will recognize the importance of case law and its application when investigating child abuse.

**2.2.1 LEARNING OBJECTIVE:**

The learner will explain the importance and application of case law to child abuse investigations.

- A. Miranda decision
- B. Beheler decision
- C. In re Gladys R.
- D. Other current decisions

**2.3 LEARNING GOAL:**

The learner will become aware of the laws that require specified persons to report suspected child abuse.

**2.3.1 LEARNING OBJECTIVE:**

The learner will identify major categories of individuals mandated to report suspected child abuse.

- A. Law enforcement officers
- B. Educators
- C. Childcare providers
- D. Mental health professionals
- E. Medical professionals
- F. Child protective agencies
- G. Others

**2.4 LEARNING GOAL:**

The learner will comprehend law enforcement's authority to place children into protective custody.

**2.4.1 LEARNING OBJECTIVE:**

The learner will describe law enforcement's discretionary authority to place a child into protective custody.

- A. Need for protection
- B. Ability and willingness of parents/caretakers to care for the child
- C. Child should not be taken into protective custody for punitive purposes

**2.4.2 LEARNING OBJECTIVE:**

The learner will identify the legal authority and protocol for taking children into protective custody.

- A. Welfare and Institutions Code 305 (legal authority)
- B. Welfare and Institutions Code 307 (protocol)

**2.5 LEARNING GOAL:**

The learner will become familiar with the various overlapping authorities and jurisdictions when dealing with child abuse investigations.

**2.5.1 LEARNING OBJECTIVE:**

The learner will discuss the roles of criminal, civil, and administrative jurisdictions in child abuse investigations.

- A. State criminal statutes
- B. Federal statutes
- C. Courts
  - 1. Criminal
  - 2. Civil
  - 3. Family

- 4. Dependency
- D. Licensing agencies
  - 1. Educators
  - 2. Childcare facilities
  - 3. Professional certifications/licenses

### 3.0 INVESTIGATIVE TECHNIQUES

#### 3.1 LEARNING GOAL:

The learner will understand the investigative process for all child abuse allegations.

##### 3.1.1 LEARNING OBJECTIVE:

The learner will identify investigative considerations that are common to all allegations of child abuse.

- A. Review initial report
- B. Obtain statements
- C. Evaluate need for protective custody
- D. Evaluate need for medical examination
- E. Gather evidence
- F. Minimize trauma to victim
- G. Protect confidentiality
- H. Prepare reports

#### 3.2 LEARNING GOAL:

The learner will understand the unique characteristics of specific types of child abuse investigations, and the behavioral characteristics of parties involved.

##### 3.2.1 LEARNING OBJECTIVE:

The learner will describe the unique characteristics of specific types of child abuse investigations.

- A. Physical
  - 1. Repeated vs. isolated incident
  - 2. Discipline vs. abuse
- B. Sexual
  - 1. Intrafamilial
  - 2. Extrafamilial
- C. Emotional
  - 1. Frequently manifested through antisocial behavior
  - 2. Difficult to prove
- D. Neglect
  - 1. General
  - 2. Severe
  - 3. Medical
- E. Sexual Exploitation
  - 1. Child pornography
  - 2. Child prostitution

- 3. Child sex rings
- F. Domestic violence affecting children
  - 1. Emotional trauma
  - 2. Physical abuse
    - a. Direct
    - b. Transferred

### 3.2.2 LEARNING OBJECTIVE:

The learner will identify the behavioral characteristics of the various parties associated with each type of child abuse.

- A. Victims
- B. Offenders
- C. Non-offending caretaker

### 3.3 LEARNING GOAL:

The learner will understand how cultural differences and societal values can impact child abuse.

#### 3.3.1 LEARNING OBJECTIVE:

The learner will explain how cultural differences found in various races and ethnic groups can impact child abuse.

- A. Sociological Differences Between Races/Ethnic Groups
  - 1. Asian
    - a. Southeast Asian
      - (1) Vietnamese/Cambodian
      - (2) Hmong
      - (3) Laotian
    - b. Chinese
    - c. Japanese
    - d. Korean
  - 2. Pacific Islander
  - 3. Filipino
  - 4. American Indian
  - 5. African American
  - 6. Hispanic
    - a. National
    - b. Mexican-American
  - 7. Caucasian
  - 8. Others

#### 3.3.2 LEARNING OBJECTIVE:

The learner will explain how societal values can impact child abuse

- A. Societal Values
  - 1. "Latch Key" kids
  - 2. Single parent
  - 3. Infra vs inter-familial (family)

## 4. Extra vs intra-familial (non-family)

## 4.0 SPECIAL INVESTIGATIVE TECHNIQUES

4.1 LEARNING GOAL:

The learner will become familiar with special techniques that are effective in the investigation of child abuse.

4.1.1 LEARNING OBJECTIVE:

The learner will explain the use of special investigative techniques in child abuse investigations.

- A. Pretext conversations
  - 1. A conversation between the suspect and another party that provides the suspect with an opportunity to make admissions
  - 2. Preparation
    - a. Recognition of effects on victim
    - b. Location
    - c. Rehearsal
      - 1. Script
      - 2. General content discussion
  - 3. Execution
    - a. Equipment considerations
    - b. Interaction between officer and caller
  - 4. Results of pretext conversation
    - a. Confession
    - b. Admissions
    - c. Lack of appropriate response
    - d. Appropriate response
    - e. Assess effect on child (refer for support services if necessary)
- B. Surveillance
  - 1. Fixed
  - 2. Mobile
  - 3. Electronic
    - a. Computer
    - b. Telephone
    - c. Tracking devices
- C. Pro-active techniques
  - 1. Ability to pose as an offender or accomplice and provide an opportunity for a suspect to commit a crime.
    - a. Internet
    - b. Printed publications
    - c. Decoy operations
  - 2. Enforcing compliance with sex offender registration requirements
    - a. PC 290 sweeps
    - b. Megan's Law
    - c. Cooperation of parole and probation departments

## 5.0 INTERAGENCY COOPERATION

### 5.1 LEARNING GOAL:

The learner will grasp the significance of the value of interagency cooperation for the efficient and successful investigation of child abuse allegations.

#### 5.1.1 LEARNING OBJECTIVE:

The learner will identify the role of, and assistance available from, other relevant agencies in the investigation of child abuse.

- A. Multidisciplinary Interview Center (MDIC)
- B. Other law enforcement agencies
- C. Child Protective Services
- D. Prosecuting agencies

## 6.0 INTERVIEWS

### 6.1 LEARNING GOAL:

The learner will recognize the dynamics of involved parties in child abuse investigations and the use of appropriate interview techniques.

#### 6.1.1 LEARNING OBJECTIVE:

Utilizing an exercise depicting an interview with a child, a witness, and/or a suspect, the learner will demonstrate appropriate interview techniques.

- A. Child interview
  - 1. Consider the use of multi-disciplinary interview center (MDIC) to reduce the number of victim interviews
  - 2. Consider use of audio/video recording
  - 3. Use child interview sensitivity techniques
  - 4. Inform children of their right to have a member of school staff present when interviewing suspected child abuse victims at school (Penal Code Section 11174.3)
- B. Suspect interview
  - 1. Plan and prepare carefully for the interview
  - 2. Obtain relevant background information
  - 3. Attempt to determine suspect topology
    - a. Situational
    - b. Preferential
  - 4. Determine custodial vs. non-custodial issues
  - 5. Establish rapport with the suspect
  - 6. Document content of the interview
- C. Witness interview
  - 1. Identify all potential witnesses
    - a. Friends
    - b. Teachers
    - c. Counselors
    - d. Siblings

- e. Non-offending caretaker
- 2. Determine if witness could be an additional victim
- 3. Determine witness' relationship to potential suspect
- 4. Attempt to determine witness' motivation

## 7.0 EVIDENCE

### 7.1 LEARNING GOAL:

The learner will understand the concepts and techniques in the identification, documentation, collection, preservation and analysis of evidence in child abuse cases .

#### 7.1.1 LEARNING OBJECTIVE:

The learner will explain the necessity for proper identification, documentation, collection and preservation of evidence and its relationship to other information in the investigation of child abuse cases.

#### A. Medical Evidence

- 1. Medical Terminology and Abbreviations
- 2. Medical Forms
- 3. Medical-Legal Exam
  - a. Consultation with the medical staff
  - b. Medical interview/historical information
  - c. Physical Examination of the Child
    - (1) General Physical Exam; evaluation of non-genital trauma, e.g. bite marks, bruises, etc.
    - (2) Genital/Anal Exam
  - d. Sexual Assault Evidence Kit (if applicable and timely)
    - (1) Forensic Samples
    - (2) Clothing
    - (3) Reference Samples (if applicable)
    - (4) Control Samples
    - (5) Blood/Urine (for any drug or alcohol testing and STD's )
    - (6) Proper packaging and storage
  - e. Examination tools
    - (1) Woods Lamp (UV Light)
    - (2) Alternate Light Source
    - (3) Colposcope
    - (4) Photography (35 mm camera)
  - f. Follow-up Examination
    - (1) Documentation of healing wounds
    - (2) Documentation of bruises
    - (3) Documentation of bite marks
- 3. Documentation
  - a. Medical reports (OCJP 925)
  - b. Supplemental medical narrative reports
  - c. Interpretation and significance of physical findings

### 7.1.2 LEARNING OBJECTIVE:

The learner will explain the proper procedure for the identification, documentation, collection, and preservation of evidence at a child abuse crime scene.

#### A. CRIME SCENE EVIDENCE

1. Locard Principle
2. Evaluate Applicability of certain types of evidence based upon suspect information (e.g. trace evidence if the suspect is a family member) and the specific potential charges
3. Identification of Physical Evidence
  - a. Body Fluid Search-Semen
    - (1) Visible and Tactile search
    - (2) Alternate Light Source/Laser/UV light
    - (3) Acid Phosphates Test
  - b. Body Fluid Concerns-Non-seminal
    - (1) Saliva
    - (2) Perspiration
    - (3) Blood
  - c. Trace Evidence
    - (1) Hairs
    - (2) Fibers
  - d. Bedding
  - e. Clothing
  - f. Ligatures/Bindings
  - g. Other (prints, tire tracks, toolmarks...)
4. Corroborating Evidence
  - a. Diaries/writings
  - b. Telephone bills
  - c. Personal telephone book
  - d. Photographs
  - e. Drawings
  - f. Videos
  - g. Computers
  - h. Items left at scene by victim/suspect
5. Resource personnel
  - a. Law enforcement
    - (1) Photographer/Print expert
    - (2) Criminalist or Crime Scene Investigator
    - (3) Computer expert
    - (4) Subject Matter Expert(s)
  - b. Non-Law Enforcement Expert
6. Documentation
  - a. Notes
  - b. Sketches
  - c. Photography
  - d. Audio/Videography
7. Collection and Preservation
  - a. Proper collection procedures

- b. Handling and Packaging (e.g. air dry, then freeze)
  - c. Chain of custody issues
  - d. Storage
- B. Other Evidence
- 1. Interviews
  - 2. Lie-detector Technology

### 7.1.3 LEARNING OBJECTIVE:

The learner will identify the process of serological evidence analysis in child abuse cases and the current capabilities of forensic laboratories relative to the evidence collected.

#### A. SEROLOGICAL ANALYSIS

- 1. Seminal fluid
  - a. Screening tests
  - b. Identification and Quantitative information
  - c. Conventional Serology (if applicable)
  - d. DNA
    - (1) RFLP
    - (2) PCR
- 2. Saliva
  - a. Identification
  - b. Conventional Serology (if applicable)
  - c. PCR-DNA
- 3. Perspiration
  - a. Location
  - b. PCR-DNA
- 4. Hair for Identification
  - a. Microscopic
  - b. PCR-DNA

### 7.1.4 LEARNING OBJECTIVE:

The learner will explain what Computerized DNA Index System (CODIS) is and how it may be used as an investigative tool.

#### A. Computerized DNA Index System (CODIS)

- 1. Location and Database (SHOP)
- 2. Analytical applicability (RFLP only, now)
- 3. State and National Access
- 4. Case Input
- 5. No suspect search (cold hit)
  - a. Prior Offender Index
  - b. Forensic Sample Index
- 6. Possible suspect - Local 290 comparison (warm hit)
- 7. Search Frequency

## 8.0 CASE MANAGEMENT

### 8.1 LEARNING GOAL:

The learner will comprehend the factors necessary to effectively manage a case load.

#### 8.1.1 LEARNING OBJECTIVE:

The learner will identify the variables involved in effectively managing a caseload.

- A. Risk assessment
  - 1. Safety of the child
  - 2. Potential danger to others
  - 3. Flight risk
  - 4. Destruction of evidence
  - 5. Need for immediate medical examination
- B. Coordination with other agencies
  - 1. Victim/Witness Programs
  - 2. Child Protective Services
  - 3. Other law enforcement agencies
  - 4. Prosecuting agencies
- C. Allocation of resources
- D. Effective time management
  - 1. Prioritization
  - 2. Scheduling

## 9.0 INVESTIGATOR WELLNESS

### 9.1 LEARNING GOAL:

The learner will recognize the stressors and symptoms associated with the investigation of child abuse.

#### 9.1.1 LEARNING OBJECTIVE:

The learner will identify the common stressors associated with the investigation of child abuse cases and their physical, emotional, and behavioral manifestations.

- A. Stressors
  - 1. Nature of the crime
    - a. Physical
    - b. Sexual
    - c. Emotional
    - d. Neglect
  - 2. Organizational issues
    - a. Administration
    - b. Peers
  - 3. Involved parties
    - a. Victims
    - b. Suspects
    - c. Witnesses
    - d. Family
  - 4. Media management

5. Personal history of exposure to issues of abuse
    - a. Personal
    - b. Professional
  6. Case loads
    - a. Case volume
    - b. Time limitations
  7. Other agencies
    - c. Child Protective Services (CPS)
    - d. Prosecuting attorney
    - e. Court
    - f. Medical
    - g. Schools
    - h. Defense oriented organizations
- B. Symptoms
1. Physical
    - a. Compulsive behaviors
    - b. Addiction
    - c. Medical disorders
  2. Emotional
    - a. Mood swings
    - b. Withdrawal
    - c. Depression

### 9.2 LEARNING GOAL:

The learner will develop an understanding of the coping strategies utilized in dealing with stress while investigating child abuse.

#### 9.2.1 LEARNING OBJECTIVE:

The learner will identify the coping strategies utilized in dealing with stress while investigating child abuse.

- A. Coping strategies
1. Positive
    - a. Peer group interaction for releasing stress/ventilation
    - b. Exercise
    - c. Diet
    - d. Counseling
    - e. Family support
    - f. Professional involvement
      - (1) Teaching
      - (2) Consulting
    - g. Humor
    - h. Respite
    - i. Change of assignment
  2. Negative
    - a. Substance abuse
      - (1) Alcohol

- (2) Legal and illegal Drugs
- b. Aggressive behavior
- c. Sexual dysfunction
- d. Work deterioration
  - (1) "We vs. They" Syndrome
  - (2) "Cynicism"
  - (3) "Everyone is an Offender"
- e. Deterioration of interpersonal relationships

August 25, 1998

**GUIDELINES FOR THE INVESTIGATION OF CHILD PHYSICAL ABUSE AND  
NEGLECT, CHILD SEXUAL ABUSE AND EXPLOITATION**

Prepared by the  
**Commission on Peace Officer Standards and Training**

1998

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## FOREWORD

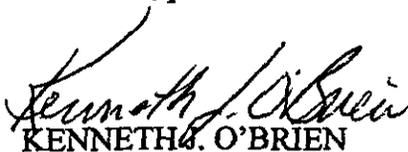
Child abuse in all forms has reached epidemic proportions in the United States. Year after year the number of reported incidents of abuse continues to rise at an alarming rate. Most professionals agree that the statistics are only the "tip of the iceberg." The Commission on Peace Officer Standards and Training (POST) has prepared these guidelines to assist all those involved in the prevention, detection, and investigation of these onerous crimes, with an added dimension of a healing sensitivity for victims and others.

It is critical that officers assigned to field or investigative duties possess the necessary skills, information, and sensitivity to meet the needs of the victim as they often are the first to have contact with the child abuse victim and the victim's family. Penal Code Sections 13516 and 13517 require POST to prepare guidelines establishing standard procedures which may be followed by law enforcement agencies in the detection, investigation and response to cases in which a minor is a victim of an act of abuse, neglect, sexual abuse or sexual exploitation. POST first published these guidelines in 1983 and updated them in 1986.

The guidelines in this document reflect contemporary law and procedures for investigating reported child abuse offenses. As required, these guidelines continue to include procedures for determining whether or not a child should be taken into protective custody, as well as minimizing the number of times a child is interviewed by law enforcement personnel. In addition to required Basic Course training reflecting these procedures, Penal Code Section 13516 requires officers assigned to investigative duties, which include the handling of cases involving the sexual abuse and sexual exploitation of children, to successfully complete a course for specialists within six months of the date of assignment.

The guidelines themselves are not mandatory, however, they do point out mandatory provisions of law. They are presented in a format that will allow the reader to follow a step-by-step process for conducting a child abuse investigation. POST encourages the sharing of this information with all law enforcement personnel who may serve as the liaison between a child abuse victim and the criminal justice system.

The Commission appreciates the contributions of the Child Abuse Investigation Guidelines/Curriculum Advisory Council for their assistance in the updating of this information. Questions or comments concerning this document should be directed to the Training Program Services Bureau at (916) 227-4885. For information on obtaining additional copies of this document, please call POST Media Distribution at (916) 227-4856.

  
KENNETH J. O'BRIEN  
Executive Director

# POST Child Abuse Investigation Guidelines/Curriculum Advisory Council

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California Office of Criminal Justice Planning  
Violence Against Children Branch

**Robert Barry, Director**  
University of Southern California  
Delinquency Control Institute

**Cathy M. Boyle, RNC, PNP**  
University of California, Davis Medical Center

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Santa Cruz, California

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Corona Police Department

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**Patrick Flood (Detective-Retired)**  
Sacramento County Sheriff's Department

**Denise Garland, Training Specialist**  
San Bernardino County Sheriff's Department

**Lieutenant Mike Hertica**  
Torrance Police Department

**John Isaacson**  
California Office of Criminal Justice Planning  
Violence Against Children Branch

**Dick Kuest, Child Abuse Specialist**  
California Department of Social Services  
Office of Child Abuse Prevention

**Detective Carl Lewis**  
Los Gatos Police Department

**Kee MacFarlane**  
Director of Training and Education  
Children's Institute International

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**Deputy District Attorney Michele McKay-McCoy**  
Santa Clara County District Attorney's Office

**Patty O'Ran, Manager**  
California Office of the Attorney General  
Crime and Violence Prevention Center  
Family Violence Prevention Programs

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Sacramento Public Safety Center

**Detective Harold Sagan**  
Fairfield Police Department  
Crimes Against Persons

**Eileen Schifrin, Training Coordinator**  
Children's Institute International

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Riverside County Child Protective Services

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Juvenile Division

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**Deputy Art Scott, Coordinator**  
Los Angeles County Sheriff's Dept.  
Advanced Training Bureau

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## INTRODUCTION

Children, by definition, are immature in their physical, cognitive and emotional development. Many times the person who is abusing them is a person they love and trust such as a parent or caretaker. Often, the offenses take place repeatedly over an extended period of time, and in the privacy of a home. There is little if any evidence to collect to substantiate the allegation of abuse unless the officer knows what to look for. Many times the offenders are sophisticated in their operations and intimidate the child victim into remaining silent. The child feels guilt and fear about the abusive environment, but in many cases, it is all they know. They fear that their revelation of the abuse will mean the loss of a loved one through incarceration, and their own placement in a community child care facility.

With little or no evidence to corroborate the child's statement, the criminal justice system must rely on the skill of the law enforcement officers handling the investigation to provide the necessary information leading to the successful prosecution of the offender. Often, it comes down to the child's statement of what happened versus the offender's denial. An adult versus a child, hardly a fair contest. The judicial system works the same way regardless of whether the victim is an adult or a child. Thus, the child must experience the trauma and intimidation of sitting in a courtroom of adults answering questions about a very secret subject that may ultimately take a loved one away.

This guideline document incorporates legal mandates as they pertain to law enforcement personnel. Law enforcement has a legal and moral obligation to thoroughly investigate reports of suspected child abuse and to determine whether a crime has been committed. This investigation must be carried out in a professional and sensitive manner to protect the welfare of the suspected victim and the suspected offender. The label of "child molester" has a devastating impact on a person's community reputation and credibility. The officer must be sure to protect the rights of the suspected offender as well as the rights of the potential victim. The officer must also realize that the work completed during the initial phases of the investigation may have a tremendous impact on the welfare of the child, as well as the successful prosecution of the offender. Child abuse investigations can be very complicated and labor intensive. All officers involved in child abuse investigations should have adequate training in child abuse investigative techniques, including proper methods for interviewing victims, witnesses, and suspects. Officers should also be sensitive to the dynamics of a child abuse investigation, as well as with possible repercussions.

These voluntary guidelines provide a basis for law enforcement agencies to evaluate their policies and procedures. This document presents the information needed to conduct a child abuse investigation in such a way that the law enforcement professional can follow a step-by-step process. The guidelines are general and designed to provide order and continuity to law enforcement investigations. The document is divided into chapters, the sequence of which follows the normal progression of events from the receipt of the initial report to the completion of the case summary for the prosecuting attorney.

More detailed investigative information is available in a POST-certified Sexual Assault Investigation Course.

## **CHAPTER ONE - GENERAL CHILD ABUSE INVESTIGATIVE PROCEDURES**

### **I. PRIORITIES AND OBJECTIVES**

#### **Guideline #1 - Objective**

The primary objective of the investigation is the protection of the child.

#### **Guideline #2 - Responsibility**

Law enforcement personnel have the responsibility to conduct an objective and unbiased investigation.

#### **Guideline #3 - Legal Rights**

Law enforcement investigators should protect the legal rights of ALL involved parties, to include:

- A. Victim(s)
- B. Suspect(s)
- C. All witnesses

#### **Guideline #4 - Legal Jurisdiction**

Law enforcement investigators should be aware that multiple jurisdictions may be involved in the investigation of a child abuse case. These jurisdictions may include:

- A. Criminal court
  - 1. Law enforcement
  - 2. District Attorney
- B. Juvenile court
  - 1. Child Protective Services (CPS) (dependency)
  - 2. County Counsel
- C. Family court
  - 1. Family members
  - 2. Divorce/custody issues
- D. Administrative actions
  - 1. Community Care Licensing (California Dept. of Social Services)
  - 2. State licensing agencies (Medical Board, teacher credentialing, etc.)
- E. Federal agencies
  - 1. Federal law enforcement (FBI, Postal Inspectors, Customs, Secret Service, INS)
  - 2. US Attorney's Office
  - 3. Federal court

### **Guideline #5 - Community Resources**

Law enforcement agencies should maintain a list of community organizations that provide referrals/assistance to victims of child abuse and their families.

## **II. INITIAL RECEIPT AND EVALUATION OF INFORMATION**

### **Guideline #6 - Initial Report to Law Enforcement**

It is the responsibility of law enforcement personnel receiving the initial report to:

- A. Gather the pertinent facts (who, what, where, when, how, why )
- B. Conduct a preliminary assessment of the risk to the child involved
- C. Cross-report and coordinate response with other involved agencies as appropriate

### **Guideline #7 - Responding Officer**

The first officer on the scene should assess the risk to each child involved and determine what action should be taken. Assessment may include observing and photographing the scene and child (as appropriate), collecting and preserving evidence, and interviewing the following:

- A. Reporting party
- B. All witnesses
- C. Victim(s)
- D. Sibling(s)
- E. Parents/caretakers

## **III. PRELIMINARY INVESTIGATIVE PROCEDURES**

### **Guideline #8 - Evidence**

The officer should gather and preserve evidence from all potential crime scenes relative to the allegation(s) of child abuse including those specific to:

- A. Neglect
- B. Emotional abuse/deprivation
- C. Physical abuse
- D. Sexual assault
- E. Sexual exploitation

### **Guideline #9 - Protective Custody**

The officer should determine the need for protective custody of the victim(s), sibling(s) and others under Welfare and Institutions Codes 300/305 by taking into consideration the following factors:

- A. Need for medical care
- B. Imminent danger of continued abuse/intimidation/retaliation
- C. Whether physical environment poses an immediate threat to the child's health and safety
- D. Parent or guardian is unwilling or unable to protect or care for the child
- E. History of prior offenses or allegations of child abuse

### **Guideline #10 - Identification of Suspect(s)/Protective Custody Considerations**

The officer should seek to identify the suspect(s) and take appropriate action.

### **Guideline #11 - Notification**

Appropriate notifications required by law are to be made.

### **Guideline #12 - Documentation**

The preliminary investigative report should contain the necessary documentation, to include:

- A. All statements
- B. Observations
- C. Physical evidence
- D. Actions taken by the investigating officer and others
- E. The existence of photographic, audio, or video recordings

### **Guideline #13 - Impact of Investigation**

Every law enforcement officer should be aware of the fact that the actions taken during the preliminary investigation, coupled with the quality of the police report, will have a crucial bearing on the protection of the children and the successful prosecution of the case. The investigator should be aware that defense strategies may focus on the following:

- A. The interview of victim
- B. The victim(s) themselves
- C. The officer/investigator
- D. The victim's family

- E. The investigation itself
- F. The medical vs. non-medical case

#### **IV. CHILD ABUSE REPORTING REQUIREMENTS**

##### **Guideline #14 - Mandated Reporters**

The law requires certain professional occupations to report suspected child abuse to the proper authority. They include the following: (Penal Code Sections 11165 and 11166):

- A. Childcare custodians
- B. Health practitioners (medical and non-medical)
- C. Employees of child protective agencies
  - 1. Members of a police department and sheriff's department
  - 2. Child Protective Services
- D. Commercial film and photographic print processors
- E. Peace officers
- F. Firefighters, animal control officers, or humane society officers
- G. Clergy (excluding confession or its equivalent)

These mandated reporters are provided immunity from civil and criminal liability as a result of making a required or authorized report of known or suspected child abuse (Penal Code Section 11172 (a)). Failure of a mandated reporter to report suspected abuse is a misdemeanor.

##### **Guideline #15 - Reporting Requirements**

In all known or suspected child abuse cases, the California Penal Code mandates specific reporting requirements by law enforcement, listed below:

- A. When child abuse is known or suspected, telephone (immediately or as soon as practically possible) and cross-report in writing within 36 hours to the county district attorney and to the agency which investigates dependency (the county welfare (CPS) and/or probation departments) (Penal Code Section 11166(g)).
- B. Notify the Department of Justice (Child Abuse Investigation Report-SS Form 8583) (Penal Code Section 11169).
- C. Upon starting an investigation, notify the county welfare department of a child abuse investigation within 36 hours of starting the investigation (Penal Code Section 11166.3).
- D. In addition to the above, cross-report immediately or as soon as practically possible to the appropriate licensing agency if the case involves a child daycare or a community child care facility (Penal Code Section 11166.2).

### **Guideline #16 - Confidentiality of Reporter**

Penal Code Sections 11167 and 11167.5 specify that reports required under the child abuse reporting statutes are confidential and disclosed only as provided by law. Any violation of statutory confidentiality is a misdemeanor.

### **Guideline #17 - Additional Reporting Requirements**

The California Penal Code requires law enforcement agencies to make the following notifications to mandated reporters of suspected child abuse offenses:

- A. Upon completion of the investigation, or after there has been a final disposition in the matter, law enforcement agencies are required to inform the person required to report the suspected child abuse of the results of the investigation and of any action the agency is taking in regard to the child or the family (Penal Code Section 11170(b)(2)).
- B. Agencies must make information in the Department of Justice Child Abuse Central Index available to the following persons (Penal Code Section 11170(b)(1)):
  - 1. Reporting medical practitioner
  - 2. Child custodian
  - 3. Guardian
  - 4. Attorney for the child appointed by the juvenile court under W&I Section 317/318.
  - 5. District Attorney

### **Guideline #18 - Laws to Assist in the Investigation**

The following California Penal Code sections may assist law enforcement officers in conducting investigations into suspected child abuse cases by:

- A. Permitting information relevant to the incident of child abuse to be given to an investigator following up on an initial report (Penal Code Section 11167 (b)).
- B. Permitting a police officer to apply to a magistrate for an order directing that the victim of child abuse be X-rayed without parental consent (Penal Code Section 11171.5(a)).
- C. Protecting mandated reporters from civil or criminal liability for providing access to a suspected child abuse victim when requested by a law enforcement officer (Penal Code Section 11172(b)).

### **Guideline #19 - Victim-Witness Assistance**

Investigating officers should provide victims and their families with information pertaining to the benefits afforded crime victims by the State of California. The victims should be referred to the Victim-Witness Assistance Center in their counties.

## V. FOLLOW-UP INVESTIGATIVE PROCEDURES

### Guideline #20 - Follow-up Review

The investigator should review the completeness of the preliminary investigation to determine the scope and direction of the follow-up investigation. This review should include:

- A. Verifying compliance with confidentiality requirements
- B. Verifying compliance with cross-reporting per Penal Code Section 11166
- C. Confirming elements of the crime
- D. Determining a need for further interviews and photographs
- E. Reviewing and evaluating all evidence
- F. Determining investigative priorities
- G. Reviewing dependency procedures including custody status of the victim(s) and/or sibling(s)
- H. Determining custody status of the offender(s)
- I. Coordinating with appropriate agencies

### Guideline #21 - Record/Background Checks

A thorough check of the involved parties may include:

- A. Public and private databases (local, county, state, national, international)
- B. Criminal history data (state and national)
- C. Department of Justice Child Abuse Central Index
- D. Department of Justice Registration and Compliance files and Sexual Habitual Offender Program (SHOP) files (290 PC)
- E. California Department of Motor Vehicles (DMV)
- F. Previous residences (prior offenses in other jurisdictions)
- G. Previous/current relationships (spouse, ex-spouse, live-in, relatives)
- H. Contacts with other agencies and/or jurisdictions

### Guideline #22 - Investigative Resources and Techniques

Investigative leads should be explored and developed through the use of the following:

- A. Resources
  - 1. Crime broadcast telecommunications
  - 2. Modus operandi files (M.O.)
  - 3. Field interview (F.I.) files
  - 4. California DOJ, FBI criminal investigation analysis (profiling)
  - 5. Multi-disciplinary interview teams
  - 6. Sexual Assault Response Teams (SART)
  - 7. County child death review team

- a. Sudden Infant Death Syndrome (SIDS) protocol
  - b. Pediatric autopsy protocols
- 8. Multi-victim/multi-offender protocols
- 9. Missing/abducted children protocols
- 10. California State Department of Justice (DOJ) Sexual Predator Apprehension Team
- 11. California DOJ Sexual Habitual Offender Program (SHOP)
- 12. Probation, parole, schools, and Child Protective Services
- 13. National and international law enforcement resources
- 14. Technical resources, e.g., computer on-line utilities
- 15. Subject matter experts
- 16. Media
- B. Techniques
  - 1. Composite/artist renditions
  - 2. Photographic lineups (persons, places, vehicles, etc.)
  - 3. Physical lineups
  - 4. Surveillance
  - 5. Pretext conversations
  - 6. Video/audio
  - 7. Lie detection
    - a. Computer voice stress analyzer (CVSA)
    - b. Polygraph
  - 8. Inter/intra agency coordinated investigation
  - 9. Searches
  - 10. Proactive approach
  - 11. Canvassing

**Guideline #23 - Corroboration**

Corroborating information should be developed through the use of the following:

- A. Medical examination and/or medical history of child and suspect
- B. Statements of witnesses, other suspects, other victims
- C. Physical evidence
- D. Incriminating statements made by the suspect
- E. Whether access to the victim by the suspect was possible and if he/she had the opportunity to commit the offense
- F. M.O. factors
- G. Use of searches
  - 1. Warrant
  - 2. Consent
  - 3. Probation
  - 4. Parole
  - 5. Exigency/emergency
- H. Applying resources and techniques listed in Guideline #21, above

#### **Guideline #24 - Evaluation of Evidence**

All evidence gathered throughout the investigation should be collected, analyzed, evaluated and preserved, and may include:

- A. Biological (e.g., body fluids, hair, etc.)
- B. Medical
- C. Pretext recorded conversations
- D. Photographic
- E. Lineup
- F. Computer (e.g., hardware, data, e-mail, storage media)
- G. Corroborative
- H. Trace (e.g., fibers)

The proper collection and preservation of biological evidence is critical to the corroboration of facts or allegations, and to the successful prosecution of a case. All biological evidence (except whole blood) collected from the scene, victim(s) or suspect(s) must be:

- A. Carefully preserved by air drying
- B. Stored by freezing
- C. Whole blood (blood drawn and put in tubes) must be refrigerated, not frozen

#### **Guideline #25 - Suspect Interview/Interrogation**

The suspect(s) should be interviewed/interrogated using the following criteria as a guide:

- A. Advise the suspect of Miranda rights only when appropriate (in custody or its functional equivalent) (See Appendix C).
- B. Consider providing the suspect with Beheler admonition (non-custodial interrogation) when appropriate
- C. Corroborate information already obtained through the investigation
- D. Obtain incriminating statements including admissions and confessions
- E. Consider audio/video recording of interview/interrogation

#### **Guideline #26 - Interviews of Expert Witnesses**

Establishing the qualifications of expert witnesses should be as thorough as possible so that it may be used as a hearsay declaration at the preliminary examination (Prop. 115). Consider:

- A. Taping the interview(s)
- B. Establishing the expert(s) qualifications
- C. Establishing the expert(s) connection with the case
- D. The expert(s) opinions

- 1. Include both diagnosis and prognosis if appropriate
- E. Identifying the basis of the expert(s) opinion
- F. Identifying inconsistencies between the suspect's explanation and the victim's injury/condition
- G. Requiring experts to explain technical terms

**Guideline #27 - Warrantless Arrest of Suspect**

The following factors should be considered when determining whether or not to arrest the suspect(s) without a warrant:

- A. Imminent danger to the victim, suspect, or community
- B. Likelihood the suspect(s) will flee
- C. Destruction of evidence
- D. Potential ramifications of the arrest on all parties involved
- E. Impact on the case development
- F. Verification of identification of suspect(s)

**Guideline #28 - Final Report Preparation**

A final review and the preparation of all information and reports should include:

- A. Reporting the current status of the victim(s)
- B. Identification and collection of evidence
- C. Collection of all statements
- D. Determination of suspect's status
- E. Coordination and consultation with other involved agencies
- F. The assessment of confidentiality of case information
- G. Notification of victim and/or appropriate party of case status
- H. Completion of all mandated report requirement forms

**Guideline #29 - Case Summary**

In complicated cases or where there are multiple victims, incidents, or offenders, a case summary may help to emphasize the important points the investigator wishes to make. The summary may include:

- A. Synopsis of the pertinent points of the investigation
- B. Index of reports, photographs, diagrams, and other evidence
- C. Charts showing the relationships of the parties involved in the offenses
- D. Charts depicting the type and number of offenses involved and how they relate to the prosecution of the offenders
- E. Diagrams of the crime scene for courtroom presentation
- F. Time lines

## **CHAPTER TWO - CHILD NEGLECT AND EMOTIONAL ABUSE/DEPRIVATION**

### **I. DETECTION/NEGLECT**

#### **Guideline #30 - Child Neglect Indicators**

Neglect includes both acts and omissions on the part of a parent or caretaker. It means both the failure to provide, to protect or supervise, as well as to willfully cause or permit children to be in circumstances which endanger their health or well-being. A number of physical and/or behavioral indicators may assist the officer in assessing the need for intervention. However, some of these conditions may exist in home environments which are not considered neglectful (dirtiness and untidiness do not necessarily mean that a home is unfit). Rather, it is the extreme or persistent presence, or the combined number of these factors that usually indicate child neglect. The officer should be alert to the following signs of possible chronic neglect:

- A. Physical indicators of neglect may include:
  - 1. Poor growth pattern/Failure to Thrive (FTT)
  - 2. Hunger/malnutrition
  - 3. Poor hygiene
  - 4. Lack of appropriate/necessary clothing
  - 5. Unattended physical/medical problems
  - 6. Chronic fatigue/listlessness
  - 7. Unsafe/unsanitary living conditions
  - 8. Absence of adequate/appropriate food
- B. Behavioral indicators of neglected children may include:
  - 1. Child's verbal account of neglectful behavior by caretakers
  - 2. Delayed development, including: speech, body size, coordination
  - 3. Ingestion of harmful substances or repeated accidents
  - 4. Inappropriate dress for weather or temperature
  - 5. Extremes in behavior, e.g., social withdrawal (listless, withdrawn, apathetic) or noticeably antisocial or destructive behavior
  - 6. Begs, hoards, steals food or other items
  - 7. Chronic absence/tardiness at school
  - 8. Children caring for children; inappropriate maturity or parental role reversal
- C. Parent or caretaker behavior/characteristics may include:
  - 1. Apathetic/passive
  - 2. Unresponsive attitude
  - 3. Depressed
  - 4. Unconcerned for child
  - 5. Socially/physically isolated
  - 6. Substance abuser
  - 7. Displays irrational/bizarre behavior
  - 8. Lack of supervision/unattended child

## **II. INVESTIGATIVE PROCEDURES - NEGLECT**

### **Guideline #31 - Response to Neglect**

The officer should determine the level of neglect (general or severe) and the appropriate response, taking the following factors into consideration:

- A. Imminent danger
- B. Age and general condition of the child
- C. Immediate need for medical attention
- D. Ability of the child to care for himself/herself
- E. Inadequate allocation of basic necessities between children and adults
- F. Prior contacts with child protective agencies

These factors also assist in determining if a warrantless entry into the living environment is legally justified based on exigent circumstances.

All neglect cases are referred to Child Protective Services for appropriate action. Cases of severe neglect shall be investigated by law enforcement; cases of general neglect may also require investigation by law enforcement.

(See Glossary [Appendix F] for definitions of general and severe neglect)

### **Guideline #32 - Protective Custody (Risk Assessment) Considerations**

The officer should weigh all the facts when considering taking the victim(s) into protective custody pursuant to W&I 300/30. Consideration should also be given to history and prior offenses or allegations of child abuse.

### **Guideline #33 - Coordination**

It is important for law enforcement personnel conducting investigations of child neglect to notify and coordinate their activities with Child Protective Services.

### **Guideline #34 - Collection and Preservation of Evidence**

Evidence that will support allegations of child neglect should be gathered, preserved and stored. This evidence may consist of:

- A. Physical evidence
  - 1. Photographs/video of victim and/or living environment
  - 2. Clothing/bedding
  - 3. Food conditions (samples)
  - 4. Observed health/safety hazards
- B. Medical information

1. Medical reports
  2. Medical history
  3. Substance abuse/addiction
  4. Interview medical personnel
- C. Statements of:
1. Reporting party
  2. Victim(s)
  3. Neighbors/relatives
  4. Caretakers
  5. Other professionals
- D. Documented observations of investigating officer
1. Visual
  2. Odors
  3. Sounds (e.g., crying infant, inappropriate screaming at child, etc.)
- E. Background/records checks
1. Child Protective Services
  2. Department of Justice Child Abuse Central Index
  3. Schools
  4. Law enforcement

**Guideline #35 - Special Considerations**

Law enforcement personnel should be aware of some special circumstances that may resemble or mitigate child neglect. These may include:

- A. Cultural, socio-economic and religious differences
- B. Poverty
- C. Ignorance; lack of parenting skills
- D. Medical conditions not caused by neglect
- E. Developmental disabilities (caretaker or child)

**III. DETECTION - EMOTIONAL ABUSE/DEPRIVATION**

**Guideline #36 - Emotional Abuse Indicators**

Emotional or psychological abuse, while difficult to substantiate, is a serious form of child maltreatment. The following conditions have been identified as components of emotional maltreatment:

- A. Parent/caretaker behaviors
  1. Degrading/humiliating: verbal assault, excessive shaming, public ridicule
  2. Terrorizing/intimidating: threats of harm, forcing child to witness violent acts
  3. Isolating: locking away in closets or rooms alone, denying access to relationships

4. Corrupting: encouraging antisocial acts or beliefs, exposure to harmful influences
5. Exploiting: using for self-gain or self-gratification at the child's expense
6. Lack of nurturance: ignoring or rejecting the emotional need for affection, denying contact

**B. Child's behavior**

1. Sleeping/eating/speech disorders
2. Developmental/learning/concentration problems
3. Habit disorders (e.g., head banging, tics, biting, self-mutilation)
4. Extremes in behavior or affect (e.g., aggressive, withdrawn, destructive, etc.)
5. Inappropriately infantile/pseudo-maturity/exaggerated fearfulness
6. Indiscriminate attachments, attention/affection seeking behavior
7. Excessively depressed, suicidal

**Note:** Most cases of emotional maltreatment result from disclosure or direct observation of emotionally abusive conditions. Behavioral signs are less reliable since they overlap substantially with non-abuse related problems. The above indicators may suggest the need for further investigation or assist the officer in determining the need for intervention.

**IV. INVESTIGATIVE PROCEDURES - EMOTIONAL ABUSE/DEPRIVATION**

**Guideline #37 - Protective Custody (Risk Assessment) Considerations**

The officer should weigh all the facts when considering taking the victim(s) into protective custody pursuant to W&I 300/30. Consideration should also be given to history and prior offenses or allegations of child abuse.

**Guideline #38 - Evidentiary Sources**

Some sources of emotional abuse evidence may be:

- A. Public/private school records
- B. Psycho-social evaluations
- C. Statements of involved parties
- D. Observations
- E. Background records
- F. Photographs/videos of victim(s) and/or living conditions
- G. Any other physical evidence

## **CHAPTER THREE- PHYSICAL CHILD ABUSE**

### **I. LEGAL REQUIREMENTS**

#### **Guideline #39 - Law Enforcement Responsibility**

In situations where a child suffers a non-accidental injury, law enforcement agencies have the responsibility to protect the health and welfare of the child, and determine if a crime has been committed.

### **II. DETECTION**

#### **Guideline #40 - Indicators of Physical Abuse**

There are a number of physical and behavioral indicators that may signal an abused child. Careful observation and listening can assist the officer in distinguishing accidental injuries from possible physical abuse. Facts and information to consider about the child and the injury include:

- A. The child has indicated that the injury was caused by another person
- B. The parent, caretaker, or child is unable or unwilling to provide an explanation
- C. The explanation is incompatible with the nature of the injury
- D. There are discrepancies or inconsistencies in the explanation among the parties

Physical abuse is the form of maltreatment most likely to involve obvious physical signs specific to abuse. Nonetheless, injuries are not always apparent, so verbal disclosures also play an important role. Soft-tissue damage (such as a bruise) is the most common physical sign; burns and scalds occur less frequently. The primary target zone for injury infliction is the back surface of the body between the neck and the knees.

- A. Indicators of physical abuse may include:
  - 1. Bruises and/or welts which may have a definitive shape or pattern
  - 2. Burns
  - 3. Fractures or sprains
  - 4. Lacerations or abrasions
  - 5. Other injuries that may be caused by biting, cutting, poking, punching, twisting of limbs, or whipping
  - 6. Head injuries
  - 7. Rope burns (scars) on wrists and/or ankles
  - 8. Internal injuries
  - 9. Multiple injuries or injuries on multiple planes of the body
  - 10. Injuries in various stages of healing
  - 11. Shaken Baby Syndrome

- B. Behavioral indicators of abuse may include:
  - 1. Exaggerated fearfulness: frightened of parents or other adults; wary of physical contact; afraid to go home; attempts to hide injury; hyper vigilant; apprehensive
  - 2. Excessively aggressive: destructive toward self/others; acting-out behavior
  - 3. Excessively passive: withdrawn; overly compliant; apathetic; anxious; depressed
  - 4. Over-protective of parents or caretakers; inappropriate maturity
  - 5. Drastic behavior changes in and out of presence of parents
- C. Parental behavior characteristics may include:
  - 1. Concealment of child's injuries
  - 2. Verbal or non-verbal threats or attempts to control child's communication
  - 3. Delay in seeking medical care or minimizing the severity of an injury
  - 4. Irrational thought processes; unrealistic expectations of child

### **III. INVESTIGATIVE PROCEDURES**

#### **Guideline #41 - Levels of Response**

The level of response by law enforcement agencies to reported physical abuse cases depends upon the:

- A. Nature of the call (in-progress vs. delayed report)
- B. Age of the child
- C. Imminent danger to the child
- D. Immediate need for medical attention
- E. History of prior reports
- F. Exigent circumstances

#### **Guideline #42 - Protective Custody (Risk Assessment) Evaluation**

The officer should weigh all the facts when considering taking the victim(s) into protective custody pursuant to W&I 300/30. Consideration should also be given to history and prior offenses or allegations of child abuse.

#### **Guideline #43 - Evidentiary Sources**

All pertinent evidence should be collected to substantiate the physical abuse allegation. Such evidence may include:

- A. Time-sequenced photographs, with the use of a size and color scale, of the victim and/or the crime scene

- B. Audio/video tape recordings
- C. Medical information
- D. Instruments/weapons that caused the injury
- E. Statements
- F. Documentation of observations
- G. Injuries to other children in the home
- H. Other possible evidence to substantiate the allegation

#### **Guideline #44 - Coordination**

When responding to suspected physical abuse, it is important for law enforcement personnel to notify and coordinate their activities with appropriate agencies. This will:

- A. Assist in limiting the number of times the child victim will be interviewed
- B. Allow for input in the decision-making process
- C. Improve the communications between the various agencies involved in the investigation

#### **Guideline #45 - Special Considerations**

Parents have the right to discipline their children. However, if the discipline is excessive, authorities have the responsibility to intervene. Considerations include:

- A. Discipline resulting in physical injury
- B. Age of the child being disciplined
- C. Instrument(s) used, if any
- D. Location of the injury on the child

## **CHAPTER FOUR - SEXUAL ABUSE AND EXPLOITATION OF CHILDREN**

### **I. DETECTION**

#### **Guideline #46 - Special Considerations in Sexual Assault/Abuse Investigations**

Child sexual abuse encompasses a broad range of behaviors that may involve many acts over time or a single incident. Because child sexual abuse usually occurs in secrecy, it may be experienced as shameful and often involves threats not to tell. Children are reluctant to disclose details voluntarily.

Despite the belief that physical findings are important in proving sexual abuse, the majority of cases do not involve serious bodily injury and do not result in physical indicators. Additionally, long delays between the abuse and disclosure are common and further reduce the likelihood of finding specific physical signs of sexual abuse. The absence of physical findings is common in sexually abused children.

There are two types of medical examinations for sexual abuse victims. The type of examination required is usually determined by the physical condition of the child and/or the length of time since the alleged abuse. Unless a child requires immediate medical attention, or the last incident occurred within 72 hours, a suspected victim of sexual abuse should only be physically examined by medical specialists with forensic expertise in child sexual abuse.

- A. Acute Child Sexual Abuse Examination (Evidentiary Examination); within 72 hours
  - 1. Complete medical examination (total body)
  - 2. Genital/perianal examination (with colposcope where available)
  - 3. Collection of all appropriate forensic (biological) specimens
  - 4. Evaluation/treatment of sexually transmitted diseases and/or pregnancy
  - 5. Completion of Office of Criminal Justice Planning (OCJP) sexual abuse report form (OCJP 923 or 925)
- B. Non-acute Child Sexual Abuse Examination (occurring after 72 hours)
  - 1. Complete medical examination (total body)
  - 2. Genital/perianal examination (with colposcope, where available, to document old or healing injuries)
  - 3. Evaluation/treatment of Sexually Transmitted Diseases (STD) and/or pregnancy
  - 4. Completion of OCJP sexual abuse report form (OCJP 923 or 925)

#### Guideline #47 - Sexual Assault/Abuse Indicators

Physical indicators of sexual abuse, if they exist, are usually only detectable by medical personnel. Officers should be aware of them and may be able to identify some through questioning. Following are some of the physical indicators that may be exhibited by sexually abused children:

- A. Pain or itching of genitalia
- B. Difficulty in walking or standing
- C. Bruised or bleeding genitalia
- D. Painful erections
- E. Inappropriate wetting or soiling
- F. Bite marks around genitalia
- G. Sexually Transmitted Diseases (STD)
- H. Foreign objects in anus or genitalia
- I. Pregnancy
- J. Scarred or mutilated genitalia

As with other forms of abuse, behavioral and psychological symptoms of sexual abuse are difficult to interpret because of their overlap with symptoms of other forms of distress. Statements by children describing sexual acts with adults remain the single best

indicator of child sexual abuse. However, because only about one-third of cases result from verbal accounts from children, and because physical signs are even less common, suspicions often arise as a result of children's behaviors and emotional reactions. Following are some of the behavioral indicators that may be exhibited by sexually abused children:

- A. Behavioral/emotional indicators:
  - 1. Sexualized acting-out behavior
    - a. Excessive/compulsive masturbation
    - b. Inappropriate or aggressive sexual behavior with children, adults, toys, pets
    - c. Age-inappropriate understanding or preoccupation with sexual matters
    - d. Exposes self, refuses to dress or to undress
  - 2. Drastic behavior changes
    - a. Sudden onset of acting-out behavior, school problems, phobias
    - b. Extreme fearfulness, especially in response to particular circumstances or individuals
    - c. Unusual accumulation of money or gifts
  - 3. Notable changes in demeanor or personality
    - a. Acute or chronic depression, anxiety, suicidal indicators
    - b. Eating/sleeping/concentration problems
  
- B. The following are some of the parent/caretaker characteristics that may be consistent with child sexual abuse:
  - 1. Extreme over-protectiveness and/or parental dominance
  - 2. Social isolation
  - 3. Conflict or alienation between parents
  - 4. Substance abuse
  - 5. Lack of supervision, controls, communication

**Note:** Three things should be kept in mind: 1) behavioral signs, in any combination, have not been shown to be reliable indicators of sexual abuse; 2) an absence of behavioral or physical indicators cannot be used to rule out sexual abuse; and 3) parental indicators are no more reliable than child indicators.

#### **Guideline #48 - Sexual Exploitation Indicators**

In addition to the indicators listed in Guideline #47, sexual exploitation should be suspected if:

- A. There are multiple victims and/or multiple suspects
- B. Child victim describes instances where he/she has been photographed, videotaped, or appears on electronic media
- C. Evidence of prostitution

- D. Evidence of nude modeling or live nude performance by the child
- E. Suspects displays an unusual interest in children
- F. Suspects possesses child erotica (see Glossary)
- G. Evidence is found of the suspect's membership in known pedophile organizations
- H. Suspect spends an abnormal amount of time at locations where juveniles congregate
- I. Suspect exhibits seduction methods with children
- J. Evidence of unusual adult/youth associations
- K. Evidence of pornography
- L. Suspect occupies a position of authority or trust with children
- M. Suspects use of electronic media to communicate with children

**Guideline #49 - Protective Custody (Risk Assessment) Considerations**

The officer should weigh all the facts when considering taking the victim(s) into protective custody pursuant to W&I 300/30. Consideration should also be given to history and prior offenses or allegations of child abuse.

**II. INITIAL RECEIPT AND EVALUATION OF INFORMATION**

**Guideline #50 - Law Enforcement Response**

Upon the initial receipt and evaluation of a reported offense, the urgency of the response should be prioritized based on the type of sexual abuse and the nature of the case. Such considerations include:

- A. Danger to the victim
- B. Need for medical attention
- C. Whether suspect has access to the victim and/or other children
- D. Potential to obtain or lose evidence
- E. Acquaintance vs. stranger assault
- F. Need for a search warrant or warrantless search
- G. Obtaining information as quickly as possible if the child is actively disclosing
- H. The ability to interview the child in a neutral setting, away from the suspect or other distractions

**III. INVESTIGATIVE PROCEDURES**

**Guideline #51 - Preliminary Investigation**

In the preliminary investigation, the following information should be gathered to evaluate the allegation of sexual abuse:

- A. Type and extent of sexual contact
- B. Identification of all persons with possible knowledge of the incident
- C. A detailed description of crime scene
- D. The likely motivation of the reporting party

**Guideline #52 - Suspect Interview/Interrogation**

In sexual abuse or exploitation cases, the investigating officer should determine:

- A. Suspect's awareness of the investigation
- B. When suspect should be made aware of the investigation
- C. When suspect should be interviewed/interrogated
- D. Who should do the interview/interrogation of the suspect
- E. Where interview/interrogation should take place
- F. The legal issues regarding the custodial/non-custodial aspects of the interview/interrogation
- G. Suspect's access to children

**Guideline #53 - Evidence**

All evidence relating to allegations of sexual abuse and sexual exploitation should be collected, stored, and preserved. Such evidence may include:

- A. Audio/video tapes and photographs of the victim
- B. Video tapes and/or photographs of the crime scene
- C. Findings in a sexual abuse medical examination
- D. Articles of clothing from victim and/or suspect
- E. Biological/trace evidence (victim/suspect)
- F. Sexually oriented material that focuses on children
- G. Diaries (victim/suspect/witness)
- H. Correspondence relating to allegations and/or other offenses
- I. Personal telephone/address books
- J. Sexual aids (any device that is used to enhance or stimulate a sexual act)
- K. Computer equipment/files (suspect/victim)
- L. Other evidence that tends to corroborate the allegations

**Guideline #54 - Investigative Leads**

Investigative leads for sexual abuse and sexual exploitation cases should include:

- A. Suspect's associations with youth and/or youth organizations
- B. File checks showing suspect's contacts with youths
- C. Intelligence information such as:
  - 1. Pornography mailing lists
  - 2. Pedophile networks
  - 3. Underground newsletters and publications

4. Child Abuse Central Index
  5. Criminal history files
  6. Sexual offender files, e.g., Sexual Habitual Offender Program (SHOP)
  7. Federal law enforcement agencies' seizure lists and data bases
- D. Suspect's prior and current relationships and/or marriages
  - E. Prior consistent behavior of suspect

**Guideline #55 - Corroborating Information**

Corroborating information sources that will assist the investigating officer include:

- A. Description of crime scene, residence, and/or vehicle
- B. Description of marks, scars, and tattoos (especially on those body parts normally covered by suspect's clothing)
- C. Visual, audio, and electronic media depictions of the victim and other children who may be victims or witnesses
- D. Pornography and erotica that may have been exhibited to the victim
- E. Items left behind by the victim/suspect at the crime scene
- F. Person the victim may have told prior to the official report to authorities (best friend, neighbor, etc.)
- G. Prior medical visits for related symptoms
- H. Gifts and/or rewards received from the suspect

**CHAPTER FIVE - DOMESTIC VIOLENCE CASES**

When investigating domestic violence cases, officers should be aware that child abuse also may be present.

**Guideline #56 - Responsibility**

In situations when officers respond to calls of domestic violence, it is the responsibility of law enforcement to determine whether there are children present in the home and to take appropriate action to protect them.

**Guideline #57 - Response**

When domestic violence is present and children are in the home, the officer should:

- A. Check for signs of physical abuse, neglect and emotional trauma
- B. Assess imminent danger
- C. Interview children in order to:
  1. Determine if they are victims of current or prior domestic violence incidents
  2. Determine if they are witnesses to current or prior incidents
  3. Obtain a family history, including:

- (a) Patterns of discipline
- (b) Family rules
- (c) Family responsibilities of the children

#### **Guideline #58 - Protective Custody (Risk Assessment) Considerations**

The officer should weigh all the facts when considering taking the victim(s) into protective custody pursuant to W&I 300/30. Consideration should also be given to history and prior offenses or allegations of child abuse.

#### **Guideline #59 - Investigative Considerations**

- A. Statements of involved parties
- B. Witness interviews (neighbors, teachers, relatives)
- C. DOJ Child Abuse Central Index
- D. Medical records
- E. School records
- F. Prior incidents/reports
- G. Evidence collection
- H. Officer observation

#### **Guideline #60 - Legal Considerations**

- A. Emergency Protective Orders
- B. Referrals for support and assistance (PC 13701)
- C. Safety plans and local agency protocols
- D. Restraining and other court orders (Penal Code Sections 166.4, and 273.6)
- E. Arrest mandates
- F. Probation/parole status
- G. Welfare & Institutions Code 300/305

### **CHAPTER SIX - INTERVIEW AND INTERROGATION TECHNIQUES**

#### **I. GENERAL CONSIDERATIONS**

##### **Guideline #61 - Objective**

The objectives of the interview are to:

- A. Determine if a crime has been committed
- B. Determine who, what, when, where, why, and how
- C. Identify and locate evidence
- D. Minimize trauma to the child

### **Guideline #62 - Law Enforcement Responsibility**

The primary responsibility for conducting criminal investigative interviews and interrogations rests with the law enforcement agency and may involve the use of a forensic child interviewer.

### **Guideline #63 - Interview and Interrogation Considerations**

When conducting interviews and interrogations, the investigating officer should consider the following procedures:

- A. Determine purpose of interview/interrogation
- B. Plan and prepare carefully for the interview/interrogation
- C. Consider the use of audio/video technology
- D. Determine the developmental and functional level of the victim, witnesses, and suspect
- E. Determine the various relationships of all parties involved in the alleged offense
- F. Determine if there are additional victims, witnesses, or suspects
- G. Establish the existence of evidence
- H. Protect confidentiality of all parties involved in the alleged offense (Penal Code Section 293(a))
- I. Conduct all interviews/interrogations separately
- J. To prevent contamination, avoid disclosure of case information to all parties involved in the alleged offense
- K. Instruct all parties involved in the alleged offense to maintain confidentiality
- L. The legal ramifications of custodial/non-custodial interrogation

## **II. VICTIM INTERVIEWS**

### **Guideline #64 - Minimizing the Number of Victim Interviews**

Every effort should be made to minimize the number of interviews with the child victim. Some techniques to consider include:

- A. Consultation with a specialized law enforcement child abuse investigative unit (if available) prior to the interview
- B. Seeking other sources of information prior to the interview with the victim
- C. Coordination of the investigation with Child Protective Services
- D. Consultation with the prosecuting attorney
- E. Use of audio and/or video recordings
- F. Conducting thorough and well documented interviews in a child-friendly environment
- G. The use of a multi-disciplinary interview center (MDIC)

### **Guideline #65 - Sensitivity**

Care should be taken to be sensitive to the needs of the child. Techniques to consider include:

- A. Establishing age-appropriate rapport with the child
- B. Carefully selecting interview setting
- C. Providing the child with emotional support
- D. Having support persons available, if needed
- E. Making appropriate use of interview aids (dolls, drawings, etc.)
- F. Establishing the child's developmental level
- G. Being aware of self-blaming behavior by the child
- H. Recognizing when to discontinue the interview
- I. Being aware of cultural differences
- J. Telling the child what to expect during the investigation
- K. Being prepared to respond to the victim's questions
- L. Concluding the interview in such a fashion that the victim feels free to recontact the investigator
- M. Avoiding "Why" questions and blaming behavior by the interviewer
- N. Avoiding the creation of false expectations

### **Guideline #66 - Special Considerations**

When conducting child victim interviews, the interviewer should consider the following:

- A. To whom and when the victim initially disclosed the incident
- B. Avoiding paraphrasing by allowing the child to describe the incident in his/her own words
- C. Establishing and using the child's terminology and language for body parts and document where possible
- D. Avoiding influencing the child's account of the alleged offense
- E. Establishing time frame and jurisdiction for all alleged offenses
- F. Avoiding being judgmental when discussing the alleged suspect
- G. Avoiding inappropriate technical terminology
- H. Avoiding making promises or false reassurances/expectations
- I. Keeping emotional responses by the interviewer appropriate
- J. Avoiding accolades, remaining neutral
- K. Accepting the child's emotional state, without trying to change it

### **Guideline #67 - Special Populations**

When conducting interviews with the child victim, be aware of special needs and characteristics for the following populations:

- A. Developmentally impaired
- B. Physically/mentally impaired
- C. Cultural/religious diversities

### **III. WITNESS INTERVIEWS**

#### **Guideline #68 - Interview Considerations**

When conducting interviews with witnesses of an alleged child abuse offense, the investigating officer should consider the following:

- A. Determining sequence for witness interviews
- B. Determining source of witness knowledge of the alleged offense
- C. Determining if the witness could be an additional victim
- D. Determining witness relationship to the victim
- E. The developmental level of the witness
- F. Determining the relationship of the witness to the suspect
- G. The motivation of the witness
- H. Avoid influencing the witness's account of the alleged offense
- I. The possibility of the witness recanting the account of the incident
- J. The use of audio/video recording technology

### **IV. SUSPECT INTERVIEW/INTERROGATION**

#### **Guideline #69 - Special Considerations for Juvenile Offenders**

When investigating an abuse allegation that focuses on a juvenile as the suspect, the investigating officer should make the following special considerations:

- A. Special emphasis should be made to maintain rapport throughout the interview
- B. Document the suspects' understanding of the wrongfulness of the act
- C. Determine and document the level of the suspect's criminal sophistication
- D. Gather historic social and criminal information about the suspect prior to the interview

Many juvenile sex offenders have a history (not necessarily prior reports) of sexual victimization.

- A. Approaching juvenile sex offenders with an attitude that they are victims is usually more productive than an adversarial approach
- B. If the juvenile sex offender was/is a victim, that case should also be investigated with equal vigor

**Guideline #70 - Interview/Interrogation Considerations**

When conducting an interview/interrogation with an alleged suspect, the following factors should be taken into consideration by the investigating officer:

- A. Careful selection of the setting and timing for the interview
- B. Establish rapport with the suspect
- C. Determine relationship between the suspect, witness, and victim
- D. Determine if and when the suspect had access to victim
- E. Note the demeanor of suspect at the time of the interview
- F. Encourage suspect to relate the incident in his/her own words
- G. Note statements that are consistent or inconsistent with other findings and evidence
- H. Custodial vs. non-custodial legal issues

**Guideline #71 - Suspect Interview/Interrogation Special Considerations**

When interviewing/interrogating the suspect, the investigating officer should be aware of the following:

- A. Suspect's typology (See Appendix I)
- B. Suspect's fears
- C. Suspect's understanding of possible stigma associated with accusation
- D. Currently used techniques and strategies for suspect interviews

**Guideline #72 - Corroboration of Suspect's Statement**

Every attempt should be made to corroborate statements made by the suspect. The following information may help the investigating officer accomplish this task:

- A. Statements of victim and witness
- B. Physical evidence
- C. Prior criminal history data
- D. Prior complaints (about the suspect)
- E. Prior consistent behavior

## **CHAPTER SEVEN - COMMUNITY CHILD CARE FACILITIES**

### **I. RESPONSIBILITY**

#### **Guideline #73 - Law Enforcement Responsibility**

Law enforcement agencies have the authority and responsibility to investigate allegations of child abuse occurring in the following types of licensed and unlicensed community child care facilities:

- A. Family day care homes
- B. Child day care centers
- C. Foster family homes
- D. Group homes
- E. Small family homes

### **II. INITIAL RECEIPT AND EVALUATION OF INFORMATION**

#### **Guideline #74 - Level of Response**

The urgency of response by law enforcement personnel to allegations of child abuse in a community child care facility should be governed by the:

- A. Nature and seriousness of the allegation
- B. Present risk to children
- C. Credibility of allegation
- D. Need for coordination with other appropriate regulatory agencies
- E. Need for discretion to protect the rights and credibility of the child care provider
- F. Potential for loss and/or contamination of evidence
- G. Impact of the action taken on further case development

#### **Guideline #75 - Coordination**

Coordination of the initial response to an allegation of child abuse in a community child care facility with one or more of the following agencies should be considered by the investigating officer:

- A. California Department of Social Services (Community Care Licensing Division)
- B. Local child protective service
- C. Child placement agencies
- D. Other regulatory agencies (fire department, public health department, etc.)

**Guideline #76 - Reporting Requirements (Group Homes or Institutions)**

If suspected child abuse occurs in a group home or institution, the investigation of that abuse must be done in accordance with the regulatory "Guidelines for Investigation of Child Abuse in Group Homes or Institutions" (Penal Code Section 11174). These are found in Title II California Administrative Code, Article 3, Sections 930-930.8.

**Guideline #77 - Cross-Reporting Requirements (Group Home or Institution)**

If suspected child abuse occurs in a group home or institution, the local law enforcement agency is required to notify the following agencies:

- A. Child Protective Services
- B. Licensing agency
- C. District Attorney's Office

**Guideline #78 - Follow-Up Reporting Requirements (Group Home or Institution)**

If suspected child abuse occurs in a group home or institution, the investigating law enforcement agency is required to make written notification of the results of the final disposition of the matter to the appropriate agencies/person. These agencies shall include:

- A. Department of Justice-Division of Law Enforcement
- B. District Attorney's Office
- C. Child placement agency involved
- D. Child Protective Services
- E. Licensing agency with jurisdiction over the facility
- F. Administrator of the group home or institution, as long as disclosure does not violate confidential information
- G. Parent or guardian of the child if the child is not a dependent or ward of the court
- H. Mandated reporter
- I. State funded resource and referral agency for that jurisdiction, as long as disclosure does not violate confidential information

**Guideline #79 - Department of Social Services Reporting Requirement**

When a law enforcement agency receives a report of abuse alleged to have occurred in facilities licensed to care for children by the State Department of Social Services, it is required, within 24 hours, to notify the licensing office with jurisdiction over the facility (Penal Code Section 11166.1).

### **III. INVESTIGATIVE PROCEDURES**

#### **Guideline #80 - Preliminary Investigation Procedures**

The initial responding officer should consider, but not be limited to, the following procedures:

- A. Ensuring the safety of the child
- B. Taking immediate count of all the children present in the facility
- C. Conducting an immediate visual inspection of the condition of the facility and personnel
- D. Identifying licensee, all employees and persons residing in the facility
- E. Noting the degree of cooperation by persons contacted

Establish a local policy for the handling of multi-victim and multi-suspect cases

#### **Guideline #81 - Legal Action**

A child abuse investigation in a community child care facility may lead simultaneously to three types of action:

- A. Criminal
- B. Civil
- C. Administrative

Rules of evidence and burdens of proof differ in each of the above proceedings. Evidence which is not admissible in a criminal trial may well be admissible in administrative proceedings. An administrative action could lead to the closure of the facility and serve to document the incident in criminal history records.

#### **Guideline #82 - Follow-up Investigation Procedures**

The investigator should review the actions taken by the officer handling the preliminary investigation. It is crucial that:

- A. All statements are complete and accurately documented
- B. All physical evidence has been identified and documented
- C. A search has been considered (if appropriate)
- D. All mandatory notifications have been made

Updated as of August 25,1998

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title <b>Contract for Revised Psychological Screening Guidelines</b>		Meeting Date <b>November 5, 1998</b>
Bureau <b>Standards and Evaluation</b>	Reviewed By <b>Alan Deal</b> <i>ASD</i>	Researched By <b>Shelley Spilberg</b>
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <b>10-7-98</b>	Date of Report
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> 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 outside assistance in the creation of revised POST psychological screening guidelines, at a cost not to exceed \$175,000?

**BACKGROUND**

In 1984, POST issued the Psychological Screening Manual to assist agencies in their establishment of psychological suitability examinations as required by POST Regulation 1002(a)(7) and POST Commission Procedure C-2. The 1984 manual includes the results of a psychological skills analysis, a review of the then-available research literature related to the psychological screening of peace officers, and a report on POST research that assessed the validity of two psychological tests (i.e., MMPI and CPI) for predicting academy, field training, and on-the-job performance.

Several major areas of development in the ensuing 14 years have served to contribute to the Manual's increasing obsolescence. Legally, the Americans with Disabilities Act of 1990 and the Civil Rights Act of 1991 have provided additional entitlements to job applicants and employees with mental disabilities, as well as limited the manner in which testing can be conducted and evaluated in order to achieve racial and gender equity. Concurrently, significant advances in the area of psychological assessment have resulted in new theories of personality and associated measurements, as well as a renewed interest and emphasis on the role of personality and its contribution to job performance. Significant changes within the law enforcement profession, such as the advent of community-based policing and increased attention to issues such as police aggression and racism have also highlighted the need to select officers who are psychologically capable of withstanding the increasing demands made on law enforcement.

In response to these developments, an objective was included in the POST Strategic Plan (A.8.II) to update the guidelines and procedures for the psychological screening of peace officer candidates. Work on this objective to date has included an extensive literature review, meetings with various stakeholders (e.g., clinical psychologists, CADA, PORAC, NAFTO), the development and refinement of a taxonomy of important peace officer psychological traits and related job demands and performance problems, and the creation of a research design based upon the results of a multi-faceted needs assessment.

The needs assessment phase of the project yielded a number of perceived problems and shortcomings associated with the current state of psychological screening. Many of the concerns expressed center around inconsistencies in the way these exams are conducted across (and even within) agencies, ambiguity regarding the role of the psychological exam with respect to *selecting in* those who are psychologically suitable versus *screening out* the psychologically unstable, confusion over the respective, interdependent roles of psychologists, agency administrators, and others involved in peace officer selection, and a general

consensus that the current manual, in addition to being outdated, offers quite limited practical guidance in terms of arriving at, justifying, and documenting these personnel decisions. The research methodology was therefore developed to support the major project goals of greater standardization in the manner in which the exams are conducted and decisions are derived and documented, more explicit, job-related linkages between the psychological attributes of candidates and occupational demands and requirements, and increased accountability on the part of all involved in the decision-making process.

Progress on this project has been hampered from the onset by limited staff availability. Recent POST attrition has only served to exacerbate this problem. Furthermore, the scope and complexity of the project research design that has evolved from this early work highlights the need for additional assistance, particularly in areas of expertise that POST staff do not currently possess (e.g., clinical psychology).

## ANALYSIS

The research design for this project has three major emphases. Each is briefly described below; major action steps and associated costs are listed in the Appendix.

1. Content-Based Validation of Psychological Traits and Attributes. This aspect of the project includes the finalization and validation of a comprehensive set of psychological attributes to include in the revised psychological screening examination and evaluation protocols. A series of workshops will be conducted, in which job experts--including law enforcement supervisors, management, and experienced patrol officers--will review, refine, and rate the draft trait taxonomies and related information (e.g., psychological job demands and performance problems), to ensure that they are complete, job-related, and capture the performance and behavioral problems associated with psychologically unsuitable officers. Later meetings with panels of clinical psychologists will be convened to develop screening evaluation criteria based on these results.
2. Creation of Revised Examination Protocols and Related Manual Chapters. The revised manual will contain guidance on the psychological examination and evaluation of peace officer candidates, including:
  - ▶ Legal implications and admonitions associated with psychological screening
  - ▶ Qualifications and training of screening psychologists
  - ▶ Descriptions of available and commonly-used psychological screening tests, and an evaluation of their effectiveness for psychological screening based on published and unpublished validation research
  - ▶ Guidelines for synthesizing information across the various evaluation sources (e.g., objective tests, interviews, background information) in arriving at a screening decision
  - ▶ Use of the validated psychological traits and associated information in the decision-making process
  - ▶ Providing feedback to the applicant and the conduct of appeals
  - ▶ Mechanisms for continual evaluation/validation of the psychological screening process

The creation of these sections will be the combined responsibility of POST staff and contracted, clinical psychologists. Draft chapters will be developed from literature review and the content-based validation work described above; these drafts will be subsequently reviewed by panels of clinical psychologists and relevant agency personnel prior to finalization.

3. Empirical Research/Validation. An empirical study is planned to test the appropriateness and effectiveness of the psychological attributes identified during the content-based validation phase. The current planned design involves comparisons between psychologically unfit officers (based on evaluations by supervisors and peers) and matched sets of "normal" officers. The study will include an evaluation of the manner in which psychological unfitness is commonly evidenced in peace officers, the associated psychological traits, and a comparison of the psychological screening scores between these two groups. Additional test score data may also be collected from a variety of agencies to provide peace officer test norms, as well as to detect evidence of any test bias against minorities or other protected groups.

Outside assistance is necessary in completing all of the above steps associated with the creation of a revised POST Psychological Screening Manual. Completion of the above steps would be expected to require 30 months, at a total cost of no greater than \$175,000. Part of this assistance may be provided, via interagency agreement, by staff from the University of California or other state agencies. The remainder of the contracted assistance will be obtained through the RFP process. Along with the research design and project goals, the selection criteria will stipulate the qualifications required by the contractor(s), including an extensive background in the psychological screening of peace officers, test development/validation, quantitative skills and research design and implementation, as well as a successful history of contract management.

#### RECOMMENDATION

Authorize the Executive Director to contract for assistance in conducting research and associated work leading to the creation of a revised POST Psychological Screening Manual. The cost of the total project is not to exceed \$175,000, and will be conducted over a 30-month period.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title <b>Contract for Revising Sections of the Medical Screening Manual</b>		Meeting Date <b>November 5, 1998</b>
Bureau <b>Standards and Evaluation</b>	Reviewed By <b>Alan Deal</b> <i>Alan Deal</i>	Researched By <b>Shelley Spilberg</b>
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <b>10-7-98</b>	Date of Report
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

**ISSUE**

Should the Commission authorize the Executive Director to develop a contract to revise specified sections of the POST Medical Screening Manual for California Law Enforcement in the amount of \$35,000?

**BACKGROUND**

At its January 1993 meeting, the Commission authorized the release of the revised 1993 POST Medical Screening Manual. As indicated in its preface, the packaging and format of the revised manual were intended to ensure that future changes and updates could be easily incorporated. In keeping with that intent, new vision guidelines were published and distributed in July 1994, and the guidelines related to diabetes were revised and distributed in April 1996. New hearing guidelines are slated for completion in early 1999.

In the past decade, significant advancements have been made in many areas of medical science. Concurrently, the accumulation of case law and new guidance associated with the Americans with Disabilities Act since its passage in 1990 have served to better define the legal parameters surrounding the medical screening of job candidates. To keep pace, it is necessary to review and revise many sections of the manual. For example, the recent widespread use of laser vision correction (photo refractive keratotomy) is not addressed in the current manual. Very recent improvements in the detection, treatment, and management of ulcers, cancer, diabetes, and many other medical conditions also need to be factored into the manual's examination and evaluation protocols.

**ANALYSIS**

In keeping with POST's commitment to maintain the Medical Screening Manual as a "living document," a formal process of reviewing and revising the early sections needs to begin. The process will involve a review of the medical and epidemiological literature published since the creation of the initial chapters, creation of draft, revised chapters, submittal to groups of relevant specialists, and post-review finalization of each section. Decisions regarding the need to convene a panel of specialists, or perform the review by mail, will be made on a chapter-by-chapter basis, depending upon the medical and legal events that have transpired since each chapter's initial creation

To be able to honor his commitments to POST, Dr. Goldberg has expressed a desire to continue work on the revision process via individual contract rather than interagency agreement with the City. He anticipates that he could devote 2 days/month to this effort. Over the course of a year, this amounts to a total of \$35,000 for his services (at his current billing rate of \$250/hour for the first 40 hours; \$200/hour thereafter). It is anticipated that, at this level of effort, a minimum of five major sections could be revised, including endocrinology, respiratory, vision, and cardiology and hematology/oncology.

Given his outstanding performance throughout course of the project, a sole source contract for the services of Dr. Goldberg will be submitted to the Department of General Services. Should they deny this request, a competitive contract will be developed for said services.

### RECOMMENDATION

Authorize the development and issuance of a 1-year contract for the revision of specified sections of the POST Medical Screening Manual for California Law Enforcement for an amount not to exceed \$35,000. A request to create a sole source contract for the services of Dr. Robert Goldberg will be submitted to the Department of General Services. Should that request be denied, an RFP will be created and issued.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title Proposal to Modify Regulation 1054 - Requirements for Course Budget		Meeting Date November 5, 1998
Bureau Executive Office	Reviewed By	Researched By Mike DiMiceli
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <i>10-21-98</i>	Date of Report October 15, 1998
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> 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 Notice of Proposed Action process, modifications to Commission Regulation 1054, Requirements for Course Budget, to increase the maximum allowances for costs in certified training courses?

**BACKGROUND**

Commission Regulation 1054 contains the maximum allowances for costs that are presented as line items in the budgets that are required for training courses certified with a tuition (Plans I and III). The regulation also serves as a guideline for approving costs associated with other certified training (e.g., Driver Training, Command College, Supervisory Leadership Institute, and Team Building Workshop).

For many years prior to 1991, maximum allowances for training costs were specified in Commission Procedures. In 1991, pursuant to the requirements of the Office of Administrative Law (OAL), the specifications and maximum allowances for training costs contained in course budgets were codified in Regulation 1054. The maximum allowances in existence since the early 1980's were not adjusted when the regulation was approved. The regulation was modified in 1993 to make non-substantive, clarifying changes in language, but the maximum allowances were not changed. The fiscal limits on individual course budget line items, in effect today, remain unchanged since the early 1980's.

**ANALYSIS**

All costs related to the development and presentation of training have increased since the early 1980's. Salaries for law enforcement personnel, who are the instructors in POST-certified training courses have increased significantly over the past fifteen years, as have other costs such as travel, printing/reproduction, materials, and equipment. The increasing disparity between costs allowed in Regulation 1054 and the actual costs incurred by the training presenter creates significant obstacles to the development and presentation of high quality training, including the use of contemporary materials and equipment and securing qualified instructors.

To reduce the gap between the current costs for instructors, support staff, materials, and equipment the following modifications to Regulation 1054 are recommended:

1. Modify Regulation 1054(a), Instructor Costs, to increase the maximum hourly rate from \$62.00 to \$90.00 per instructional hour. Delete the reference to executive-level from the exception to the maximum hourly rate for special expertise (Attachment A).
2. Modify Regulation 1054(c), Coordination, to increase the maximum allowance for General Coordination from \$50.00 to \$55.00 per 8 hours of instruction and the per presentation allowance from \$400.00 to \$440.00 (Attachment A).

In addition, modify Presentation Coordination to: a) delete the language requiring "through the general coordinator;" b) increase the range of approved rates from \$12.00 - \$20.00 to \$15.00 - \$25.00 per instructional hour; and c) delete "expertise" and add "higher cost" to the language that requires justification for a cost above the \$15.00 per hour minimum rate (Attachment A).

3. Modify Regulation 1054(d), Clerical Support, to clarify the language and increase the maximum allowance from \$10.00 to \$15.00 per instructional hour (Attachment A).

In addition, clarify the maximum hours for which clerical support may be approved, based on the length of each course (Attachment A).

4. Modify Regulation 1054(e), Printing/Reproduction, to increase the maximum allowance for reproduction from \$ .06 to \$ .09 per page (Attachment A).
5. Modify Regulation 1054(f), Books/Films/Instructional Materials to add "videotapes" and "equipment" and clarify the language to permit the purchase of instructional materials and equipment and amortize the costs through tuition over a specific number of presentations (Attachment A).
6. Modify Regulation 1054(j), Indirect Costs, to increase the maximum allowance from 15% to 20% of the total direct costs for presenting the training.

The Notice of Proposed Action and the Initial Statement of Reasons are Attachment B.

If the Commission agrees to the changes described above, it is proposed the Notice of Proposed Action process be used. If no one requests a public hearing, the proposed changes will become effective 30 days after approval by the Office of Administrative Law.

### **RECOMMENDATION**

It is recommended the Commission, subject to the results of the Notice of Regulatory Action, approve the modifications to Regulation 1054, as described above.

**1054. Requirements for Course Budget.**

The following requirements are to be used by course coordinators presenting or planning to present either POST-certified tuition-based courses or courses for which training presentation reimbursement is being sought. These guidelines and requirements identify the expenses that may be approved in establishing course budgets for tuition or training presentation reimbursement, and are to be used in completing the Course Certification Request (POST 2-103) and Course Budget (POST 2-106, Rev. 7/93) when requesting initial certification or recertification. Allowable costs for establishing per presentation tuition and course budgets for training presentation reimbursement are as follows:

- (a) **Instructional Costs.** Up to \$35 per hour, except as noted below, for each hour of instruction, per instructor, may be claimed. Fringe benefits and instructor preparation shall be included in this amount. Up to ~~\$6290~~ per instructional hour may be approved in instances of special need for particular expertise, based upon written justification from the presenter. On those limited occasions where it may be necessary to obtain special expertise to provide ~~executive-level~~ training, the maximum of ~~\$6290~~ per instructional hour may be exceeded upon prior approval of the Executive Director.
- (b) **Development Costs for Tuition-Based Courses.** When POST has specifically requested development of a new course or revision of an existing course, development costs may be negotiated with the presenter. When approved by the Executive Director, such costs shall be prorated as a portion of tuition for an agreed-upon number of presentations.
- (c) **Coordination.** POST will allow costs for coordination based on the type of services performed. Coordination is categorized as:
  - (1) General Coordination, and
  - (2) Presentation Coordination.

**General Coordination:** General Coordination is the performance of tasks associated with the development, pre-planning, and maintenance of any certified course. Maintenance includes: scheduling, selecting instructors, eliminating duplicative subject matter, providing alternate instructors/instruction as necessary, allocating instructional time to each subject, evaluating instructors, selecting training sites, supervising support staff, and administrative reporting. General Coordination costs may be charged at the rate of ~~\$5055~~ per 8 hours of instruction but may not exceed ~~\$40040~~ per presentation.

**Presentation Coordination:** Presentation Coordination is the performance of tasks related to course quality control, i.e., observing and evaluating instructors at the instructional site; identifying the need and arranging for the appearance of alternate instructors, ~~through the general coordinator~~, when assigned instructors are not available; and being responsible for the development of a positive learning environment. It is required that the Presentation Coordinator be in the classroom, or its immediate vicinity, to resolve problems that may arise relating to the presentation of a course. Approved rates for presentation coordination, per instructional hour, may range from ~~\$1215~~ to ~~\$2025~~. Rates that exceed ~~\$1215~~ per hour must be supported by written justification that substantiates the ~~expertise~~ higher cost of the coordinator.

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- (d) Clerical Support. Actual Hourly rates for clerical support may be allowed up to \$1015 per instructional hour in accordance with the following formula:

<u>Course Length</u>	<u>Maximum Hours of Clerical Support Permitted</u>
24 hours or less	<del>40</del> 24 hours
25 to 40	<del>50</del> 40 hours
Over 40 hours	100 hours

- (e) Printing/Reproduction. Actual expenses for printing or reproduction of brochures and handouts may be allowed. Reproduction expenses shall not exceed 69 cents per sheet page.
- (f) Books/Films/Videotapes/Instructional Materials/Equipment. Actual expenses may be allowed, provided each expense is identified. Expendables, such as programmed texts, may be allowed in the same manner. A one-time expenditure for purchase of textbooks may be allowed, provided the textbooks will be used in future course presentations. If the course is decertified, or if the texts are no longer necessary for use in the course, they shall be delivered to POST. Films, videotapes, and other instructional aids should be rented or obtained without charge. When rental costs for multiple presentations will exceed the cost of acquisition, purchase may be authorized by POST. If a film/, videotape, instructional material, or equipment purchase is ~~necessary~~ and authorized by POST in advance, such materials shall be used in future course presentations and will remain the property of POST. Purchase cost shall be pro-rated over a reasonable number of presentations based on the item's anticipated service life. If the course is decertified, or if the purchased books, films, videotapes, instructional materials, or equipment are no longer necessary for use in the course, they shall be delivered to POST.
- (g) Paper/Office Supplies/Mailing. Actual expenses may be allowed, provided each expense is identified.
- (h) Coordinator/Instructor(s) Travel. An estimate is to be made of necessary travel expenses for advance budget approval. Expenses for local area travel are allowable only when travel exceeds 25 miles one way, or if travel is necessary to an additional course site. If a course presentation is authorized outside of a 25-mile radius of the presenter's principle place of business, travel expenses may be allowed in accordance with existing State regulations covering travel and per diem.
- (i) Miscellaneous. Any other cost of materials and other direct items of expense may be approved by POST, based upon documented costs.
- (j) Indirect Costs. Indirect costs are allowable for expenses not assignable as direct costs. Indirect costs may not exceed +520% of the total direct costs.
- (k) Calculation of tuition. All budgeted costs (direct and indirect) are added to determine the total cost. The tuition cost per student shall be determined by dividing the total cost by the maximum number of students approved per presentation (See Regulation 1055(f)). For each presentation, course presenters may exceed the maximum enrollment up to 20% to compensate for unavoidable under-enrollments due to late cancellations.

However, it is the presenter's responsibility to monitor over-enrollment so that by the end of the fiscal year, the total number of students does not exceed the approved maximum number established by the terms of certification. In the event over-enrollment is not properly managed and adjusted during the fiscal year, the Commission may:

- (1) Reduce the course tuition,
- (2) Require the presenter to conduct presentation(s) without tuition,
- (3) Require the presenter to provide prorated refunds to trainees, or
- (4) Decertify the course.

(l) Subventions.

Agency presenters seeking training presentation reimbursement shall include on the Course Budget (POST 2-106, rev 7/93) any outside subventions [refer to Regulation 1001(c)] provided to support presentation of the proposed course.

(m) Maximum Training Presentation Reimbursement.

In accordance with Regulation 1015(d) (1), the amount of training presentation reimbursement shall not exceed the actual cost for presenting a course [refer to Regulation 1001(c)].

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**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

<b>Agenda Item Title</b> Request for Contract Approval for the Motorcycle Update Course		<b>Meeting Date</b> November 5, 1998
<b>Bureau</b> Training Delivery and Compliance Bureau	<b>Reviewed By</b> Dick Reed <i>[Signature]</i>	<b>Researched By</b> Dave Sylstra
<b>Executive Director Approval</b>	<b>Date of Approval</b>	<b>Date of Report</b> October 14, 1998
<b>Purpose</b> <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact:</b> <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUES

Should the Commission authorize the Executive Director to enter into a contract agreement with the California Highway Patrol, to present a POST-certified Motorcycle Update Course in the amount of \$12,840 for three presentations?

BACKGROUND

Traditionally, this course has been presented as a Plan I tuition course since February 2, 1998. In 1993, the Commission began contracting with the California Highway Patrol to provide Basic Motorcycle Training. This new course is designed to enhance and update the skills of experienced motorcycle officers. This course has been certified under Plan I (tuition and backfill) with a tuition of \$214.00 per student. Approval of this contract will eliminate the need for the California Highway Patrol to bill agencies for tuition and for agencies to directly pay the tuition. This contract is consistent with others that provide high cost skills training.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the California Highway Patrol to present the Motorcycle Update Course. The total amount of this contract will not exceed \$12,840.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMISSION AGENDA ITEM REPORT**

<b>Agenda Item Title</b> Proposed Regulation Change to Broaden Agency Participation in the Records Supervisor Certificate Program		<b>Meeting Date</b> November 5, 1998
<b>Bureau</b> Administrative Services Bureau	<b>Reviewed By</b>	<b>Researched By</b> Frederick Williams <i>FW</i>
<b>Executive Director Approval</b> <i>Samuel J. O'Brien</i>	<b>Date of Approval</b> 10-7-98	<b>Date of Report</b> September 2, 1998
<b>Purpose</b> <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<b>Financial Impact:</b> <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> 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, a change to Commission Regulation to provide eligibility for California agencies to participate in the Records Supervisor Certificate Program?

BACKGROUND

At its November 6, 1997 meeting, following a public hearing, the Commission approved regulation and procedural changes which established a Records Supervisor Certificate program, with appropriate education, training and experience standards for the award of the certificate. The regulation change was in adherence to Penal Code Section 13510.3 (Attachment A) which required the Commission to establish by December 31, 1997 a voluntary professional certificate program for law enforcement records supervisors who have primary responsibility for providing records supervising services for local law enforcement.

The eligibility requirements adopted by the Commission were as follows:

- Currently be employed as a records supervisor; and
- Have satisfactorily completed a probationary period established by the employing agency as a records supervisor; and
- Have a minimum of two years satisfactory service with the employing agency as a records supervisor; and
- Have graduated from high school or passed the General Education Development Test (GED).

The Commission also approved the following training standards which required the completion of the following POST certified courses:

- Public Records Act (minimum 16 hours); and
- Records Supervisor Course (minimum 40 hours).

Existing Commission Regulation allows local agencies to receive reimbursement for Job-Specific training received by records supervisors.

At the time of Commission action on November 6, 1997, in conjunction with other regulation and procedural changes, Commission Regulation Section 1001 was added to provide for a definition of "Records Supervisor". The section reads as follows: "Records Supervisor is a full-time, non-peace officer employee of a local California law enforcement agency who performs law enforcement records supervising duties which include records maintenance, control, release, destruction and security 50% or more of the time within a pay period."

### ANALYSIS

It is proposed that the definition of records supervisor eligible to participate in the certificate program be broadened beyond the designation "local" to include those personnel in state agencies, including the University of California (9 departments), and the California State University system which includes 21 departments. There are 27 additional state agencies that would be eligible to participate in the program. Each of these agencies has a Records Supervisor.

The Chief of Police, University of California, Berkeley, coordinator of the statewide system, has written POST expressing strong interest in being included in the program (see Attachment B). A similar expression was received from a representative of the California State University system.

At the time of the establishment of this new certificate program, agency eligibility was confined to only local agencies as specified in PC 13510.3. Traditionally, POST certificates have been made available to all eligible participants in the POST program. It would seem appropriate to include the Records Supervisors of the state agencies. There would be no significant cost associated with their inclusion in the program.

As presented in Attachment C, Commission Regulation Section 1001 would be modified accordingly:

"Records Supervisor is a full-time non-peace officer employee of a local participating California law enforcement agency who performs law enforcement records supervising duties which include records maintenance, control, release, destruction and security 50% or more of the time within a pay period."

### RECOMMENDATION

If the Commission concurs, it is proposed that Regulation 1001 be amended to include the above mentioned revision to allow for Records Supervisors of all participating agencies to be eligible to participate in the Records Supervisors Certificate Program. The proposed change must be adopted pursuant to the Administrative Procedures Act and it is proposed that the Notice of Proposed Action be used. These changes would be effective upon approval by the Office of Administrative Law.

CHAPTER 891

An act to amend Section 13551 of, and to add Section 13510.3 to, the Penal Code, relating to peace officers.

Approved by Governor September 14, 1994. Filed  
with Secretary of State September 17, 1994.

LEGISLATIVE COUNSEL'S DIGEST

AB 3064, Hawkins. Commission on Peace Officer Standards and Training.

(1) Existing law requires the Commission on Peace Officer Standards and Training, for the purpose of raising the level of competence of local public safety dispatchers, to adopt rules establishing minimum standards relating to the recruitment and training of local public safety dispatchers having a primary responsibility for providing dispatching services for local law enforcement agencies.

This bill would require the commission to establish, by December 31, 1997, and in consultation with representatives of law enforcement organizations, a voluntary professional certification program for law enforcement records supervisors having a primary responsibility for providing records supervising services for local law enforcement agencies.

(2) Existing law requires the Commission on Peace Officer Standards and Training to develop regulations and professional standards on or before July 1, 1996, for the law enforcement accreditation program.

This bill instead would require the commission to develop these regulations and standards when funding for this purpose from nongeneral funds is approved by the Legislature.

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

SECTION 1. Section 13510.3 is added to the Penal Code, to read: 13510.3. (a) The commission shall establish, by December 31, 1997, and in consultation with representatives of law enforcement organizations, a voluntary professional certification program for law enforcement records supervisors who have primary responsibility for providing records supervising services for local law enforcement agencies. The certificate or certificates shall be based upon standards related to the education, training, and experience of law enforcement records supervisors and shall serve to foster professionalism and recognition of achievement and competency.

(b) As used in this section, "primary responsibility" refers to the performance of law enforcement records supervising duties for a minimum of 50 percent of the time worked within a pay period.

SEC. 2. Section 13551 of the Penal Code is amended to read: 13551. (a) The Commission on Peace Officer Standards and Training shall develop regulations and professional standards for the law enforcement accreditation program when funding for this purpose from nongeneral funds is approved by the Legislature. The program shall provide standards for the operation of law enforcement agencies and shall be available as soon as practical after funding becomes available. The standards shall serve as a basis for the uniform operation of law enforcement agencies throughout the state to best serve the interests of the people of this state.

(b) The commission may, from time to time, amend the regulations and standards or adopt new standards relating to the accreditation program.

## UNIVERSITY OF CALIFORNIA, BERKELEY

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SANTA BARBARA • SANTA CRUZ

POLICE DEPARTMENT

ROOM 1 SPROUL HALL # 1199  
BERKELEY, CALIFORNIA 94720-1199

June 8, 1998

Kenneth J. O'Brien, Executive Director  
Commission on POST  
1601 Alhambra Boulevard  
Sacramento, California 95816-7083

Dear Executive Director O'Brien:

We were pleased to see the recognition afforded to Records Supervisors with the new Records Supervisor Certificate. However we are alarmed to learn that the University of California Police Departments are not eligible to participate in this. Our departments on the nine campuses of the University have subscribed to POST standards for many years and participate fully in the other certificate programs. It is divisive and demoralizing to have our Records Supervisors, critical positions in any police department, be excluded from this certificate.

I am asking that you take whatever steps are necessary to include us in this certificate program. I understand that the legislation that initially authorized this certificate specified "local" agencies but wonder if it is possible for POST to adopt it on its own for the broader good of all participating agencies?

Please feel free to contact me if there is anything I can do to facilitate this. Your attention and assistance is much appreciated.

Sincerely,

Victoria L. Harrison

Chief of Police

Systemwide Coordinator of Police Services

cc: University of California Chiefs of Police



COMMISSION REGULATION

1001. Definitions

(a) - (x) \*\*\*\* continued

(y) "Records Supervisor" is a full-time, non peace officer employee of a local participating California law enforcement agency who performs law enforcement records supervising duties which include records maintenance, control, release, destruction and security 50% or more of the time within a pay period.

Note: Authority cited: Sections 13506 and 13510.3, Penal Code. Reference: Sections 13503, 13507, 13510, 13510.1, 13510.3, 13510.5 and 13523, Penal Code.

DEPARTMENT OF JUSTICE

DANIEL E. LUNGREN, Attorney General

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CA 95816-7083(916) 227-3909  
FAX (916) 227-3895  
www.post.ca.gov

June 16, 1998

Victoria L. Harrison  
Chief of Police  
University of California, Berkeley  
Room 1 Sproul Hall #1199  
Berkeley, CA 94720-1199

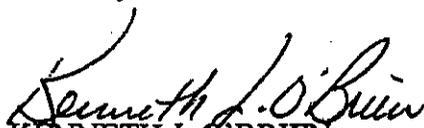
Dear Chief Harrison:

Based upon our tentative analysis, you raise a good point about the need to expand the list of agencies that are eligible to participate in the Records Supervisors' Certificate Program. As you are aware, our regulations do not now authorize us to unilaterally take this action.

We will take this matter before the Commission for deliberation and decision. The earliest we would be able to schedule a hearing would be at the Commission's November meeting. You will be advised when the hearing date is confirmed.

In the meantime, let me thank you for your interest and concern.

Sincerely,

  
KENNETH J. O'BRIEN  
Executive Director

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CALIFORNIA 95816-7083**LONG RANGE PLANNING COMMITTEE MEETING**

Monday, October 26, 1998

San Diego County Sheriff's Department

9621 Ridgehaven Court

San Diego, CA 92123

(619) 974-2001

**COMMITTEE MEMBERS**

Collene Campbell, Chairman  
David Anderson  
Sherman Block  
Philip del Campo  
Bill Kolender  
Jan Scully  
Rick TerBorch

**A. CALL TO ORDER****B. PROGRESS REPORT ON STRATEGIC PLAN IMPLEMENTATION**

The report under this tab provides an update of the progress being made to implement POST's Strategic Plan and results of the Strategic Plan Implementation Committee Meeting held on September 15, 1998.

**C. REPORT ON CROWD MANAGEMENT AND CIVIL DISOBEDIENCE GUIDELINES**

Senate Bill 1844 (Thompson), enacting Penal Code Section 13514.5, has been signed by the Governor and requires the Commission to implement on or before January 1, 1999, a course or courses of instruction for the training of law enforcement officers in the handling of acts of civil disobedience and to adopt guidelines establishing standard procedures that may be followed by police agencies in responding to acts of civil disobedience.

A report was presented to the Commission at the April 1998 meeting, and staff was directed to proceed with the development of voluntary guidelines. The draft proposal included with this report is the product of a series of statewide meetings by an ad hoc committee whose members developed the proposed guidelines and developed the telecourse on Managing Civil Disorders that was broadcast on July 23, 1998.

The report under this tab includes a draft of the proposed *Crowd Management and Civil Disobedience Guidelines* developed pursuant to the Commission direction and legislative mandate.

If the Committee concurs with the proposed guidelines, it may wish to recommend to the Commission that the guidelines be approved.

D. INTERNATIONAL FELLOW PROGRAM

Staff has been working to develop the concept of a POST-sponsored International Fellow Program and has previously reported the progress of the work to the Committee. The report under this tab provides more complete information concerning the program structure and administration; the need for the program; a description of the problems confronting immigrant populations and law enforcement officers; existing cultural awareness training and exchange programs; and an estimate of program cost (approximately \$90,000) for one Fellow.

This informational report is provided to support discussion of the program and a recommendation to the Commission concerning further development and implementation of the program.

E. ADDITIONAL SESSION FOR COMMAND COLLEGE

o Adding a 7<sup>th</sup> Workshop

This is a proposal to add a seventh session, consisting of three days, to the Command College Program. Prior to 1996, the Command College consisted of ten sessions; nine of the ten were one week in length. The tenth session consisted of student Independent Study Project presentations and a formal graduation ceremony. When the program was revised, those activities, as well as those from sessions seven through nine, were excluded from the program. Adding a seventh session would provide POST the opportunity to debrief students participating in the program, enable the students to share the results of their studies with one another, and provide a forum in which Command College students could discuss current studies with former graduates.

If the Committee concurs with the analysis and proposal, it may wish to recommend that the Commission approve the addition of a seventh session to the Command College program at an annual cost not to exceed \$21,636.00.

F. REPORT ON THE POST BASIC SUPERVISORY COURSE

Staff completed a review and revision of the Basic Supervisory Course. A new course curriculum was developed, and two presenters conducted the course with the new curriculum in a 120-hour format, comprising three, one-week modules. An evaluation of

the new curriculum deemed that it was appropriate for the course. However, the evaluation revealed a need for instructor training and more effective course coordination. This report will update the Long Range Planning Committee on the revisions of the Basic Supervisory Course and will make additional recommendations regarding instructor training and course coordination.

G. REPORT AND RECOMMENDATION TO SCHEDULE A PUBLIC HEARING TO REVISE AND UPDATE THE RESERVE TRAINING REQUIREMENTS

Senate Bills [SB 1874 (1995) and SB 786 (1998)] have resulted in necessary changes to training requirements for reserve peace officers. The bills amended Penal Code Section 832.6 and the mandated changes have impacted the areas of assignment, supervision, and training. SB 1417 has been signed by the Governor and will make additional changes to Section 832.6 that become effective on January 1, 1999.

This agenda item proposes amendments to Commission Regulation 1007(b) and Procedures D-1, H-1, H-3, H-4, and H-5. These proposed changes are the result of a study conducted by POST staff over the past nine months to address all of the mandates required by the amendments to Section 832.6. Proposed Reserve Training Modules I, II, and III would replace existing Modules A, B, C, and D. Other proposed changes would require 400 hours of field training for Level I reserves to correspond to the 10-week FTO requirement for regular officers. Requirements for POST's Reserve Officer Certificate would also be updated by requiring completion of the regular basic course and the 400-hour field training program.

This item is before the Committee for discussion. Pending direction received from this Committee, a full report will be made to the Commission at its November 1998 meeting and a recommendation to schedule a public hearing at the January 1999 Commission meeting.

H. SUPPLEMENTAL CONTINUING PROFESSIONAL TRAINING (CPT) IN PERISHABLE SKILLS REQUIREMENT FOR OFFICERS ASSIGNED TO ENFORCEMENT DUTIES

In July of 1998, a year-long study of the current CPT requirement was concluded. Based upon input from two ad hoc committees made up of law enforcement personnel, a number of recommendations to revise the CPT requirement will go to the Commission at its November meeting. One of the study's recommendations concerning CPT is a new Perishable Skills training/testing requirement which was not presented to the Commission due to the need for further development of the concept.

During the study, it became clear that officers engaged in enforcement duties, in order to stay proficient, need to receive refresher training on certain skills and competencies that tend to diminish without practice over time. These competencies are termed "Perishable Skills" and are identified as those skills used by an enforcement officer to obtain compliance by persuasion, or compel compliance by the use of force, that tend to

deteriorate if not reinforced through training and practice. Included are: 1) Tactical Communication, 2) Defensive Tactics, 3) Chemical Agents, 4) Impact Weapons, 5) Firearms, 6) Use of Force Judgment, and 7) Driver's Training.

The study's Perishable Skills requirement recommendation would add an annual training/testing component to the current CPT requirement. The concept of periodic demonstration of Perishable Skills competency has substantial merit and is consistent with the Commission's Strategic Plan Goal A to increase standards and competencies, and is in line with Objective B.11, developing competency-based training courses.

This matter is before the Long Range Planning Committee for discussion and deliberation. Staff seeks direction from the Committee.

I. EXCEPTIONS TO MINIMUM HOURLY TRAINING REQUIREMENTS FOR  
LEGISLATIVELY MANDATED TRAINING COURSES

Regulation 1081 (a) identifies minimum hours and content for 24 statutorily-mandated training requirements for which the Commission is responsible. The minimum hours are generally based upon instruction that is presented using conventional means, such as in an instructor-led classroom. No authority exists for allowing fewer hours for courses that may use individualized multimedia. This proposal seeks, in part, to implement POST Strategic Plan Objective B.10 concerning the development of competency-based training courses.

Studies have shown that one of the benefits of interactive multimedia instruction is the reduction in time required to master training objectives. Having authority for allowing exceptions to specified course hours has the following advantages:

- o Trainees would spend only as much time as is necessary to attain required competencies.
- o Training would be consistent with POST's Strategic Plan objectives to develop competency-based training and develop alternative approaches for delivering training.
- o Required testing would provide assurance that trainees have attained the specified competencies.

Staff recommends that students receive credit for the same number of hours that would be given in a traditional course. Demonstration of competencies through appropriate testing would be required.

In addition to the substantive material previously discussed, staff also proposes a technical amendment to Regulation 1005 (g) and 1081 (a) and 1081 (b) in order to replace, in each, the term "approved" courses with "legislatively mandated" courses. The purpose of this change is to more accurately reflect the nature of these courses. A public hearing is required to change regulations, but the abbreviated hearing process is recommended.

The issue is on this agenda of the Long Range Planning Committee for preliminary discussion.

J. CROSS-BORDER TRAINING AND REIMBURSEMENT

Staff has been supporting efforts to create cooperative agreements with our counterpart in Oregon to increase the availability of training to agencies and personnel located near the California-Oregon border. Informal working agreements have been reached to support dual-State certification of training courses, collaboration to identify mutual training needs, and the identification of issues that require further study. The goal of this cross-certification is to make training more available to the officers and agencies working at the border. The training alliance and the dual certification of training have the support of agency executives and personnel in both California and Oregon.

Two issues presented for Committee consideration include: 1) amendment of Commission Regulation 1015 to describe the authority and limits on reimbursement for the costs of training presented for out-of-state training, and 2) the creation of a simplified course certification process (and related forms) for Dual-State Certification with possible changes to Regulations 1051-1058.

If the Committee agrees that it is important to implement the concept, it may wish to recommend that the Commission authorize staff to develop the policy and regulation changes and report the details of those changes through the public hearing process.

K. DISTRIBUTION OF DRAFT ACCREDITATION STANDARDS

The Commission, as a result of the enactment of SB 1126 (Presley), was given legislative authority to establish and administer a law enforcement agency accreditation program. In 1994, staff drafted accreditation standards and related materials to support program implementation. As a result of input from the ad hoc steering committee and approval by the Commission, it was determined that funding for the program should come from a new source rather than redirecting funds from training programs and services. In the absence of new funding, the accreditation program has not been implemented.

Strategic Plan, Objective A.1, calls for the implementation of the accreditation program by December 2000, and the action plan includes a requirement to assess and determine the need for and interest in the program statewide. The work on this objective will begin in January 1999.

Staff proposes distributing the draft standards, in December 1998, to interested agency executives to aid in the improvement of administration, management, and operations with a disclaimer that the standards are not part of an accreditation program.

Even if the accreditation program is removed from the Strategic Plan, staff may receive requests for assistance from agency personnel working to implement the standards.

Prior to distribution, the draft standards will be updated and announced as available to the field, either by special bulletin or *POSTScripts*. The standards will be sent to agencies in response to specific requests.

If the Committee agrees with this proposal, the issue will be presented to the Commission at the November 5, 1998 meeting. The completed standards package that is ready for distribution will be presented to the Commission at that time.

L. STATUS REPORT ON EXERCISE TESTING IN THE REGULAR BASIC COURSE

Test development for the Basic Course has progressed from sole attention to cognitive testing to an expanded focus that includes the development of *exercise tests* designed to assess cadets' readiness in the skills required for successful completion of the Basic Course. Three exercise tests have been developed for Learning Domain #33, Arrest and Control/Baton, and are ready to be pilot-tested in the field. The tests, designed to be administered as a first midterm, a second midterm, and a comprehensive test, will also indicate readiness at Reserve Levels III, II, and I, respectively. Evaluation criteria were developed to be applicable no matter what specific methodology of arrest and control is taught.

This is an information item with the recommendation that the Commission be advised on the status of exercise testing in the Regular Basic Course.

M. RECEIVING REPORT ON POST SPECIAL SYMPOSIUM ON FIREARMS AND TACTICS

POST conducted the *Firearms and Tactics Symposium for Trainers* in San Diego on July 7-9, 1998. Nationally recognized experts provided contemporary information on firearms and tactics to a statewide audience of trainers. There were 289 trainers, supervisors, managers, and executives who participated in the symposium.

A review of the course evaluation forms completed by the attendees, at the conclusion of the event, revealed widespread support for the POST symposium and the issues presented by the diverse group of recognized experts in the firearms training community. The symposium was videotaped, and some of the material will be included in a telecourse that is tentatively scheduled for April 1999.

This report is before the Committee for information and discussion.

N. OLD/NEW BUSINESS

- o Pilot Teleconference for the Next Meeting
- o Next Meeting



**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CALIFORNIA 95816-7083

**FINANCE COMMITTEE MEETING**

November 4, 1998 - 2:00 P.M.

Piccadilly Inn Hotel  
5115 E. McKinley Ave.  
Fresno, CA 93726  
(209) 224-3363

**AGENDA**

**COMMITTEE MEMBERS**

Michael Carre, Chairman  
David Anderson  
Charles Brobeck  
Tom Knutson  
Rick TerBorch  
Barbara Warden

A. CALL TO ORDER

B. POST's Current Year Budget, Revenue and Status

The Committee will review budgeted and actual revenues as well as training volumes for the First Quarter 1998/99.

A report showing expenditure projections will be provided at the meeting.

C. Discussion of Expenditure Options

The Committee may wish to consider recommendations for expansion of backfill reimbursement and other expenditure options. A report will be provided at the meeting.

D. Review of Suspended Policy Limiting Subsistence Reimbursement For Courses Attended Less Than 25 Miles From the Workplace

The Committee asked for a report of the past years' experience. The report is enclosed and suggests continuation of the suspension.

E. Review of En Route Subsistence Allowance

A report on this subject, requested by the Committee at its July 1998 meeting, is enclosed.

**F. Multimedia System Specifications**

The enclosed report suggests that printers be authorized reimbursable equipment under the Commission program for reimbursing for multimedia equipment.

**G. Acceptance of 1997-1998 VAWA Law Enforcement Grant Funds and Renewal of the Existing Interagency Contract to Extend the Special Consultant Position to Coordinate the Grant.**

POST was the recipient of a \$2,929,112.00 Violence Against Women Act (VAWA) grant from the State Office of Criminal Justice Planning beginning August 1, 1997. Funding has been used to develop and present a variety of law enforcement training, including domestic violence and related issues.

The Office of Criminal Justice Planning has approved second year funding for 1997-98 in the amount of \$1,660,333.00, conditioned upon Commission approval.

The existing grant is coordinated by a Special Consultant under the POST Management Fellow Program. To continue these services, it is proposed that the Commission authorize renewal of the existing interagency contract with Santa Barbara County Sheriff's Department.

If the Committee concurs, it may wish to recommend to the Commission to authorize the Executive Director to: (1) accept additional VAWA funding for 1997-98 in the amount of \$1,660,333.00 (\$1,245,250.00 for projects, \$415,083.00, in-kind match), and (2) renew the existing contract with Santa Barbara County Sheriff's Department for a sergeant to coordinate the VAWA grant in an amount not to exceed \$90,000.00 (to be paid for out of the grant).

**H. Review of New Expenditure Items On the Regular Commission Agenda**

- Report and Recommendation to Modify Commission Regulation 1054, Tuition Guidelines (Item O on Commission Agenda).
- Request for Approval of Interagency Agreement to Distribute Basic Training Instructional Packages (Item F on Commission Agenda - \$252,480).
- Report and Recommendation to Amend Contract for Reserve Training Program (Item I on Commission Agenda - \$61,304).
- Contract For Revised Psychological Screening Guidelines (Item M on Commission Agenda - \$175,000).
- Contract For Revising Sections of the Medical Screening Manual (Item N on Commission Agenda - \$35,000).

- Request For Approval to Contract With the California Highway Patrol For Presentation of the Motorcycle Update Course - (Item P on Commission Agenda - \$12,840).

I. Status Report on BCP's Submitted to the Department of Finance

All budget change proposals approved by the Commission have been submitted to the Department of Finance and staff is now involved with the justification process. Department of Finance decisions should be available by the committee meeting date.

J. ADJOURNMENT

## MEMORANDUM

To: Finance Committee

Date: September 24, 1998

From:

  
KENNETH J. O'BRIEN

Executive Director

Commission on Peace Officer Standards and Training

Subject: **REVIEW OF POLICY LIMITING SUBSISTENCE REIMBURSEMENT FOR COURSES ATTENDED MORE THAN 25 MILES FROM THE WORKPLACE**

At its July 1994 meeting, the Commission acted to discontinue reimbursement for lodging and meals associated with training courses attended within 50 round-trip miles of the trainee's department. This policy became effective September 1, 1994. The purpose of this action was to conserve scarce reimbursement dollars. The assumption was that trainees may reasonably commute to and from courses located within 25 miles of the agency without incurring lodging expense. Programs with a live-in requirement were exempted from this policy.

At its November 6, 1997 meeting, the Commission acted to rescind the policy of the 25 mile restriction for a period of one year. Staff was asked to audit the effects of this change. This action was taken principally at the request of the Alameda County Chiefs' and Sheriff's Association. The Association noted that in certain areas of the state, traffic congestion adds inordinate amounts of travel time for trainees, even in distances less than 25 miles. This circumstance, reportedly, adds to the agency's overtime pay obligations. The Association requested being accorded the discretion of reimbursement for lodging and meals for students attending courses in locations where commuting is extremely difficult, regardless of the distance traveled. Staff reported an awareness of agencies in other parts of the state with similar problems and concerns.

This report is intended to update the Commission on the apparent effects of the one year suspension of the policy which restricted subsistence reimbursement.

As noted in an earlier report, it would be difficult to provide accurate data on the impact on expenditures or savings as caused by this policy because of our inability to account for decisions made on this subject by agency representatives. However, our computer data shows that for nine months (December 1997 through August 1998) of the period of suspension of the policy limiting subsistence reimbursement, \$120,784 resident subsistence was paid that would not have been paid if the policy had not been suspended. Projected for the full twelve months, this reimbursement figure would be approximately \$161,000.

As will be presented to the Committee in other reports, the fund condition of POST has greatly improved since the inception of the policy restricting subsistence. It would appear that the reimbursement program can accommodate the \$161,000 annual expenditure toward subsistence allowance. The Alameda County Chiefs' and Sheriff's Association has communicated its appreciation of the suspended policy and has requested the permanent elimination of the restrictive policy.

This matter is before the Finance Committee for a progress report on the impact of its November 1997 decision to suspend the policy, which limits subsistence reimbursement to courses attended more than 25 miles from the workplace, for a period of one year. Staff seeks direction from the Committee.

## MEMORANDUM

To : Finance Committee

Date: October 7, 1998

From :

*Kenneth J. O'Brien*  
KENNETH J. O'BRIEN

Executive Director

Commission on Peace Officer Standards and Training

Subject: **REVIEW OF ENROUTE SUBSISTENCE ALLOWANCE**

The POST Automated Reimbursement System (PARS) was established on July 1, 1983. The system was designed to accomplish the following outcomes:

1. Significantly reduce the amount of clerical time required by agencies to prepare POST reimbursement forms.
2. Eliminate reimbursement claim forms.
3. Reduce the complexity of procedure and policy.
4. Eliminate "late claim" reimbursement reductions by POST
5. To reimburse, on the average, the same as under the previous manual system.

Generally, these expectations have been accomplished. Subsistence allowance was initially based upon averages established from previous reimbursement experience. Subsistence allowance is currently equated to the amount allotted by the state. Travel allowance, which is automatically computed through the use of predetermined coordinates and based upon straight-line distances, was initially based upon past travel costs experience under the manual system.

It is important to note that the philosophy that overlays POST reimbursement for subsistence and travel is that this subvention is not expressly intended to cover actual costs in individual training events. Per diem reimbursement is combined with travel as an aggregate. The combination of these two on the average will provide adequate reimbursement to participating agencies.

Enroute subsistence is based on the number of miles a trainee's agency is from the course site. Subsistence is paid on an incremental basis through our predetermined coordinates. Enroute expenses will not be reimbursed for mileage less than 50 miles. The maximum allowance will be \$119 for a round-trip of 400 miles or greater.

The formula for calculating enroute expenses is as follows:

Round-trip mileage, minus 50 miles, divided by 350, multiplied by the per diem rate.

The divider, 350, represents our experience with past round trip travel practices, minus 50 miles. As an example, in using a round-trip of 400 miles, a subtraction of 50 miles would be made. The remaining 350 miles would be divided by 350, which would equal 1. One (1) multiplied by the per diem (\$119) would equal \$119 in reimbursement.

It is recognized that there could be felt a sense of inadequate reimbursement by some departments that are in rural/remote areas whose trainees travel more miles than the straight-line formula allows. The following discussion is intended to offer an approach to alleviating concerns of inequity, with respect to reimbursement.

The concept of enroute subsistence was instituted prior to POST's certification of one and two day courses. A trainee attending a one day course, who travels distance less than 400 miles round-trip will not be entitled to the full \$119 maximum rate, but an incremental portion thereof, per the enroute subsistence formula.

A possible solution to this concern may rest with the presentation format of a given course. A one-day course, situated in a metropolitan area, which is designed to also serve trainees located in rural areas, should consider utilizing alternative scheduling. For those traveling significant distances by automobile to the course site, the course could be presented in a split session. Day one could commence in the afternoon to accommodate travel time. Day two of the course could be presented in the early morning hours, permitting the trainee to complete the course and arrive home at a reasonable hour. The sponsoring agency would be entitled to more reasonable reimbursement than partial enroute expense and commuter lunch. Because of overnight lodging in this scenario, this would also be a much more restful and potentially attentive learning experience for the trainee. The aggregate of travel and per diem reimbursement, together with a rested and trained trainee, hopefully would make for a satisfactory training experience for the agency and the individual.

This class scheduling proposal would require the cooperation of the presenting agency or institution. The Museum of Tolerance, Tools for Tolerance Course, is an example of such a course format that has proven successful. The presenter has three main variations of the delivery of the course, designed to serve local law enforcement. The formats include (1) the one-day course, 0730 hours to 1600 hours; (2) the one-day evening presentation, midday hours to 2000 hours; and the two-day split format, midday extended to four hours, and closing the next morning for the second block of four hours. POST could and does make variable formats a condition of the course certification.

A second alternative for alleviating concern regarding enroute expense is presented. As we have noted, the computations for enroute incurred expenses are done automatically by computer. Under selected circumstances, notwithstanding distance traveled, POST staff could, by Commission policy, override the computer and reimburse a full day's allowance for training in selected one-day courses. A problem associated with this solution would be arriving at an equitable determination as to the courses that would be provided this exception. Nevertheless, a list of such courses could be developed. Again, this exceptional reimbursement, designed to overcome distance consideration with enroute expense, could be factored in to the conditions of certification of the selected courses.

Finally, The Commission could change the rule governing enroute expense and declare that attendees of all one-day courses, without consideration of distance traveled, be entitled to

full one day per diem. During fiscal year 1997/98, there were some 106, 160 trainees that attended reimbursable courses of 8 hours or less in duration. If these trainees had been reimbursed the full \$119 per diem, without respect to travel or other considerations, the expenditure to the POTF would have been \$12,633,040.00. Of course, many of these one or partial day courses are taught at the agency location or at nearby sites, eliminating the need for reimbursement. Thus, it is clear that the \$12,633,040.00 figure is inflated. However, the amount could be relevant in the event the Commission selects this option and agencies request this level of reimbursement.

This matter is before the Finance Committee for discussion and deliberation. Staff seeks direction from the Committee.

MEMORANDUM

To: Finance Committee

Date: October 14, 1998

  
Kenneth J. O'Brien  
Executive Director

From: Commission on Peace Officer Standards and Training

Subject: MULTIMEDIA SYSTEM SPECIFICATIONS

Background

At its meeting on April 16, 1998, the Commission authorized spending up to \$2.25 million to reimburse agencies for the purchase of CD-ROM-based multimedia computer systems. This amount is based on an estimated 500 agencies purchasing a total of 750 computers at a cost of \$3000 per system.

Multimedia System Enhancements

As expected, there have been significant price reductions in the multimedia system initially specified. Staff has conducted research on the systems and made some refinements to the specifications, which will be sent to the agencies in November. One change is increasing the processor speed to ensure that the systems being purchased by the agencies are as current as possible. In addition, the system may include security software to assist in maintaining correct configuration of the computer and in restricting access to files containing student data.

Staff is also recommending that a printer be included with the new systems. The current average price for a multimedia system is approximately \$2300; the cost of a quality printer will be approximately \$450, bringing the total to \$2750. Even with shipping and sales tax, the total cost will be under the original estimate of \$3000 per system, and thus within the authorized \$2.25 million.

There are several benefits for including a printer with each multimedia system:

- **Printing Course Information.** Officers will be able to print out information in a particular course, including job aids, summaries of learning points, definitions of terms, safety precautions, and references for further information.

- **Printing Sections of Course Manuals.** For future courses, it is anticipated that any reference manuals accompanying courses will be delivered via CD-ROM rather than in hard copy. Having a printer connected to the multimedia computer will enable students to print needed portions of these manuals.
- **Printing Resources.** Many multimedia courses have useful resources built into the programs. For example, the domestic violence CD-ROM course will include sample forms that can be adapted for use by an agency for reporting domestic violence incidents.
- **Printing Interactive Exercises.** Interactive exercises can effectively utilize a printer. For example, a student can print out an exercise sheet and complete it off line. Then, the student can input critical information from the exercise into the computer and compare his or her notes to those on-line.
- **Printing Certificates of Completion.** After an officer has completed a course, a certificate of completion can be printed.
- **Printing Rosters and Reports.** Agency training managers will be able to print rosters and reports of student progress using the multimedia course administration software that will be on each system.
- **Printing Information from Web Sites.** In the future, it is anticipated that POST CD-ROM courses will have an Internet link to web sites containing information pertinent to particular courses; agencies will be able to print such information.

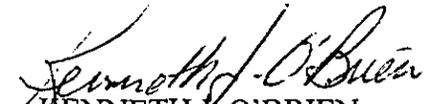
#### Recommendation

It is recommended that the Commission have staff include a printer in the specifications for the multimedia systems to be purchased by the agencies under the provisions of Commission Regulation 1021 governing the multimedia reimbursement program. Adding the printer will not increase the total \$2.25 million amount previously authorized by the Commission.

MEMORANDUM

To: Finance Committee

Date: October 5, 1998

  
KENNETH J. O'BRIEN

Executive Director

From: Commission on Peace Officer Standards and Training

Subject: **ACCEPTANCE OF 1997-1998 VAWA LAW ENFORCEMENT GRANT FUNDS AND RENEWAL OF THE EXISTING INTERAGENCY CONTRACT TO EXTEND THE SPECIAL CONSULTANT POSITION TO COORDINATE THE GRANT**

ISSUE

Should the Executive Director accept second year funding for the existing Violence Against Women Act (VAWA) grant to provide continued training which is consistent with the Violence Against Women Act as described in this report. Additionally, should the Executive Director renew the existing interagency contract to extend the special consultant position to coordinate the grant.

BACKGROUND

On August 1, 1997, the Commission was the recipient of a VAWA Law Enforcement Training Grant in the amount of \$2,929,112. This amount includes \$732,278 for the in-kind match POST will contribute through staff and subject matter expert hours. The funds were dedicated to five designated projects. The grant also designated funds for one full-time special consultant (under the Management Fellow Program) to serve as grant coordinator.

On March 17, 1998, the OCJP, VAWA Task Force approved additional funding for 1997-1998 in the amount of \$1,660,333 for certain law enforcement training purposes. The proposed second year funding includes the amount of \$415,083 for the in-kind match POST will contribute through staff and subject matter expert hours.

At the time of the original funding, a sergeant from Santa Barbara County Sheriff's Department was selected and has been administering the grant and serving as support for the projects.

The existing grant has been extended to July 31, 1999 to allow for the completion of the current projects and the preparation of the final financial report to OCJP.

Attachment A provides a status report on implementation of the first year grant funding.

## ANALYSIS

These second year funds will permit POST to provide additional training to law enforcement and dispatch personnel in the area of Domestic Violence and Violence Against Women. The new training projects will provide continuity to the training provided with first year funding.

The extension of the coordinator will provide for continuity of current projects and for all financial reporting to be submitted to OCJP within the time constraints. It will also allow the new projects to be developed to a point that they can be assigned to existing staff.

The special consultant currently assigned to this position has performed well and her agency has agreed to extend her service to POST for an additional year. The cost for the additional year is \$120,000. Funds in the amount of \$80,400 will be encumbered from the existing grant to support the position to July 31, 1999. The remaining four months, to November 2, 1999, will be encumbered from the second year grant monies in the amount of \$39,600. Funds in the amount of \$90,000 will be for the renewal of the existing contract with Santa Barbara County Sheriff's Department. The remaining \$30,000 will be for per diem and travel.

The following proposed spending plan has tentative approval from OCJP.

- 1) It is proposed to produce three telecourses on Domestic Violence and Violence Against Women topics @ \$85,000 per telecourse and \$45,000 for travel and per diem for staff and subject matter experts. Additionally, those telecourses will be edited to format them for basic academy training @ \$30,000 - total \$330,000.
- 2) It is proposed to edit existing videos to create training and testing in Domestic Violence for the Basic Dispatcher Academy - total \$10,000.

The previously approved 1998-99 contract with KPBS, San Diego State University, will be augmented by \$340,000 to produce three telecourses on Domestic Violence and Violence Against Women topics and to accommodate the editing for the basic training videos.

- 3) It is proposed to adopt and distribute instructional packets to Dispatcher Basic Academies in the learning domains on Domestic Violence, Sexual Assault and Victim Contact Skills - total \$25,000.
- 4) It is proposed to conduct 20 additional presentations of the 8-hour Domestic Violence for First Responder course - \$4,000 @ course and \$40,000 for travel and per diem of staff and subject matter experts - total \$120,000.

- 5) It is proposed to conduct four additional 40-hour Domestic Violence courses through the Institute of Criminal Investigations (ICI) - \$15,000 @ course and \$40,000 for travel and per diem of subject matter experts and staff - total \$100,000.
- 6) It is proposed to conduct ten Domestic Violence courses for Public Safety Dispatchers. The course will include an overview of the dynamics and legal issues of Domestic Violence and Domestic Violence Court Orders and will provide the dispatcher with better skills to assist the victims or children who call to report family violence - \$3,200 @ course and \$58,650 for travel and per diem of subject matter experts and staff - total \$90,650.
- 7) It is proposed to conduct forty offerings of a Sexual Assault for First Responders course to be developed which will include an overview of the dynamics and legal issues of stranger rape, spousal rape and date or acquaintance rape, as well as teen violence in relationships and techniques in investigating these crimes - \$4,000 @ course and \$85,000 for travel and per diem of subject matter experts and staff - total \$245,000.
- 8) It is proposed to design and develop additional training scenarios for CD-ROM Domestic Violence training - total \$75,000.
- 9) It is proposed to design and develop a CD-ROM course in Sexual Assault for First Responders - \$200,000 and \$10,000 for travel and per diem for staff and subject matter experts - total \$210,000.
- 10) It is proposed to expend funds for a four-month extension to the POST Management Fellowship to coordinate curriculum development - total cost \$39,600 (due to the extension of the grant period for Fiscal Year 97/98 only four months of funding is necessary).

Total Project Cost -	\$1,660,333
OCJP Support -	\$1,245,250
POST Match -	\$415,083

### RECOMMENDATION

Authorize the Executive Director to accept the additional VAWA SB-350 funding for 1997-1998 in the amount of \$1,660,330 (\$1,245,250 for projects, \$415,083 in-kind match) to continue specialized training in VAWA issues. Additionally, it is recommended that the Commission authorize the renewal of the existing interagency contract with Santa Barbara County Sheriff's Department for the staff time of one sergeant to serve as a Management Fellow to coordinate the VAWA - SB350 Grant. The amount of the contract not to exceed \$90,000.

## ATTACHMENT A

### Three Telecourses on Domestic Violence

This project is complete. In February 1998, *Domestic Violence Court Orders* was aired. In April 1998, *Domestic Violence, A Matter of Culture* was aired and in June 1998, *Domestic Violence: COPS* was aired.

*Court Orders* explains the many judicial orders that can stem from domestic violence incidents. It covers officer-obtained orders, foreign or out-of-state orders, and how to handle conflicting or dueling orders from different courts. The *Matter of Culture* video discusses the difficulties recent immigrants and refugees have adjusting in America. It provides officers with a better understanding of several different cultures and promotes that sensitivity and awareness can lead to a more successful and safer handling of domestic violence incidents within these families. This video received a commendation from the Indochinese Community Relations Officers who rated the video "exceptional". *Domestic Violence: COPS* spotlights several innovative law enforcement programs, in California and the Southwest, that offer services to assist families involved in the crisis of domestic violence.

Allocated for this project: **\$300,000.00**  
Actual cost to 7/31/98: **\$295,142.15**  
Percentage spent: **98%**

### Forty - First Responder Workshops

The courses are currently being presented statewide. Pilot courses were presented in San Diego, Sacramento and Shell Beach. The response to the course was good and it received high praise by the students. Courses are currently scheduled through June 1999. To date, approximately 170 law enforcement officers have attended the training.

Allocated for this project: **\$500,000.00**  
Actual cost to 7/31/98: **\$123,612.27**  
Percentage spent: **25%**

### Two ICI Courses (40-hour)

The first pilot for the Institute of Criminal Investigation domestic violence course was held August 3<sup>rd</sup> to the 7<sup>th</sup> in San Diego. Twenty-three students attended this first week-long, intensive course for investigators specializing in domestic violence cases. One instructor described the experience as "magic" at the conclusion of the course. The evaluations reflected the students concurred.

The next pilot is scheduled for September 21<sup>st</sup> to the 25<sup>th</sup> in San Francisco. Six additional courses will be scheduled in the future.

Allotted cost for this project: **\$308,960.00**  
Actual cost as of 7/31/98: **\$38,410.00**  
Percentage spent: **12%**

#### **Interactive CD-ROM Courseware on Domestic Violence**

The design phase of this program is fully underway. A core group of content experts created a group of scenarios that cover the subject areas previously identified as needed by officers. These scenarios are the basis for the program in which officers will determine their ability to handle domestic violence calls. Then, a larger group of district attorneys, law enforcement personnel, and victim advocates from around the state reviewed the scenarios and fine-tuned some of the areas. In addition, a group of officers, representative of the users of the final program, gave the developers feedback regarding the use of the scenarios and potential interactions. Once further details of the scenarios and interactions are finalized, development of a prototype will begin.

Allocated for this project: **\$200,000.00**  
Actual cost to 7/31/98: **\$41,356.48**  
Percentage spent: **21%**

#### **Four Video Scenarios for Basic Training**

This project is complete. The scenarios were piloted in Los Angeles Police Academy and Los Medanos College Police Academy. At the conclusion of the courses, the academy staff from both agencies met to evaluate the project and determine if any changes were suggested.

The reviews from those using the scenario and evaluation format were very positive. The videos demonstrate the optimum way to handle a domestic violence call and set a new standard in the overall evaluation process of critical incidents at the basic training level.

Allocated to this project: **\$130,000.00**  
Actual cost to 7/31/98: **\$130,455.62**  
Percentage spent: **100%**

#### **Five Workbooks for Basic Academy**

All of the learning domains are complete. Three of them are currently being utilized at the basic training level. The last two will be released in September 1998. The new workbooks present the most updated legal and strategic information in an interesting and student-friendly way.

Allotted to this project: **\$86,850.00**  
Actual cost to 7/31/98: **\$89,966.09**  
Percentage spent: **110%**

### Three (3) Train the Trainer Course for Domestic Violence

The design for this course will begin January 1999. It is a Train the Trainer course for Field Training Officers. The information from the First Responder Course, the workbook project and the scenario project will be utilized to create this curriculum that will provide current information to FTO's and provide them with the ability to train others.

Allotted to the Project: **\$63,500.00**

Actual Cost to 7/28/98: **\$0**

Percentage Spent: **0%**

#### Modifications to the Grant

Since the beginning of the Grant on August 1, 1997, we have submitted and received approval for five modification requests.

1. The increase of the hourly rate of POST staff calculated for soft match from \$19.00 to \$30.00.
2. The reallocation of \$28,000 from operation costs category to equipment category to purchase computer and data projector equipment to enable power point presentations of the First Responder and ICI courses.
3. An extension of the Grant period to conclude July 31, 1999 in order to facilitate scheduling of ICI and First Responder Courses through the first of 1999. This will also allow sufficient time for back-fill requests to be received and processed.
4. The reallocation of \$3,500 from operation costs category to equipment category to purchase computer equipment necessary for the CD-ROM program test system.
5. The reallocation of \$80,400 from the First Responder category to the Special Consultant category to maintain the coordinator position through to the end of the grant on July 31, 1999.

#### Financial Recap

Total Project Allocation: **\$2,196,834.00 \***

Total Project Expenditures to 7/31/98: **\$718,942.61**

\* This amount added to \$732,278 (in-kind match) = \$2,929,112, the total grant amount.

As of July 31, 1998 POST has requested \$664,544. in reimbursement from OCJP.

As of July 31, 1998 POST has contributed \$240,830. in soft match.

State of California

Department of Justice

## MEMORANDUM

To: POST Commissioners

Date: November 4, 1998

From: MIKE CARRE  
Chairman, Finance Committee  
Commission on Peace Officer Standards and Training

Subject: ACTIONS TAKEN AT THE FINANCE COMMITTEE MEETING -  
NOVEMBER 4, 1998

The Committee met yesterday, November 4<sup>th</sup>, at the Piccadilly Inn Hotel - Fresno. In attendance were Commissioners Brobeck, TerBorch, Warden, Campbell and myself.

In addition to items already addressed on the agenda, the Committee discussed the following:

- A. The Committee reviewed the budgeted and actual revenues as well as training volumes for the First Quarter. Revenue received for the first three months of this fiscal year, through September 30<sup>th</sup>, is significantly more than anticipated. The total, \$12.3 Million is \$863,878 more than anticipated, or 36% more than was received the first quarter of last year. As a reminder, projected revenue was increased by approximately, \$ 12 million for FY 98-99 through a budget augmentation provided by the Governor and Legislature.

The 11,523 Trainees reimbursed through the first quarter represent a decrease of 186 (1.6%) compared to the 11,709 trainees reimbursed during the same period last fiscal year.

- B. The Committee discussed various expenditure options to address a projected increasing surplus of funds. The following recommendations concerning back-fill reimbursement are presented to the Commission for consideration.

- (1) Effective immediately, expand courses eligible for back-fill reimbursement to include:

- Basic and Update courses on Arrest/Control Methods, Defensive Tactics, and Use of Force (currently only instructor courses are eligible)
  - Tactical Firearms (currently only Laser Firearms Course is eligible)
  - Drug/Alcohol Recognition
    - Interview and Interrogation
    - Sexual Assault Investigation
- (2) Effective immediately, extend overtime reimbursement to include release time, not to exceed 16 hours more than course hours.
- (3) Authorize release of a public notice of intent to revise regulations and authorize reimbursement for overtime paid to the trainee who attends training on days off.

The Committee also reviewed proposals for spending initiatives involving investments in training equipment and technology.

Prominent proposals included upgrading older driver training simulators with advanced systems and funding of several training sites with shoot/no shoot simulation systems. These proposals require refinement and will be brought back for Commission consideration in January.

- C. Staff reported on the results of the one year's suspension of the policy limiting subsistence reimbursement for courses attended less than 25 miles from the workplace. While it is difficult to account for all the variables that impact reimbursement in this area, computer calculations show that for the first nine months of the year's suspension some \$120,784 resident subsistence was paid that would not have been paid if the policy had not been suspended. Projected for the full twelve months, this reimbursement figure would be approximately \$161,000. The fund condition of POST has greatly improved since the inception of the policy restricting subsistence. It is, therefore, the recommendation of the Committee that the suspension of the policy continue with annual reports to the Finance Committee.
- D. Committee received a report on en route subsistence as it applies

to one day course. Following discussion, staff will further evaluate this issue and report back in January.

- E. The Committee discussed Multi Media equipment specifications subject to the Commission's authorized reimbursement program, and concurred that printers should be included reimbursable equipment. There is no increase in the previously approved \$3,000 per system
- F. The Committee recommends that the Commission authorize the Executive Director to: (1) accept additional Violence Against Women Act (VAWA) grant funding for 1997-98 in the amount of \$1,660,333.00 (1,245,250.00 for projects, \$415,083.00, in-kind match), and (2) renew the existing contract with Santa Barbara County Sheriff's Department for a sergeant to coordinate the VAWA grant in the amount not to exceed \$90,000.00 )to be paid from the grant), (roll call vote).
- G. Staff reported on the status of 1999/2000 FY Budget Change Proposals (BCP's) submitted to Department of Finance. Department of Finance staff has recommended approval of:
  - (1) \$206,000 rental augmentation for the 1999-2000 fiscal year to cover the cost of the acquisition of 10,500 additional square feet.
  - (2) \$107,000 for the addition of a Law Enforcement Consultant (LEC II) for the Basic Training Bureau to manage the integration and maintenance of the mandatory field training program and also manage the reserve training program.
  - (3) \$61,000 to fund the Associate Information Systems Analyst position that will serve as the Webmaster with responsibility for building and maintaining the POST Home Page service to law enforcement.
  - (4) \$45,000 to fund 0.5 Accounting Technician position to help in the Reimbursement Unit of the Administrative Services Bureau.
  - (5) The technical category transfers of \$2,000,000 from the Local Assistance Budget Item to the Training Contracts Support Item.

H. ADJOURNMENT

## COMMISSION ON POST

FISCAL YEAR 1998-99

(AS OF 10-1-98)

EXPENDITURE SUMMARY		CONTRACT SUMMARY	
<b>RESOURCES</b>		\$61,181,852	<b>APPROVED TRAINING CONTRACTS *</b>
Revenue Projection	32,294,000		Management Course
Budget Act Revenue (Sec 24.10)	14,000,000		Executive Training
Beginning Fund Balance	14,887,852		Supervisory Ldrship Inst
			DOJ Training Center
<b>EXPENDITURES:</b>			Satellite Video Tng
<b>ADMINISTRATION</b>		\$10,394,000	Case Law Updates
<b>TRAINING CONTRACTS/LA</b>		\$9,834,616	Telecourse Programs
Contracts Approved (See list)	8,374,616		Basic Course Prof Exam
Letters of Agreement	1,300,000		Basic Narcotic, Motorcycle, and DT
Conf Room Rental	160,000		Master Instructor Program
<b>TRAINING REIMBURSEMENT</b>		\$19,253,071	ICI Core Course (SFPD)
Trainees: 52,000			PC 832 Exam
Subsistence	8,973,410		Special Consultants' BTB, TPS (2)
Commuter meals	1,436,356		Labor/Management Partnership Course
Travel	2,761,149		Entry level reading/writing
Tuition	3,567,822		Entry Level Dispatcher Selection Test Battery
Backfill	1,000,000		Cultural Diversity Tng (SDRTC)
Other Reimbursements			POST Transition Pilot Program
Encryption	264,334		Joint Venture - Multimedia Program
Multimedia Computer Purchases (Apr '98)	1,250,000		Videos on Emergency Vehicle Opns (July -E)
<b>MUSEUM OF TOLERANCE</b>		\$2,000,000	Hazardous Materials Awareness CD-ROM (July-G)
Contract	1,556,000		Convert 1st Aid/CPR to CD-ROM (July-I)
Reimbursements	444,000		Multimedia Training Mgmt System (July-J)
<b>EXPENDITURES, TOTAL</b>		\$41,481,687	ICI Domestic Violence -VAWA (July-K)
<b>RESERVES</b>		\$19,700,165	ICI Core & Homicide Course (July-L)
Spendable-A		\$6,270,313	ICI Instructors Workshops (July-L)
Unavailable-B		\$13,429,852	ICI Core Course - SDRTC (July-L)
			ICI - CSUS, SJ July-(L)
			ICI - LAPD (July-L)
			Miscellaneous Contracts (Annual Estimate)
			Total
			7,707,992
			<b>Contracts on November Agenda</b>
			1. Dist of Basic Training Inst Package (F)
			2. Reserve Training Program Augmentation (I)
			3. Rev Psychological Screening Guidelines (M)
			4. Rev Medical Screening Manual (N)
			5. Motorcycle Update Course-CHP (P)
			6. Management Fellow for CPT Study (LRPC)
			Sub-total
			666,624
			Grand Total, All Contracts
			8,374,816
			* - Excludes SB 350 programs

A-This is the amount of the reserves that can be spent, bringing the total expenditures to the budgeted amount of \$47,752,000

B-Expenditure of any of this reserve would exceed the authorized level of expenditure per the Governor's Budget

\* - Initial estimate was \$6 million

\*\*- Initial estimate was \$2.25 million

**Expenditure Options**  
**For Finance Committee Consideration**

November 4, 1998

**Back-Fill Reimbursement**

Expand courses eligible for back-fill to include:

- o Basic and update courses on Arrest/Control Methods, Defensive Tactics, and Use of Force (currently only instructor courses are eligible).
- o Tactical Firearms (currently only Laser Firearms is eligible)
- o Drug/Alcohol Recognition
- o Interview and Interrogation
- o Sexual Assault Investigation

Extend overtime reimbursement to include release time not to exceed 16 hours more than course hours.

Authorize release of a public notice of intent to revise regulations to authorize reimbursement for overtime paid to the trainee officer who attends training on days off.

**Technology Spending Proposals for 1998-99 FY\***

1. **Purchase of POST/CHP Force Option Scenarios for the 46 systems owned by California law enforcement agencies.** New force options scenarios for use in shoot-no-shoot simulators @ \$1,250 each would greatly improve the use of this training because existing scenarios have to a large extent been exposed to trainees. .... \$57,500
2. **Contract to convert two existing IVD's to CD-ROM.** Two of POST's interactive video disc training programs (PC 832 and Drug Alcohol Recognition) would be made more accessible to law enforcement if they were converted to CD-ROM format which is the equipment POST is currently providing agencies. .... \$200,000
3. **Contract to develop CD-ROM on driver training.** Driver training is the number one training need for law enforcement. Existing POST IVD driver training program is in need of updating and improvement. A CD-ROM training program would greatly expand the availability and would complement driver simulator training. .... \$300,000

*potential impact  
\$5 mil/hrs  
Plan I or II*

*"Back-fill" reimbursement for up to additional 16 hrs. effective immediately that program thru fiscal year*

4. **On a trial basis, contract for multimedia course development management for four months for this fiscal year.** Contracting for additional multimedia coordination will enable a greater volume of course productions in CD-ROM format. Managing contractors is necessary to ensure course relevance and quality control. . . . . \$166,000
  5. **Authorize multiple CD-ROM equipment for medium/large agencies @ \$3,000 times 100 systems.** Revised criteria will be developed by staff and presented to the Commission for approval in January 1999. This will provide some agencies better access to POST's CD-ROM training programs. . . . . \$300,000
  6. **Provide each college operated academy with the CD-ROM equipment @\$3,000 each times 25 academies.** College operated academies could effectively utilize most of POST's multimedia training programs for basic academy group mode instruction. . . . . \$75,000
  7. **Upgrade three existing driver training simulators @ 378,000 each.** More precise estimate that will take into consideration reduced costs for trade-in or upgrades. Upgraded Doron simulators affords greater realism and the prospect of reduced student motion sickness that exists with present systems. . . . . \$1,134,000
  8. **Establish five additional fixed sites with driver training and shoot-no-shoot simulators.** Having integrated driver training and shooting simulators present at the same location has proven to be effective in the experience of West Covina Police Department. Tentatively the following geographical areas ought to be provided systems: Central Coast, North Coast, San Diego, Fresno, and the Northern Central Valley. . . . . \$2,655,000
  9. **Contract to purchase one mobile driver training simulator trailer (including truck) with four station upgraded Doran systems.** POST may be obligated to fund ongoing operational costs estimated to be \$200-300,000/year that would not be reflected in this total. Purchasing one mobile simulator would afford opportunity to evaluate its effectiveness. . . . . \$725,000
  10. **Contract to purchase one mobile force options (shoot no shoot) simulator training fifth wheel trailer, Shooting Solutions @ 400,000 each (including a truck).** POST may be obligated for ongoing operational costs estimated to be \$200-300,000 annually that would not be included in this total. Purchasing one mobile shooting simulator would afford opportunity to evaluate its effectiveness. . . . . \$400,000
- Total . . . . . \$6,012,500

**\*These proposals would require additional research that could be brought back to the Commission in January for action**

2

[One item @ w/o #5] Change #9 & #10 put at fixed sites

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CALIFORNIA 95816-7083**LEGISLATIVE REVIEW COMMITTEE**

Thursday, November 5, 1998

Piccadilly Inn Hotel

5115 E. McKinley Avenue

Fresno, CA 93726

(209) 224-3363

**MEMBERS**

Bill Kolender, Chairman

Mike Carre

Tom Knutson

Dan Lungren

Jan Scully

**8:30 A.M.****Attachment****A. Review of Chaptered Legislation****A**

1. See Attachment A.

**B. Proposed Legislation for 1999**

1. Amendment to Penal Code Section 12403.5

**B.1**

Currently, Penal Code Section 12403.5 allows security personnel to purchase, possess, or transport any tear gas weapon if it is used solely for defensive purposes, as defined in the license, and if that person has satisfactorily completed a course of instruction approved by POST.

Because security personnel are not, by law, in the POST program, Penal Code Section 12403.5 should be modified to exclude language referring to POST training. POST should not be in the position of setting training standards for non-peace officer security personnel in this or any other area.

The Committee may agree to identify a sponsor to introduce the bill to the Legislature in January 1999.

**2. Proposed Amendment to Penal Code Section 832**

**B.2**

Certain classifications of peace officers are authorized to perform general law enforcement duties after they successfully complete the training requirements set forth in Penal Code Section 832. Some of these individuals may provide law enforcement services for their departments in particular geographical areas.

Specific penal codes, as noted in Attachment B, bestow peace officer status on employees of specific entities some of whom are certified by and meet POST standards. Others do not participate in the POST program. It is proposed that persons in the classifications identified complete an additional course of training approved by POST; the length of the course would be determined after further study.

It is recommended that Section (h) be added to Penal Code Section 832 (Attachment B) to address this issue. In addition, the Committee may identify a sponsor to introduce the bill to the Legislature in January 1999.

**3. Proposed Changes to Penal Code Section 832.3 (b)**

**B.3**

In November 1977, the Legislative Review Committee approved a proposal to amend Penal Code Section 832.3 (b) to expand the testing authorized by this section to include the requirement that the Regular Basic Course students pass standardized tests developed and maintained by the Commission. At the June 1998 meeting of academy directors, language amending PC 832.3 was circulated and discussed. On the whole, language allowing the Commission to mandate tests was approved; however, concern was expressed regarding the confidentiality of the test scores.

In response to this concern, suggested language has been added to protect the confidentiality of test scores (Attachment B). If the Committee concurs with this analysis, it may wish to recommend to the Commission that it authorize staff to initiate efforts to amend the section as drafted.

4. Proposed Legislation Concerning POST Reimbursement of Reserve Peace Officer Training

B.4

Since 1977, Penal Code Section 13523, limits POST reimbursement to full-time, regularly paid employees of eligible agencies. This requirement was instituted primarily to preclude POST reimbursement for reserve peace officers and part-time employees because they obtained entry-level training on their own time and at their own expense and had not been required to meet the continuing professional training requirement. Effective January 1, 1995, Level I reserve officers were required to satisfy a CPT training requirement. And as a result of the passage of Senate Bill 1417, which becomes effective January 1, 1999, Level II reserve officers must also meet training requirements as determined by POST.

If Penal Code Section 13523 were amended to make Level I and Level II reserve peace officers eligible for POST reimbursement for their CPT expenses, the annual cost to POST would be \$863,502. The rationale for making these reserve officers eligible for POST reimbursement is that the law mandates CPT training and employing agencies incur real costs for reserve training.

The Committee may agree to identify a sponsor to introduce legislation to amend Penal Code Section 13523 to make Level I and II reserve peace officers eligible for POST reimbursement for CPT expenses.

## COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

### 1998 Status of Active Legislation of Interest to POST (Revised October 20, 1998)

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 271 (Villaraigosa)	<b>Correctional Peace Officers:</b> Makes several changes related to state agency correctional peace officers. <i>Commission Position: Support</i>	Chaptered 98-762
AB 1211 (Hertzberg)	<b>Standards for Police Chiefs:</b> Requires police chiefs and heads of local law enforcement agencies to complete the basic course and receive a POST basic certificate within 24 months of employment. <i>Commission Position: Support</i>	Chaptered 98-66
AB 2172 (Sweeney)	<b>Domestic Violence : Officer Response:</b> Includes provisions that existing domestic violence training incorporate techniques for recognizing the signs of domestic violence. <i>Commission Position: Neutral</i>	Chaptered 98-701
AB 2222 (Hertzberg)	<b>Radar Operators' Training:</b> Amends Section 40802 of the Vehicle Code to give peace officers using radar equipment an exemption from the "speed trap" provision if they successfully complete training. <i>Commission Position: Neutral</i>	Chaptered 98-2222
AB 2351 (Hertzberg)	<b>Computer Crimes:</b> Requires that every police officer or deputy sheriff at a supervisory level complete a high-technology crimes and computer seizure training course certified by POST. <i>Commission Position: Neutral</i>	Chaptered 98-826
SB 1417 (Knight)	<b>CPT Training:</b> Amends PC 832.6 to add a Continuous Professional Training (CPT) requirement for level II reserve officers. <i>Commission Position: Support</i>	Chaptered 98-190
SB 1442 (Rainey)	<b>Peace Officer Training:</b> Amends Section 13511.5 of the Penal Code to require persons attending PC 832 firearms training to submit written certification from the Department of Justice verifying that they have no criminal history. <i>Commission Position: Support</i>	Chaptered 98-120
SB 1452 (McPherson)	<b>Consolidated Municipal Safety Agencies:</b> Defines the term "consolidated municipal safety agency" and provides that the chief, director, or chief executive of such an agency be subject to the same requirements and privileges as that of a municipal chief of police. <i>Commission Position: Support</i>	Chaptered 98-159

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
SB 1626 (Hughes)	<b>Peace Officers: School Security Officers: Training:</b> Amends Section 832.2 of the Penal Code to require POST to provide consultation services to the Bureau of Security and Investigative Services of the Department of Consumer Affairs in the development of a course of training for school security personnel. <i>Commission Position: Neutral</i>	Chaptered 98-745
SB 1627 (Hughes)	<b>Peace Officers: School Police Officer:</b> Adds subdivision © to Section 832.2 of the Penal Code to classify, as peace officers, those employed by a K-12 public school district or community college who have completed the Basic Course. <i>Commission Position: Support</i>	Chaptered 98-746
SB 1844 (Thompson)	<b>Crime Prevention: Peace Officer Training:</b> Requires POST to implement by July 1, 1999 a course of instruction and guidelines for training officers in handling acts of civil disobedience. <i>Commission Position: Support</i>	Chaptered 98-207

# COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

## 1998 Status of Informational Legislation of Interest to POST

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 105 (Wayne)	<b>Sentencing: Enhancements:</b> This bill would apply enhanced punishment for specified crimes and would also revise and recast certain felonies and redefine 'violent felony'. This bill contains other related provisions.	Chaptered 98-936
AB 796 (Havice)	<b>Sex offenders: Notification:</b> This bill would provide that any child care custodian, as defined, or any employee of a private or public educational institution or day care facility who receives information from a designated law enforcement entity may disclose that information in the manner and to the extent authorized by the law enforcement entity. Immunization from civil liability for public and private educational institutions, day care facilities, and any employee there is included. This bill contains other related provisions.	Chaptered 98-927
AB 1016 (Hertzberg)	<b>Peace Officer Personnel Files:</b> This bill would require the removal of complaints from a peace officer's personnel file that have been determined to be unfounded or exonerated.	Chaptered 98-25
AB 1290 (Havice)	<b>Kidnapping:</b> This bill re-defines numerous criminal offenses and sets the penalty for violation thereof. The bill deals primarily with sentencing enhancements for specified crimes.	Chaptered 98-925
AB 1707 (Wildman)	<b>Body Armor:</b> This bill would make it a felony for a person convicted of a violent felony, as defined, to own, possess, or use body armor without first petitioning the chief of police or county sheriff with the jurisdiction over the area in which the body armor is to be used for an official exemption, to be granted on specific grounds. This bill contains other related provisions.	Chaptered 98-297
AB 1795 (Runner)	<b>Concealed Firearms: License to Carry:</b> This bill would include, in this three-year license provision, that the person applying for a license is of good moral character and that good cause exists. California judges, full-time California court commissioners, and federal judges and magistrates are included. This bill specifies that home addresses and telephone numbers of these persons and peace officers are exempt from disclosure pursuant to an existing provision of the California Public Records Act.	Chaptered 98-110

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
SB 63 (Peace)	<b>Firearms: Pistol-Revolver Delivery Record:</b> This bill would expand the requirements for the purchase of firearms to include the forwarding to the Department of Justice specified information that is not delivered within the required 45-day period. This bill would also add to the definition of "operation of law" and would revise and recast existing law provisions to include separate exemptions for a firearm that is not capable of being concealed upon a person and a firearm that is capable of being concealed upon a person. This bill contains other related provisions.	Chaptered 98-908
SB 1390 (Kopp)	<b>Peace Officer Uniform:</b> Existing law provides that it is a misdemeanor for any person other than one who, by law, is given the authority of a peace officer, to willfully wear, exhibit, or use the authorized badge, insignia device, label, certificate, card, or writing of a peace officer with the intent of fraudulently impersonating a peace officer, or of fraudulently inducing the belief that he or she is a peace officer. This bill would, in addition, make those prohibitions applicable with respect to a peace officer uniform. The bill contains other related provisions.	Chaptered 98-279
SB 1690 (Rainey)	<b>Peace Officers:</b> This bill would make a number of provisions of existing law enforceable by members of the San Francisco Bay Area Rapid Transit Police Department, the University of California Police Department, and the California State University Police Departments. This bill contains other related provisions.	Chaptered 98-760

State of California

Department of Justice

## MEMORANDUM

To : Legislative Review Committee

Date: October 13, 1998

  
Kenneth J. O'Brien  
Executive Director

From : Commission on Peace Officer Standards &amp; Training

Subject: AMENDMENT TO PENAL CODE SECTION 12403.5

BACKGROUND

Currently, Penal Code Section 12403.5 allows private investigators, private patrol operators, and uniformed patrol employees of a private patrol operator to purchase, possess, or transport any tear gas weapon if it is used solely for defensive purposes in the course of the activity for which the license was issued and that the person has satisfactorily completed a course of instruction approved by the Commission on Peace Officer Standards and Training.

ANALYSIS

This law has been in place since 1971. The primary issue is that security personnel are, by law, not included in the POST program. POST should not be in the position of setting the training standard for non-peace officer security personnel in this or any other area.

Meetings have been held with officials from the Department of Consumer Affairs (BCA), Bureau of Security and Investigative Services (BSIS), and they agree that tear gas training for security personnel is their responsibility.

To correct this situation, the following Penal Code amendment is suggested:

**12403.5** Notwithstanding any other provision of law, a person holding a license as a private investigator or private patrol operator issued pursuant to Chapter 11 (commencing with Section 7500), Division 3 of the Business and Professions Code, or uniformed patrolmen employees of a private patrol operator, may purchase, possess, or transport any tear gas weapon, if it is used

solely for defensive purposes in the course of the activity for which the license was issued and if the person has satisfactorily completed a course of instruction approved by the ~~Commission on Peace Officer Standards and Training~~ *Department of Consumer Affairs, Bureau of Security and Investigative Services*, in the use of tear gas.

#### RECOMMENDATION

If the Committee concurs with this analysis, it may wish to recommend to the Commission that a sponsor for this bill be identified and that the bill be introduced to the Legislature in January 1999.

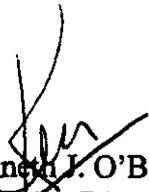
State of California

Department of Justice

## MEMORANDUM

To : Legislative Review Committee

Date: October 20, 1998



Kenneth J. O'Brien  
Executive Director

From : Commission on Peace Officer Standards &amp; Training

Subject: PROPOSED AMENDMENT TO PENAL CODE SECTION 832

BACKGROUND

Certain classifications of peace officers are allowed to perform general law enforcement duties after successfully completing training requirements set forth in Penal Code section 832 (64 hours). Some of these people patrol geographical areas alone and handle the full range of requests for police services and take enforcement action on the full range of law violations for which the employee's department has enforcement responsibility.

ANALYSIS

The following Penal Code sections bestow peace officer status on employees of specific entities:

Peace Officer Classification	Penal Code Section
Local Agency Park Rangers	830.31 (b)
Housing Authority Patrol Officer	830.31 (d)
Harbor or Port Police (county, city, or district)	830.33 (b)
Transit Peace Officer (county, city, transit development board, or district)	830.33 (c)
Peace Officer (municipal utility district, county water district)	830.34 (a), (b)

Some of the entities noted above are certified by POST and meet current POST training requirements for their peace officers. Many of the entities listed above do not participate in the POST program.

It is proposed that persons in the classifications identified complete an additional course of training. The exact length of the additional training course needs to be studied. It would be overly simplistic to require that all of these people complete the POST Regular Basic Course.

It is suggested that Section (h) be added to Penal Code Section 832 to read:

*(h) Any person having peace officer powers, who is assigned to the prevention and detection of crime and the general enforcement of the laws of this state, and patrols a geographical area personally handling the full range of requests for police services shall complete an additional course of training prescribed by the Commission on Peace Officer Standards and Training.*

#### RECOMMENDATION

If the Committee concurs with this analysis, it may wish to recommend to the Commission that a sponsor for this bill be identified and that the bill be introduced to the Legislature in January 1999.

State of California

Department of Justice

## MEMORANDUM

To: Legislative Review Committee

Date: September 24, 1998

  
Kenneth J. O'Brien  
Executive Director

From: Commission on Peace Officer Standards &amp; Training

Subj: PROPOSED CHANGES TO PENAL CODE SECTION 832.3(B)

Background

At its meeting on November 6, 1997, the Legislative Review Committee approved a proposal to amend Penal Code Section 832.3(b) to expand the testing authorized by this section to include the requirement that the Regular Basic Course students pass standardized tests developed and maintained by the Commission. At the June 1998 meeting of the consortium of academy directors, language amending PC 832.3(b) to implement this expanded authority was circulated and discussed. On the whole, the academy directors approved the language expanding the Commission's authority to mandate tests; however, they expressed concern regarding the confidentiality of the test scores.

Analysis

In response to this concern, language was added to the proposed amendment protecting the confidentiality of the test scores, and this new language was sent to the Attorney General for review. Deputy Attorney General Scally made several suggestions for strengthening the amendment's language, and these suggestions are incorporated into the amendment shown below.

(b) For the purpose of ensuring competent peace officers and standardizing the training required in subdivision (a), the commission shall develop and maintain a training-proficiency testing program, including a standardized examinations tests which enables (1) comparisons between presenters of the training and (2) development of a data base for subsequent training programs assessments of trainee achievement. The trainees' test scores shall be used only for the purposes enumerated in this subdivision and such research purposes as shall be approved in advance by the

commission. The commission shall take all steps necessary to maintain the confidentiality of the test scores, test items, scoring keys, and other examination data used in the testing program required by this subdivision. The commission shall determine the minimum passing score for each test and the conditions for retesting students who fail. Passing these tests shall be required for successful completion of the training required in subdivision (a). Presenters approved by the commission to provide the training required in subdivision (a) shall administer the standardized examination tests or, at the commission's option, shall facilitate the commission's administration of the standardized tests to all graduates trainees. Nothing in this subdivision shall make the completion of the examination a condition of successful completion of the training required in subdivision (a).

#### Recommendation

If the Committee concurs with this analysis, it may wish to recommend to the Commission that it authorize staff to initiate efforts to amend Penal Code Section 832.3(b) as shown above.

State of California

Department of Justice

## MEMORANDUM

To : Legislative Review Committee

Date: October 6, 1998

  
Kenneth J. O'Brien  
Executive Director

From : Commission on Peace Officer Standards &amp; Training

Subject: PROPOSED LEGISLATION CONCERNING POST REIMBURSEMENT OF  
RESERVE PEACE OFFICER TRAININGISSUE

Should the Commission sponsor legislation to make the continuing professional training of reserve officers eligible for POST reimbursement?

BACKGROUND

Current law, Penal Code Section 13523, limits POST reimbursement to full-time, regularly paid employees of eligible agencies. This requirement has been in existence since 1977 and was instituted primarily to preclude POST reimbursement for reserve peace officers and part-time employees.

Over the years, there has been very little interest in making reserve peace officers eligible for POST reimbursement primarily because: 1) most reserve officers obtain their entry-level training on their own time and at their own expense, and 2) up until recently there has not been a continuing professional training requirement (CPT) for reserve peace officers. Effective July 1, 1995, Level I reserve officers were required to satisfy a CPT training requirement as determined by the Commission.

Senate Bill 1417, which will become effective January 1, 1999, requires that Level II reserve officers also satisfy a CPT training requirement as determined by POST.

ANALYSIS

There are 4,799 Level I and 2,250 Level II reserve officers currently participating in the POST Program. If the law were to be amended to authorize POST reimbursement of Level I and II CPT training (excluding entry, supervisory, and management

training), the annual cost to POST would be \$863,502. This amount is based upon the average annual amount reimbursed by POST for regular officers attending Technical and Advanced Officer Courses. This cost estimate is undoubtedly on the high side since the vast majority of reserve officers are now attending POST-certified training presented within their agencies or nearby.

Rationale for making these reserve officers eligible for POST reimbursement is that the law mandates CPT training and their employing agencies incur real costs for their training. Making Level I and II reserve officers eligible for POST reimbursement for this limited purpose would have negligible effect on increasing or decreasing the use of reserve officers but would greatly assist law enforcement agencies.

#### RECOMMENDATION

It is recommended POST sponsor or seek sponsorship of legislation to amend Penal Code Section 13523 that would have the effect of making Level I and II reserve peace officers eligible for POST reimbursement for their CPT expenses.


**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

 1601 ALHAMBRA BOULEVARD  
 SACRAMENTO, CALIFORNIA 95816-7083

**POST Advisory Committee Meeting**  
**Wednesday, November 4, 1998**  
**Piccadilly Inn Hotel**  
**5115 E. McKinley Avenue**  
**Fresno, CA 93727**  
**(209) 251-6000**

**AGENDA**

**10:00 A.M.**

- |    |  |               |
|----|--|---------------|
| A. | Call to Order and Welcome  | Chair         |
| B. | Moment of Silence Honoring Peace Officers<br>Killed in the Line of Duty  | Chair         |
|    | Since the last POST Advisory Committee meeting, the<br>following officers have died while serving the public:  |               |
|    | <ul style="list-style-type: none"> <li>• Officer Filbert H. Cuesta, Jr., Los Angeles Police Department</li> <li>• Sr. Deputy Lisa D. Whitney, Ventura County Sheriff's Department</li> </ul> |               |
| C. | Roll Call and Special Introductions  |               |
| D. | Announcements  | Chair         |
| E. | Approval of July 15, 1998 Meeting Minutes<br>(Attachment A)  | Chair         |
| F. | Report on POST Strategic Plan Implementation   | Rick TerBorch |
| G. | Demonstration, POST Web Page<br>Implementation of Strategic Plan Objective F.2 -<br>Publicize Available POST Services  | Staff         |
| H. | Schedule the Governor's Awards Screening Committee Meeting<br>Date   | Chair         |

- I. Report from California Law Enforcement Image Coalition Joe Flannagan
- J. Review of Commission Meeting Agenda and Advisory Committee Comments Staff/Members
- K. Advisory Committee Member Reports Members
- L. Commission Liaison Committee Remarks Commissioners
- M. Old and New Business Members
- N. Election of Officers Members
- O. Next Meeting:

Wednesday, January 20, 1999  
Bahia Hotel - San Diego

Adjournment:

# OFFICERS KILLED IN THE LINE OF DUTY 1998

ID #	NAME	AGENCY	FIA	DATE OF DEATH
1	Officer Steve G. Gajda	LAPD	F	01/01/98 (12/31/97)
2	Officer Scott M. Greenly	CHP - San Jose	A	01/07/98
3	Officer James J. Raposo	Visalia PD	F	01/09/98
4	Officer Britt T. Irvine	CHP - Santa Maria	A	02/24/98
5	Officer Rick B. Stovall	CHP - Santa Maria	A	02/24/98
6	Officer Paul D. Korber	Ventura Harbor Patrol	A	03/15/98
7	Chief J. Leonard Speer	Calapatria PD	F	04/10/98
8	Officer David J. Chetcuti	Millbrae PD	F	04/25/98
9	Officer Chris D. Lydon	CHP - El Cajon	A	06/05/98
10	Officer Claire N. Connelly	Riverside PD	A	07/12/98 (07/11/98)
11	Officer Filbert H. Cuesta, Jr.	LAPD	F	08/09/98
12	Sr. Deputy Lisa D. Whitney	Ventura County Sheriff's Dept.	A	08/12/98

Updated 10/19/98

Table Explanation - "FIA" Column:   A   = Accidental  
  F   = Felonious

Table Explanation - "Date Of Death" Column: Dates in parentheses represent the date of the incident.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CALIFORNIA 95816-7083ATTACHMENT A

POST Advisory Committee Meeting  
July 15, 1998  
Doubletree Hotel  
Costa Mesa, CA

**MINUTES****CALL TO ORDER**

The meeting was called to order at 10:00 a.m. by Chairman Woody Williams.

**MOMENT OF SILENCE**

The Advisory Committee held a moment of silence in honor of the following officers who have lost their lives while serving the public since the last Committee meeting:

- o Officer David John Chetcuti, Millbrae Police Department
- o Officer Christopher D. Lydon, California Highway Patrol, El Cajon
- o Officer Claire Connelly, Riverside Police Department

**ROLL CALL OF ADVISORY COMMITTEE MEMBERS**

Present: Robert Blankenship, California Police Chiefs' Association (CPCA)  
Don Brown, California Organization of Police and Sheriffs (COPS)  
Jay Clark, California Association of Police Training Officers (CAPTO)  
Norman Cleaver, California Academy Directors' Association (CADA)  
Joe Flannagan, Peace Officers' Research Association of California (PORAC)  
Derald Hunt, California Association of Administration of Justice Educators (CAAJE)  
Leisha Lekawa, Women Peace Officers' Association of California (WPOA)  
Kevin Mince, California Highway Patrol  
Earl Robitaille, Public Member  
Leo Ruelas, California Community Colleges  
G. "Sandy" Sandoval, California Specialized Law Enforcement  
Judith Valles, Public Member  
Woody Williams, California Peace Officers' Association

**Commission Advisory Liaison Committee Members Present:**

David Anderson  
Charles Brobeck  
Collene Campbell  
Rick TerBorch  
Michael Carre

**POST Staff Present:**

Kenneth J. O'Brien, Executive Director  
Glen Fine, Assistant Executive Director, Administrative Services  
Hal Snow, Assistant Executive Director, Standards and Development Division  
Mike DiMiceli, Assistant Executive Director, Field Services Division  
Alan Deal, Bureau Chief, Standards and Evaluation  
Tom Hood, Executive/Legislative Liaison  
Bud Lewellan, Bureau Chief, Training Program Services  
Graham Breck, Training Program Services

**Guests Present:**

Greg Kyritsis, San Bernardino County Sheriff's Department/CADA  
Larry Von Tate, guest of Ted Hunt  
Kenneth Burgess, San Francisco Police Department  
Tom Redmond, San Francisco County Sheriff's Department

**ANNOUNCEMENTS**

1. Chairman Woody Williams announced that the California Highway Patrol had set up a trailer in the parking lot of the hotel and upon adjournment of the Meeting, was prepared to demonstrate the new Use of Force videodisc scenarios. Those present were urged to attend.
2. Chairman Williams announced that this will be the last meeting at which Jay Clark will serve as a member of the Advisory Committee. Mr. Clark has retired from his job, will no longer be representing the California Association of Police Training Officers (CAPTO) and, hence, will withdraw from his position as a committee member. Jay Clark was commended for his commitment and outstanding contribution to the Advisory Committee. He will be presented with a commemorative plaque at the November 5, 1998 meeting in Fresno.
3. Chairman Williams announced Vera Roff's retirement and expressed appreciation for her excellent performance and dedication as Secretary to the Commission.
4. Anita Martin was introduced and welcomed by the Committee as the new POST Secretary.

## **APPROVAL OF MINUTES OF APRIL 15, 1998 MEETING**

MOTION - Clark - second, Cleaver, carried unanimously to approve the minutes of the April 15, 1998, Advisory Committee meeting at the Doubletree Hotel in Redding, with the following corrections noted: Michael Carre was present; Robert Blankenship represents California Police Chiefs' Association.

## **REPORT ON UPDATE OF POST STRATEGIC PLAN**

Commissioner TerBorch, Chairman of the Committee on the Strategic Implementation Plan, reported that the committee met on May 12, 1998 at a stakeholders/partners workshop, in Newport Beach. Commissioner TerBorch reported that a great deal of progress is being made on the Strategic Plan and major changes have been adopted. Six objectives were removed as completed, two were merged with others, and five objectives were added. It was noted that the Plan will be available in hard copy, as well as on POST's web page, once it is approved by the Commission.

## **REPORT ON ACADEMY PHYSICAL FITNESS TESTING STUDY**

Staff reported that the academy physical fitness preliminary testing study has been completed. The purpose of the study was to determine the effects of requiring students to wear duty equipment while taking the test. The study revealed a significant drop-off in passage rate of female candidates when they were tested wearing duty gear rather than track gear. After a discussion, it was determined that rather than recommend a more costly and in-depth study, it would be preferable for academy directors to consider whether there is a need for further study. Staff will continue to monitor the issue but no action is recommended until further information is received.

## **REPORT ON CALIFORNIA LAW ENFORCEMENT IMAGE COALITION**

Joe Flannagan, Chairman of the Ad Hoc Committee for Enhancing the Image of Law Enforcement, reported that there has been three meetings of the Image Coalition Committee since the last POST Commission meeting. Several proposals were made to accomplish the goals of the Image Coalition, including: 1) various concepts of working with the local media; 2) developing legislation for funds to produce informational pamphlets to be placed in police lobbies and public buildings; and 3) establishing a web site. After a discussion concerning the results of the recent survey, there was consensus that further work is necessary. An additional survey will be sent to departments to follow-up, and progress will be given at a later date. It was further recommended that Academy Directors specifically be kept informed of the progress of this project.

## **STATUS OF POST BUDGET FOR FY 1998/99**

Staff reported that POST's spending authority in the proposed State Budget is \$59 million, and the \$12 million increase will provide an opportunity to benefit constituents in various ways.

## **1998 GOVERNOR'S AWARD**

Staff reported that the brochure for the 1998 Governor's Award will be distributed within the next month and applicants will be urged to submit names of nominees during the next few months. Those names will, in turn, come before the Advisory Committee for recommendations, and the recommendations will be given to the Commission in January.

## **REVIEW OF COMMISSION MEETING AGENDA AND ADVISORY COMMITTEE COMMENTS**

Staff reviewed the July 16, 1998 Commission agenda and responded to questions and discussion of the issues. The Committee had no issues or concerns after review of the Agenda.

## **ADVISORY COMMITTEE MEMBER REPORTS**

### California Academy Directors' Association (CADA)

Norman Cleaver reported on results of the recent election by CADA, which reflects the diversity of the organization. He further reported that the mid-term and final exams are a major improvement which will produce better prepared graduates.

### California Community Colleges

Leo Ruelas reported on the outcome of the distribution of federal grant funds to Community Colleges for public safety training. He also discussed a recently enacted law which calls for accountability by institutions, such as colleges and academies, that receive federal grant money.

### California Association of Administration of Justice Educators (CAAJE)

Derald Hunt reported that CAAJE had a successful conference at Lake Tahoe in May 1998. The organization is considering expansion to include other public service/public safety entities. This issue will soon be brought before the general membership of the organization for final determination.

### Women Peace Officers' Association of California (WPOA)

Leisha Lekawa reported that WPOA will have its annual conference with CPOA on Tuesday, September 15, 1998. WPOA's Annual Awards and Installation luncheon will also be held on that date. WPOA is currently considering the possibility of merging with CPOA.

### California Police Chiefs' Association

Bob Blankenship reported that the California Police Chiefs' Association has become involved in the Vehicle License Fee legislation, and along with CPOA, District Attorneys and Sheriffs, had a recent meeting with the Governor concerning that issue. In addition, Chief Blankenship reported that CPCA has recently approached gubernatorial candidates to discuss the issue of a cabinet level position for law enforcement.

Chief Blankenship also reported that CPCA is speaking with Sheriffs and District Attorneys in an effort to develop the concept of an annual joint trade show combining several layers of law enforcement. In addition, he announced that CPCA now has a web site.

### Peace Officers' Research Association of California (PORAC)

Joe Flannagan reported that PORAC had recently held a meeting at which two federal prosecutors were guests. The meeting featured two panels of speakers. One panel included Sergeant Stacy Coon and two defense attorneys, and the other panel included the two federal prosecutors. The information received from the prosecutors was informative and educational for all attendees, and the meeting was considered a success.

Mr. Flannagan commented on the recent Peace Officer Memorial service which honored peace officers killed in the line of duty during the past year. The event had a significant impact on those who were able to attend, and members were thanked for their participation.

Some Commissioners and Advisory Committee members have encountered difficulties acquiring "release-time" from work in order to serve POST. Mr. Flannagan discussed this problem and expressed his willingness to work with POST to achieve a positive solution.

### California Specialized Law Enforcement

Sandy Sandoval discussed two pending legislative measures - SB 1626 and SB 1627, (Hughes) which will compel school district and community college police departments to require their police officers to have a Basic POST certificate. This will have historical significance because many such departments have not been POST certified in the past. In addition, the legislation requires campus security personnel to have formalized training.

### California Association of Police Training Officers (CAPTO)

Jay Clark reported that CAPTO has submitted the name of Mike Reid as Jay's recommended replacement to sit on the Advisory Committee. Mike Reid has been with

the Fresno Police Department for five years and has been a Training Manager for the past two years. Prior to joining the police department, he worked for the Fresno County Sheriff's Department. He is also serving his second term as CAPTO's Regional Treasurer. Not new to training, Mike Reid is currently a part-time instructor at Fresno State University, Fresno, teaching in the Criminology Department. In addition, he teaches in the Criminology Department at Fresno City College and in the Basic Law Enforcement Academy. He has developed many certified courses, is familiar with the POST Certification process, and has participated in two POST ad hoc committees. Among his other qualifications and accomplishments are a Bachelor's degree and graduate work in Criminology, with a Juris Doctorate in Law. During law school, he conducted research on criminal matters and was published in the *National Agricultural Law Review*. He also placed second in the Hopper Moot Court competition for criminal law.

Jay stated that included in Michael Reid's broad base of experience, is his employment as a paramedic with local and State EMS and Fire Service agencies.

Jay further reported that the Chief of the Fresno Police Department is very supportive of Michael Reid's involvement on the POST Advisory Committee.

Jay Clark further commented that he was proud to have served on the Advisory Committee and would miss the friendships and fellowship with other members of the Committee and the Commission.

#### California Organization of Police and Sheriffs (COPS)

Don Brown announced that on July 21, 22, and 23, COPS would be conducting its biennial Labor Relations Seminar-Workshop at the Palm Springs Hilton.

#### Earle Robitaille

Earle Robitaille discussed his concerns about the media coverage of various crimes and the way in which it adversely reflects on law enforcement.

#### Judith Valles

Judith Valles reported that she had recently been elected Mayor of the City of San Bernardino. She also announced that San Bernardino has been awarded a COPS grant and will be receiving \$3 million for the next three years. This will enable the City to hire a certain number of peace officers in order to better serve the city's more distressed areas.

Mayor Valles concurred with Chief Blankenship's remarks concerning the Vehicle License Fee legislation and expressed her concern about its financial impact on local government, specifically public safety.

California Peace Officers Association (CPOA)

As previously reported, Woody Williams stated that CPOA and WPOA would be having a joint conference in Palm Springs on September 13 - 17, 1998.

POST Audit Accounting Procurement and Financial Process and Controls.

Ken O'Brien reported that the results of the POST recurring financial audit were excellent.

**COMMISSIONER'S COMMENTS**

Michael Carre discussed the difficulties he and others members have had in obtaining "release time" in order to perform POST duties.

**OLD/NEW BUSINESS**

For display at POST Headquarters, Jay Clark presented Executive Director, Ken O'Brien, with an official U.S. mintage coin from the National Law Enforcement Officers Memorial.

Woody Williams announced that the next Advisory Committee meeting will be at the Piccadilly Inn, Fresno, California, on Wednesday, November 4, 1998.

Adjournment to the hotel Parking Lot for demonstration of new Use of Force videodisc scenarios.

**ADJOURNMENT - 12:15 a.m.**

*Anita Martin*

Anita Martin  
Executive Secretary

MEMORANDUM

To : Advisory Liaison Committee

Date: September 9, 1998



Ken O'Brien, Executive Director  
Executive Office

From : Commission on Peace Officer Standards & Training

Subject: REPORT ON POST ADVISORY COMMITTEE COMPOSITION AND MEMBERS

ISSUE

At the July 1998 meeting, the Commission directed that a report be prepared describing the composition of the members of the POST Advisory Committee. The report was to contain descriptions of the individuals' positions, their purpose and reason for being on the Committee, who and how many members their organizations represent, how members use their membership and the information they derive from being on the Committee, and why members want to serve. In addition, information was requested concerning the attendance record of incumbent Advisory Committee members.

ANALYSIS

The Commission has approved 14 positions for the Advisory Committee including the following:

- California Peace Officers' Association (CPOA)
- California Police Chiefs' Association (CPCA)
- California State Sheriffs' Association (CSSA)
- Chancellor's Office of the California Community Colleges
- California Association of Police Training Officers (CAPTO)
- California Association of Administration of Justice Educators (CAAJE)
- California Highway Patrol (CHP)
- Peace Officers Research Association of California (PORAC)
- Public (2)
- California Organization of Police and Sheriffs (COPS)
- Women's Peace Officer Association (WPOA)
- California Academy Directors Association (CADA)
- Specialized Law Enforcement

Over the years, several other organizations have solicited membership on the Advisory Committee but have been denied because of two primary reasons including: (1) most other organizations are already represented by the larger existing member organizations, and (2) increasing the size could serve to make the body less manageable. Some of the organizations requesting membership that have been denied membership include the California Reserve Peace Officers' Association, various statewide law enforcement investigators associations, organizations representative of law enforcement civilian employees, school police chiefs, and organizations representative of various racial groups within law enforcement.

Attachment A provides requested information about existing member positions including purpose or necessity for being on the Committee and who and how many persons each organization represents.

Attachment B provides comments from incumbent members on: (1) how members use their membership and information derived from being on the Committee, and (2) the reason members want to serve.

Attachment C provides attendance records for incumbent members for the last three years.

Organization	Purpose or Necessity for Being on the Committee	Who and How Many Persons Their Organization Represents
<p>California Peace Officers' Association</p> <p>* Woody Williams</p>	<p>CPOA is one of the largest and most diverse statewide law enforcement organizations and as such is representative of POST's clients. It is a major presenter of management/executive level training. Its committee structure affords POST the opportunity to monitor specific law enforcement issues.</p>	<p>Although CPOA membership is open to any level of peace officer, it primarily targets supervisors, managers, and those who aspire to be department heads. Current membership is approximately 4,500.</p>
<p>California Police Chiefs' Association - (CPCA)</p> <p>* Chief Robert Blankenship</p>	<p>CPCA is representative of virtually all police chiefs in California. POST's activities and responsibilities very much impact the operations of city police departments. Police chiefs are one of POST's key clients and partners.</p>	<p>CPCA membership is open only to police chiefs of cities. Current membership is 310.</p>
<p>California State Sheriffs' Association - (CSSA)</p> <p>* Sheriff Charles Byrd</p>	<p>CSSA represents the 58 sheriffs of California. The Association is one of the oldest and most respected, and maintains a continuing interest in POST programs, services, and standards. Sheriffs are one of POST's key partners and clients.</p>	<p>CSSA represents all 58 sheriffs and has a total associate membership of 30,000.</p>
<p>Chancellor's Office of the California Community Colleges</p> <p>* Leo Ruelas</p>	<p>The Chancellor's Office represents all 107+ community colleges which are one of the primary presenters of POST-certified training. As such, community colleges are one of POST's key partners.</p>	<p>Over 107 community colleges are represented by the Chancellor's Office. No other organization represents all community colleges.</p>

Organization	Purpose or Necessity for Being on the Committee	Who and How Many Persons Their Organization Represents
<p>California Association of Police Training Officers (CAPTO)</p> <p>* Officer Michael S. Reid</p>	<p>CAPTO represents the training managers and officers of California law enforcement agencies -- State and local. Training managers are a key coordination point for POST to assess training needs, maintain course quality, etc.</p>	<p>CAPTO has 500 members from local and State training managers/officers.</p>
<p>California Association of Administration of Justice Educators - (CAAJE)</p> <p>* Derald Hunt</p>	<p>CAAJE represents educators and trainers, particularly from community colleges. Members teach or coordinate both pre-service and in-service training and education programs. CAAJE's necessity for being on the Committee is the need to have coordination between education and training programs.</p>	<p>CAAJE has 250 members who are mostly pre-service Administration of Justice trainers or educators. However, a considerable percentage teach or coordinate in-service training programs as well.</p>
<p>California Highway Patrol (CHP)</p> <p>* Chief Kevin Mince</p>	<p>The CHP is the largest State law enforcement agency participating in the POST Program and has done so since the inception of POST. The CHP, because it is headquartered in Sacramento, is a convenient resource for POST for pilot testing curriculum and securing subject matter experts.</p>	<p>The CHP has over 6,800 sworn officers located throughout California.</p>
<p>Peace Officers' Research Association of California (PORAC)</p> <p>* Joe Flannagan</p>	<p>PORAC is one of the oldest and most respected labor organizations in California. It helped to create POST and has maintained a continuing interest in the professionalization of law enforcement. PORAC is responsible for many of the laws establishing standards for peace officers.</p>	<p>Over 560 local associations are affiliated with PORAC and, as such, PORAC represents 44,000 peace officers.</p>
<p>Public (2)</p> <p>* Earl Robitaille</p> <p>* Judith Valles</p>	<p>Members of the public bring broad-based perspectives about law enforcement's strengths/weaknesses and professionalization needs.</p>	<p>POST's two public members are representatives of California citizens - 35 million people.</p>

<b>Organization</b>	<b>Purpose or Necessity for Being on the Committee</b>	<b>Who and How Many Persons Their Organization Represents</b>
<p>California Organization of Police and Sheriffs - (COPS)</p> <p>* Don Brown</p>	<p>COPS has maintained a longstanding interest in POST's programs, services, and standards for law enforcement. As such, it has and continues to provide valuable input. The purpose or necessity for COPS having a member on the Advisory Committee is to ensure that its members and their interests are represented. COPS has maintained a longstanding interest in POST's programs, services, and standards, and has continued to provide valuable input. COPS first received a seat on the Advisory Committee sometime in the early 1980's.</p>	<p>COPS was originally formed to provide a voice for smaller law enforcement agencies. COPS has approximately 69 associations (police departments) which represent 5,500 peace officers. The numbers change on a monthly basis. Almost none of COPS' member associations have full-time release leadership and are unable to represent themselves in POST-related matters.</p>
<p>Women's Peace Officer Association - (WPOA)</p> <p>* Leisha Lekawa</p>	<p>WPOA brings a valuable women's peace officer perspective which need to be considered for both training and selection issues. WPOA has maintained a longstanding interest and expertise, especially on training issues.</p>	<p>WPOA has over 500 members who are mostly from local and State law enforcement, including all ranks. WPOA was founded to provide relevant training to women peace officers.</p>
<p>California Academy Directors' Association (CADA)</p> <p>* Norman Cleaver</p>	<p>CADA representing all of California's basic academy directors and coordinators provides valuable input and expertise on basic training issues. CADA is one of POST's key partners. CADA's membership employs thousands of instructors who teach in the basic academies.</p>	<p>CADA has 60 members, which is 100% of the 38 basic academy directors and coordinators. CADA is a broad-based organization made up of both colleges and law enforcement agency presenters. Ranks of members are broad-based from both rank and file and management.</p>

<b>Organization</b>	<b>Purpose or Necessity for Being on the Committee</b>	<b>Who and How Many Persons Their Organization Represents</b>
<p>Specialized Law Enforcement</p> <p>* Sandy Sandoval</p>	<p>Specialized law enforcement participates in the POST program and, generally, meets the same selection and training standards as those in the regular program. POST considers the unique needs of local and State agencies that voluntarily participate in the POST Program.</p>	<p>Specialized law enforcement includes local and State agencies that are not police or sheriff departments. On the local level these are generally school police, airport police, port police, and district attorney or welfare fraud investigators. On the State level, agencies include investigators -- Fish and Game, Forestry, University and State college police.</p>

Organization	How Members Use Their Membership Information Derived From Being on the Committee	Reason Members Want to Serve
<p>California Peace Officers' Association - (CPOA)</p> <p>* Woody Williams</p>	<p>Makes regular reports on POST issues to Executive Board and Training Committee. Information is used to educate members and develop training.</p>	<p>Woody wants to improve the law enforcement profession through training and standards. He sees the Advisory Committee as a vehicle for accomplishing this. Participation also affords the opportunity to give back to the profession which has been good to him.</p>
<p>California Police Chiefs' Association (CPCA)</p> <p>* Chief Robert Blankenship</p>	<p>Issues of interest to police chiefs are brought back to CPCA for consideration by the board and dissemination to entire membership via the President's quarterly report.</p>	<p>POST's standards for selection and training are critical for police departments. There is a strong desire to have input. The incumbent has worked for POST as a Management Fellow and has considerable knowledge and appreciation for what POST does on behalf of California law enforcement.</p>
<p>California State Sheriffs' Association - (CSSA)</p> <p>* Sheriff Charles Byrd</p>	<p>Membership and information are used to benefit both CSSA as an organization and small law enforcement agencies of Northern California.</p>	<p>Membership permits his organization to stay informed on POST issues and to provide input. It also allows CSSA to support POST on the legislative front by being familiar with needs and issues.</p>
<p>Chancellor's Office of the California Community Colleges</p> <p>* Leo Ruelas</p>	<p>Community college presenters are kept informed as to POST's programs, standards, legal interpretations, etc.</p>	<p>There needs to be a close link between POST and California's community colleges. The incumbent enjoys serving and contributing at the Committee's meetings.</p>

Organization	How Members Use Their Membership Information Derived From Being on the Committee	Reason Members Want to Serve
<p>California Association of Police Training Officers (CAPTO)</p> <p>* Officer Michael S. Reid</p>	<p>Member reports back to CAPTO Board of Directors and newsletter on POST issues. Also, member reports annually at the statewide CAPTO convention.</p>	<p>POST's programs, training, and standards impact the operation of law enforcement agencies and; therefore, there is a need to have input. There is also the opportunity to help develop professional standards for law enforcement.</p>
<p>California Association of Administration of Justice Educators - (CAAJE)</p> <p>* Derald Hunt</p>	<p>Information from the Advisory Committee is regularly distributed via CAAJE's newsletter. Derald Hunt also makes POST reports to regional and annual conferences.</p>	<p>Membership provides the opportunity to make a contribution to POST and law enforcement. It represents a valuable and necessary service to CAAJE and its membership. Membership providing support for the Commission's positions/programs via information exchange.</p>
<p>California Highway Patrol (CHP)</p> <p>* Chief Kevin Mince</p>	<p>The CHP Commissioner is kept informed of pending POST issues. The CHP's representative being Chief of Personnel and Training is able to directly implement POST's requirements. The Committee provides a forum for two-way communication between the CHP and other law enforcement agencies.</p>	<p>Provides an avenue to directly give input on POST issues that impact the CHP. Membership also facilitates the opportunity to secure interpretations of POST's requirements or programs. Membership affords the opportunity to further professionalize law enforcement.</p>
<p>Peace Officers' Research Association of California (PORAC)</p> <p>* Joe Flannagan</p>	<p>Written reports of POST's activities are prepared quarterly and disseminated to PORAC's Board of Directors. Additionally, a report is prepared for the annual PORAC Conference.</p>	<p>Membership provides the opportunity to improve and maintain law enforcement training and standards. It also affords the opportunity to improve law enforcement's image through participation on the Image Coalition Committee.</p>

Organization	How Members Use Their Membership Information Derived From Being on the Committee	Reason Members Want to Serve
<p>Public (2)</p> <ul style="list-style-type: none"> <li>* Earl Robitaille</li> <li>* Judith Valles</li> </ul>	<p><u>Earl</u> - Information is used to consider and make recommendations or comment upon matters coming before the Advisory Committee or Commission.</p> <p><u>Judith</u> - Information is useful as a school board trustee and mayor of a city. There is greater understanding of POST's programs, standards, and law enforcement issues. Member is able to sensitize other city council members and members of the public.</p>	<p><u>Earl</u> - Opportunity to pay back law enforcement and to help improve law enforcement standards.</p> <p><u>Judith</u> - Membership affords the opportunity to contribute to the professionalism of law enforcement and to provide input on needed standards from the public's perspective. Membership affords the Committee a "reality check" from the perspective of users or consumers of police services.</p>
<p>California Organization of Police and Sheriffs (COPS)</p> <ul style="list-style-type: none"> <li>* Don Brown</li> </ul>	<p>Since my appointment over a decade ago, I have reported the Committee's actions to COPS Board of Directors which has disseminated appropriate information to member associations. Our members' concerns are then brought back to the Committee.</p>	<p>I believe I have been a useful and active participant on the Advisory Committee during my long tenure. My serving on the Committee ensures that all of California's law enforcement community is represented instead of a portion of it.</p>

Organization	How Members Use Their Membership Information Derived From Being on the Committee	Reason Members Want to Serve
<p>Women's Peace Officer Association - (WPOA)</p> <p>* Leisha Lekawa</p>	<p>Membership is required to submit a report to the WPOA Board of Directors on POST issues. Selected information is reported to all WPOA members. Plans are underway to make information available on the Web Page.</p>	<p>Member desires to provide POST feedback on issues of interest to WPOA. Just as important, the Committee affords the opportunity to receive information to take back to WPOA members who do not get information from their departments. Information is also brought back to the employing department.</p>
<p>California Academy Directors' Association (CADA)</p> <p>* Norman Cleaver</p>	<p>Funnels information to Commission about how law enforcement trainers feel about issues. Disseminates information to academies and law enforcement agencies about POST's activities.</p>	<p>1) To carry out the duties described in the previous question.</p> <p>2) Desires to shape the future of law enforcement and academy training in a positive way.</p>
<p>Specialized Law Enforcement</p> <p>* Sandy Sandoval</p>	<p>Member uses the information to assist with: 1) networking with other organizations that represent specialized law enforcement, and 2) addressing proposed legislation impacting specialized law enforcement. Member networks with College and University Police Chiefs' Association, Souther California Juvenile Officers' Association, PORAC's Specialized Law Enforcement Committee.</p>	<p>Member desires to bring specialized law enforcement into closer harmony with the training and standards of municipal law enforcement. Membership allows input on standards and provides the opportunity to secure needed information.</p>

## POST Advisory Committee

Member Attendance Record

	<u>1996</u>				<u>1997</u>				<u>1998</u>						
	J	A	Jul	N	J	A	Jul	N	J	A	Jul	N			
Woody Williams	x		x	x	x		x	x	x	x		x	x	x	
Robert Blankenship	Appointed 11-6-97 →→→→→→→→→→										x	x	x		
Charles Byrd	x				x		x	x	x	x		x	x		
Leo Ruelas	Appointed 1-1-97					→	x	x	x			x	x	x	
Michael Reid (Jay Clark)	Appointed 7-30-98 →→→→→														
Derald Hunt	x			x	x		x	x	x	x		x		x	
Kevin Mince	Appointed 7-29-96								x	x	x		x	x	x
Joe Flanagan			x		x		x			x		x	x	x	
Judith Valles			x	x	x		x	x	x	x		x		x	
Don Brown	x		x		x				x	x		x		x	
Leisha Lekawa	Appointed 7-30-97 →→→→→										x		x		
Norman Cleaver			x	x	x		x	x	x	x		x	x	x	
Sandy Sandoval	Appointed 4-20-98 →→→→→→→→→→→→→→→													x	
Earl Robitaille	x		x				x	x	x	x		x	x	x	

X = Members Present



## CALIFORNIA STATE UNIVERSITY, SACRAMENTO

SCHOOL OF HEALTH AND HUMAN SERVICES  
DIVISION OF CRIMINAL JUSTICE

October 7, 1998

State of California  
Commission on Peace Officer Standards and Training  
1601 Alhambra Blvd.  
Sacramento, CA 95819

Dear Commissioners:

The purpose of this letter is a request for your support and assistance in the forthcoming International Conference on Crime and Public Policy in the Pacific Rim. The conference is scheduled for August 18-21, 1999 in San Francisco, California.

This will be the first development of an International Association to coordinate the research, information gathering, and actions aimed at "Pacific Rim Crime."

In the past, conferences of this type have been limited to researchers and policy makers. Other conferences have been limited to those involved in law enforcement activity directed as this area.

This conference is intended to bridge information exchange and sharing between researchers, academicians, policy makers, law enforcement practitioners, and others in the criminal justice field. It is directed to those who are concerned with the expanding crime problems of the Pacific Rim.

By taking this first step to a problem of growing significance, the conference will facilitate:

1. The creation of a foundation for training and education in areas related specifically to crime and public policy in the Pacific Rim
2. Establishment of an information exchange network in the Pacific Rim for law enforcement practitioners;
3. The exchange of information, investigation techniques and training for law enforcement agencies in the Pacific Rim;
4. Establish training programs that would jointly train selected officers from the nations of the Pacific Rim;
5. Development of an information base on issues dealing with crime in the Pacific Rim to be available to participating organizations.

6000 J Street, Sacramento, California 95819-6085 • (916) 278-6487

Because of our common purpose in meeting the coming challenges, we are asking that the Commission on Peace Officer Standards and Training certify specific sessions at them Conference for California Law Enforcement Officers. However, there will be a series of other presentations at the conference that will be of specific interest to law enforcement.

The Commission on Peace Officer Standards and Training would be joining the Governor's Office of Criminal Justice Planning, California State University, Sacramento and the Society for the Study of Juvenile Delinquency of the People's Republic of China in making a forward move in dealing with this growing issue.

In order to facilitate this international involvement, there are program coordinators in several nations of the Pacific Rim as well as Europe.

We are requesting from the Commission

1. The use of the POST logo
2. The use of POST facilities to publicize the conference
3. POST certification of selected courses
4. POST personnel to serve as consultants for training activities

We would also like to invite a representative from POST to participate in our Program planning.

I am confident that this conference is a great opportunity and forum to further the POST mission and goals.

I am looking forward working with you on this exciting event.

Sincerely



James Hernandez  
Professor of Criminal Justice  
Chair, Crime and Public Police Conference on the Pacific Rim