

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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.



COMMISSION MEETING AGENDA

Wednesday, August 23, 2000

Doubletree Hotel
222 North Vineyard
Ontario, CA
(909) 937-0900

Gray Davis
Governor

Bill Lockyer
Attorney General

AGENDA

CALL TO ORDER - 10:00 A.M.

COLOR GUARD AND FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTION

APPROVAL OF MINUTES

- A. Approval of the Minutes of the April 27, 2000 and the July 20, 2000, Commission meetings at the Hilton Hotel in San Pedro, California, and the Holiday Inn in South San Francisco, respectively.

BASIC TRAINING BUREAU

- B. Report on Pilot Transition Basic Program

Following a public hearing, at the July 1995 meeting, the Commission approved the *Transition Program - Pilot Format* as an alternative delivery format of the Regular Basic Course. The pilot program divides the Regular Basic Course into two parts. Part I is a series of POST-certified community college Administration of Justice (AJ) or Criminal Justice (CJ) courses containing the cognitive portions of the Regular Basic Course. Upon completion of Part 1, students are required to successfully complete a state

comprehensive examination before being admitted into Part 2. Part 2 is a shorter, reconfigured skills academy.

The Commission approved the program to be offered as a pilot for three years, with instruction beginning in 1996. On June 18, 1999, the Long Range Planning Committee authorized a one-year extension of the pilot to allow the collection of additional data that would support a comprehensive evaluation of the pilot, and asked that a final report of the program be given to the Commission in July 2000.

Based upon the evaluation data and recommendations from the pilot presenters and the Consortium of Academy Directors and Coordinators, staff is recommending that the Transition Program - Pilot Format be eliminated as an alternative delivery format of the Regular Basic Course. It is proposed that the program be canceled in two phases; Part 1 canceled as of January 1, 2001, and Part 2 as of January 1, 2002. This phased approach accommodates students who have begun the program, giving them an opportunity to complete the program before cancellation.

If the Commission concurs, the appropriate action would be a MOTION to approve the amendments to Commission Procedure D-1, as proposed, eliminating the *Transition Program - Pilot Format* as an alternative delivery format of the Regular Basic Course as of January 1, 2002.

C. Proposed Revisions to Basic Course Training Specifications

Following a public hearing in November 1993, the Commission approved changes to Regulation 1005 and Procedure D-1 regarding minimum standards for the Regular Basic Course. Among these changes was the adoption of the document, *Training Specifications for the Regular Basic Course*, which mandated instruction within the basic course. Prior to training specifications, POST mandated instruction by using the document, *Performance Objectives for the Regular Basic Course*, which served as a testing specification document. Currently, academies use the training specification document to identify the mandated instruction in the Regular Basic Course, and the performance objectives document to identify the areas in which students will be tested. Both documents, in some instances, are provided to students enrolled in academy courses as reference material.

In November 1996, the Commission approved staff's proposal to develop student workbooks for each of the Regular Basic Course learning domains. Existing basic course materials (e.g., training specifications, performance objectives, etc.) were used to assist the contractor, POST staff, and subject

matter experts in the development of each of these workbooks. Although these existing materials were used as guidelines, the student workbooks were developed using a specific information mapping system that uses different terminology and taxonomy. The workbooks were also developed to reflect emerging training needs, changes in the law, or to resolve curriculum, testing and evaluation problems. However, due to the compressed development scheduled, these changes were not made to the training specification document on a quarterly basis, as done in the past. Now that the student workbook development project is completed (a report on the completion of the project is the subject of another report on the Commission's agenda), the training specification document needs to be updated to reflect all such changes that occurred.

Based upon the numerous changes proposed by staff, a new document, *Training and Testing Specifications for Peace Officer Basic Courses*, has been developed to replace the *Training Specifications for the Regular Basic Course*, *Training Specifications for the Regular Basic Course - Modular Format* and supplement the *Training Specifications for the Specialized Investigators' Basic Course*. The changes also require modifications to Regulations 1005, 1007 and Procedure D-1.

If the Commission concurs, the appropriate action would be a motion to adopt, subject to results of a Public Notice of Regulatory Action, the new document, *Training and Testing Specifications for Peace Officer Basic Courses*, in place of the documents, *Training Specifications for the Regular Basic Course* and *Training Specifications for the Regular Basic Course - Modular Format*, and approve modifications to Regulations 1005, 1007, Procedure D-1, and the document *Training Specifications for the Specialized Investigators' Basic Course*, as proposed. Changes would be effective following approval by the Office of Administrative Law.

D. Report and Presentation on Basic Course Workbook Project

In June 1993, a Management Fellow began research into the use of student workbooks in the Regular Basic Course. In 1994, the Commission initiated a pilot program to convert the unit guides for six learning domains into student workbooks and instructor guides, and to create a more effective instructional system. The objectives of this instructional system were to improve student performance and success; increase retention of the instructional material; maximize the use of instructional time; and, standardize the delivery of the curriculum throughout the State.

In 1997, after a successful pilot, the Commission awarded a contract to JWK International to convert all of the remaining learning domain materials into student workbooks. In addition, the original six workbooks were updated and re-formatted for consistency with the newer materials. The materials for each learning domain include a student workbook, instructor guide, and a video specific to the learning domain. Each basic academy receives the instructor resource package from POST.

The final phase of this three-year contract was brought to a successful conclusion June 30, 2000. All 82 documents (41 Student Workbooks and 41 corresponding Instructor Guides) have been delivered to POST and the contract was completed within budget.

The Basic Course Student Workbook Instructional System has received overwhelming support from the Basic Course Consortium, instructors and students.

A report and presentation is provided for the Commission's information and comment.

CENTER FOR LEADERSHIP DEVELOPMENT

E. Report on the Cost-Benefit Analysis of the Command College Program

At the January 2000 meeting, Commissioner Hunt requested a study of the cost-benefit of the Command College program. The report included comparative information for the Sherman Block Supervisory Leadership Institute, Robert Presley Institute of Criminal Investigation, and the Master Instructor Development Program.

The staff report was presented to the Long Range Planning Committee at its April 2000 meeting and summarized in the Committee's report to the Commission. The completed report is presented under this tab, for the information of the Commission, at the request of Commissioner Cobb.

INFORMATION SERVICES BUREAU

F. Regulatory Review and Clean Up

State agencies are required to identify unnecessary or redundant regulations. The recommended changes in this agenda item primarily focus on adding, amending, and/or deleting language in Commission Regulations 1020-1080 to

comply with the Executive Order. The substantive changes are described in the Agenda Item Report, but most of the changes are technical or language replacement in nature and do not add new requirements which effect agencies participating in the POST Program.

If the Commission agrees with the proposed amendments to Regulations 1020-1080 as proposed, it is recommended that the Notice of Proposed Regulatory Action process be used. The proposed changes will become effective 30 days after approval by the Office of Administrative Law.

STANDARDS & EVALUATION SERVICES BUREAU

G. Request for Approval to Contract for Management Fellow to Research and Identify Strategies to Implement a Physical Fitness Minimum Qualification

The current POST strategic plan calls for increasing selection standards in the area of physical abilities. At the present time, POST has no guidelines or standards in the area of pre-academy screening of physical abilities. It is proposed that a management fellow review existing law enforcement physical ability selection tests, current court cases involving physical fitness testing for law enforcement selection, current physical fitness testing theory, and recommend a measurable physical fitness minimum qualification.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to contract with a local law enforcement agency for a special consultant (Management Fellow) to study physical fitness issues for a period not to exceed one year and at a cost not to exceed \$130,000 for salary and benefits. (ROLL CALL VOTE)

H. Contract Request for Psychological Assessment Consulting Services

POST Strategic Plan Items A.8.I and A.8.II call for the creation of a new peace officer selection battery and the revision of the existing psychological screening guidelines, respectively. These projects are complex and will be subject to considerable scrutiny given the importance of the topic areas. It is therefore imperative that we include highly recognized experts to assist in the development of an RFP and the selection of contractor(s) to ensure that project goals, tasks, deliverables and time lines are feasible, efficacious, and will otherwise result in products that lead to the selection and screening of capable, psychologically-healthy peace officer candidates.

Dr. Deniz Ones holds an endowed professorship in Industrial and Organizational Psychology at the Department of Psychology of the University

of Minnesota. She is an internationally recognized expert in the areas of personnel selection and personality assessment for workplace applications. Moreover, unlike other leading personality testing experts, Dr. Ones is not affiliated with a specific test or assessment device (although she maintains massive data bases on virtually all of the commonly used measures); therefore, there are no conflict of interest concerns with her involvement in an advisory capacity to POST.

Dr. Gerald Sumprer currently has served as a senior psychologist for the State Personnel Board for over 12 years and has over 24 years experience in psychological areas. Dr. Sumprer will assist in creating an RFP that directly addresses the important substantive and practical issues facing pre-employment psychological screening. He will also assist in a variety of other project functions, such as performing extensive literature searches on available tests and inventories, assisting in the conduct of SME panels, creating draft manual chapters. His direct, extensive experience as a clinical psychologist will complement the assistance provided by Dr. Ones.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to create a sole source agreement for the services of Dr. Deniz Ones to assist in the implementation of Strategic Plan items A.8.I and A.8.II, at a cost not to exceed \$47,000, and to enter into an interagency agreement with the State Personnel Board for the services of Dr. Gerald Sumprer at a cost not to exceed \$67,000. (ROLL CALL VOTE)

TRAINING DELIVERY AND COMPLIANCE

I. Report on Proposal to Amend Regulation 1015(e) to Authorize Backfill Reimbursement for Public Safety Dispatchers and Dispatch Supervisors

Public Safety Dispatchers and Dispatch Supervisors are not currently eligible for backfill reimbursement. Commission Regulation 1015(e) authorizes reimbursement only for peace officers. The report under this tab proposes to authorize backfill reimbursement for Public Safety Dispatchers and Dispatch Supervisors. New regulations would be required and a public hearing is recommended.

If the Commission concurs, the appropriate action would be a motion to schedule a public hearing on this matter at the November 2000 meeting.

TRAINING PROGRAM SERVICES BUREAU

J. Contract Request for Analysis and Design for Driver Training CD-ROM Course

The issue is whether the Commission should enter into a contract with San Diego State University and KPBS to perform an analysis of needs and training requirements and develop a high-level design for a CD-ROM driver training course for California law enforcement.

The need for refresher driver training is one of the reasons the Commission established regional skills training centers that include driving simulators. The simulators can give students practice in judgment and decision-making in situations that are too dangerous for behind-the-wheel training. Similarly, an interactive multimedia program on CD-ROM can provide training in judgment and decision-making in many areas that do not require the features unique to the simulators. Also, a CD-ROM course would be an effective way for officers to learn cognitive material prior to taking training on the simulators or behind the wheel.

A million dollars for developing multimedia training in the perishable skills area was included in the budget change proposal for F/Y 2000-2001. Developing a CD-ROM on driver training was a major project envisioned for the use of these funds.

Proper analysis can also ensure that the funds later spent for development will be used effectively as a result of being able to focus on critical learning needs. The work to be performed in the proposed contract includes meeting with subject-matter experts and officers, studying existing driver training curricula for basic and refresher training and other driver training programs. It is important that the CD-ROM course be consistent with other courses, especially the driving simulator courses, and satisfy needs that can not be met using these other delivery systems.

The cost of the analysis/design project would not exceed \$70,000 and should be completed within six months following the signing of the contract. After completing the analysis and design work, it would be possible to determine what the proposed course would cost to develop; staff would then prepare a report with recommendations for the Commission. Performing the initial analysis and high-level design work first will help ensure that the course that is ultimately developed will meet the needs of the target audience and be an effective use of POST funds.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with San Diego State University and KPBS to perform an analysis and develop a high-level design for a CD-ROM driver training course for California law enforcement. The total amount of the contract would not exceed \$70,000; the term would be six months. (ROLL CALL VOTE)

K. Contract Request for Additional Regional Skills Training Centers

The agenda item provides a report on the development of the Regional Skills Training Centers, beginning in 1991 and 1992, when the first driving simulators were installed at San Bernardino County Sheriff's Department, Los Angeles County Sheriff's Department, and San Jose Police Department. By April 2000, the Commission had authorized funds for 18 skills centers, which include training in force options and defensive tactics, in addition to driving. A budget change proposal (BCP) was submitted for the 2000/2001 fiscal year, and approximately \$6.5 million was allocated for expansion of the centers and also to address the perishable skills refresher training for in-service officers. That BCP was approved and budgeted for this fiscal year.

Part of the BCP provided for the purchase of new driving and force options simulators to implement an in-service training program. Four sites have been identified for establishing new Regional Skills Training Centers: Ventura County Sheriff's Department, College of the Redwoods in Eureka, San Francisco Police Department, and Kern County Sheriff's Department. These sites are recommended because they represent geographical areas not now currently served by a skills center. It has been POST's objective in establishing these skills centers to have them located within one hour's driving time of most officers. The cost of simulators for the first three of the above sites is \$500,000.00 each. The site at the College of the Redwoods will only have a force options simulator, at a cost of \$100,000.00. The driving simulator course will be provided to that area via a mobile driving simulator system from Santa Rosa College. The total cost of the four sites will be \$1,600,000.00.

There is a need to modify and/or upgrade five existing Regional Skills Training Centers to meet the training commitments. At the Contra Costa (Los Medanos College) center, four of the current eight simulators should be replaced. Contra Costa, Los Angeles Police Department and Sacramento Police Department all have original AMOS I driving simulators, which should be upgraded with new systems at \$400,000 each. A force options simulator at \$100,000.00 is needed for Butte College, which currently has only driving simulators. Santa Rosa College has requested \$350,000 for a mobile force options simulator system to service remote agencies in their area. These modifications and upgrades total \$1,650,000.00.

There is a need to establish a Regional Skills Training Center in the western part of Los Angeles County, commonly called the South Bay area. This area represents several thousand law enforcement officers that are not close to an existing site. LASD has requested a mobile driving simulator unit to serve this area, and offered one of their existing mobile force options simulators to complete a mobile unit. POST staff is currently evaluating this proposal and considering other options for this site.

The BCP allocated funds to provide the following additional equipment for each center: a skid car for EVOC training, life-like mannequins, gym mats, batons, handcuffs, simulated weapons, etc., for arrest and control training, and an LCD projector and laptop computer for PowerPoint presentations and scenario replays in the driving simulator classes. Each of the 22 Regional Skills Training Centers would receive \$103,358.00 for the necessary equipment. This additional equipment would better enable law enforcement agencies to satisfy the perishable skills training needs. The total cost for these additions is \$2,273,892.00.

As the development of the 22 Regional Skills Training Centers progresses, it is necessary to continually train instructors to deliver the simulator courses. These instructor training courses are being delivered at West Covina Police Department, San Jose Police Department, and Contra Costa Criminal Justice Training Center (Los Medanos College). To more efficiently deliver courses it is recommended that POST enter into contracts with the following presenters to deliver these courses:

1. West Covina P.D., Force Options Instructor Course, eight presentations @ \$4,000.00; Driving Simulator Instructor Course, eight presentations @ \$4,000.00, total \$64,000.00;
 2. San Jose P. D., Force Options Instructor Course, eight presentations @ \$4,000.00, total \$32,000.00;
 3. Los Medanos College, Driving Simulator Instructor Course, eight presentations @ \$4,000.00, total \$32,000.00;
- Total: \$128,000.00.

If the Commission concurs, the recommendation is to accept the report and authorize the Executive Director to enter into contracts with the respective organizations for the specified expenditures totaling \$5,651,892.00.
(ROLL CALL VOTE)

L. Request For Production of Driving Simulator Scenarios

For the past several years, the Commission has contracted with agencies that have driving simulators to hire instructors to develop scenarios for use by the

Regional Skills Centers in California that present this training. The scenarios, which require specialized expertise to create, are critical to the success of the program. To date, more than 100 scenarios have been developed.

There is a need to have "fresh" scenarios, especially for officers who may be taking simulator training a second time. Also, with the addition of updated driving simulators that have new features (for example, freeway ramps, rural areas), new scenarios will be required. It is proposed that POST contract with the San Bernardino County Sheriff's Department to provide these services. Total costs for scenario development will not exceed \$33,000.

If the Commission concurs, the recommendation is to authorize the Executive Director to contract with the San Bernardino County Sheriff's Department for \$33,000 for fiscal year 2000/2001 to develop driving simulator scenarios.
(ROLL CALL VOTE)

M. Royalty Agreements for Driving Simulator Scenarios

At its April 2000 meeting, the Commission approved the renewal of the marketing agreement with Doron Precision Systems, Inc., to provide, on a non-exclusive basis, 70 scenarios to each site outside of California that purchases its simulators. In addition to the scenarios, each customer also receives a copy of the instructor guide developed by POST. For each sale outside of the state, the agreement specifies that POST receive a \$2,500 royalty payment, paid on a quarterly basis.

Until recently, Doron was the only manufacturer of driving simulators that met POST's specifications. Recently, two other companies, FAAC, Inc., and I-SIM, have also met the specifications and have sold driving simulators to California law enforcement agencies. These companies' simulators also use scenarios developed by POST, and the companies are interested in having marketing agreements with POST similar to the one POST has with Doron, in order to provide the scenarios to customers outside California. All three companies provide the scenarios and instructor guide free of charge to agencies in California purchasing the simulators.

The recommendation is to authorize the Executive Director to enter into agreements with FAAC, Inc., and with I-SIM, Inc., to market, on a nonexclusive basis, 70 POST driving simulator scenarios and instructor guides through June 30, 2002, and to provide POST a \$2,500 royalty payment for each out-of-state sale.

N. Professional Certificate Committee

At the January 2000 meeting, the Commission conducted a public hearing related to the rescission of a portion of Regulation 1011(b) pertaining to the cancellation of the POST Basic Certificate. As a result of the public testimony and discussion, the Commission suspended the public hearing and created a broad-based committee to study the issue and provide recommendations.

The committee completed its work and provided recommendations to the Commission at the July 20, 2000 meeting. The committee's report is Item N on the Commission's August 2000 agenda. The committee recommends amending Regulation 1011(b) to provide sufficient authority to enable the Commission to cancel a Basic Certificate in specified situations.

The Commission has two options to implement the recommendation:

- Deem the action to amend Regulation 1011(b) substantially related to the rescission proposed in the January 2000 public hearing, and distribute a 15-day public notice of the intention to amend the regulation; or
- Close the January 2000 public hearing that was suspended and set another public hearing to initiate a new administrative process to amend Regulation 1011(b) as recommended by the committee.

Staff recommends the second option because it clearly describes the new action that is different from the rescission that was initially proposed. In addition, a new public hearing will provide additional time to develop other amendments to the regulation that may be required if AB 2449 (Wildman) is enacted, as expected.

If the Commission concurs, the appropriate action is:

- (1) a MOTION to close without further action the public hearing that was opened at the January 2000 meeting; and
- (2) a MOTION to set a public hearing for the November 2, 2000, Commission meeting to amend Regulation 1011(b) concerning the cancellation of a POST Basic Certificate for specified felony convictions that are reduced pursuant to Penal Code Section 17(b)(1) or (3).

FUTURE COMMISSION MEETINGS:

November 2, 2000 - Holiday Inn Northeast, Sacramento

January 25, 2001 - Piccadilly Inn Airport, Fresno

April 19, 2001 - Airport Inn International, San Jose (Tentative)

ADJOURNMENT

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

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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.



COMMISSION MEETING MINUTES

Thursday, April 27, 2000

Hilton San Pedro

2800 Via Cabrillo Marina

San Pedro, CA 90731

Gray Davis
Governor

Bill Lockyer
Attorney General

Chairman Rick TerBorch called the Commission meeting to order at 10:00 a.m.

The Color Guard from the Los Angeles Sheriff's Department posted the colors and led the 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 Russell Miller, Chino Police Department
- Officer Louis Villalobos, Los Angeles Police Department
- Officer Jeffrey Azuar, Vallejo Police Department

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners present:

Lee Baca
Marc Cobb
George (Joe) Flannagan
James P. Fox
Monty Holden

Ted Hunt
William Kolender
Thomas J. Knutson
Bud Hawkins
Rick TerBorch

New Commissioner James P. Fox was introduced by the Chairman and welcomed by the Commission. Mr. Fox is the District Attorney for San Mateo County and has served as such for 17-1/2 years.

INTRODUCTIONS

Visitors present:

Woody Williams, P.O.S.T. Advisory Committee member, representing California Peace Officers Association (CPOA)
Norman Cleaver, P.O.S.T. Advisory Committee member, representing California Academy Directors Association (CADA)
Al Waters, P.O.S.T. Advisory Committee member, representing California Coalition of Law Enforcement Associations (CCLEA)
Leisha Lekawa, P.O.S.T. Advisory Committee Vice-Chair, representing Women Peace Officers' Association of California (WPOA)
Don Brown, former P.O.S.T. Advisory Committee member, Burbank Police Department
Derald Hunt, P.O.S.T. Advisory Committee member, representing California Association of Administration of Justice Educators (CAAJE)
Charles Byrd, Sheriff, Siskiyou County, Advisory Committee member
Philip del Campo, Advisory Committee member
Bob Blankenship, Chief, Redding Police Department, Advisory Committee Chairman
John Zrofsky, Chief of Shafter Police Department, representing CalChiefs Training Committee
Steve Craig, Director of Security, California State Lottery
Craig Harvey, Los Angeles County Coroner's office
Gary Winuk, Deputy Director of Special Projects, OCJP
Paul Tassone, Sacramento Sheriff's Department
Dave Barr, Golden West College, Huntington Beach
Dan Toomey, Department of Alcoholic Beverage Control
Gene Barnes, Golden West College, Huntington Beach
Guy E. Eisenbrey, Montclair Police Department
Joaquin Mendez, Los Angeles Airport Police
Greg Kyritsis, San Bernardino Sheriff's Office
James Anthony, Alhambra Police Department
James Henchey, Alhambra Police Department

Staff present:

Kenneth J. O'Brien, Executive Director
Glen Fine, Assistant Executive Director, Administrative Division
Hal Snow, Assistant Executive Director, Standards & Development Division
Mike DiMiceli, Assistant Executive Director, Field Services Division
Tom Hood, Bureau Chief, Public Information/Legislative Liaison
Paul Harman, Bureau Chief, Information Services
Jack Garner, Bureau Chief, Management Counseling
Frederick Williams, Bureau Chief, Administrative Services
Bud Lewallen, Bureau Chief, Basic Training
Kenneth Whitman, Bureau Chief, Ctr/Leadership Development
Dick Reed, Bureau Chief, Training Delivery and Compliance
Ray Bray, Bureau Chief, Training Program Services
Will Gartland, Consultant
Tom Liddicoat, Administrative Services
Mike Hooper, Consultant, Training Program Services
Steve Lewis, Consultant, Ctr/Leadership Development
Jim Roth, Consultant, Management Counseling
Bob Stresak, Consultant, Training Program Services
Anita Martin, Administrative Assistant, Commission Secretary

APPROVAL OF MINUTES

- A. MOTION - Holden, Second - Kolender, carried unanimously to approve the minutes of the January 27, 2000, Commission meeting at the Hanalei Hotel, San Diego, California.

CONSENT CALENDAR

MOTION - Knutson, Second - Cobb, carried unanimously to approve the following items on the Consent Calendar:

- B.1 Course Certification Report
B.2 Financial Report - Third Quarter FY 1999-00
B.3 New Entries Into the POST Regular (Reimbursable) Program
B.4 New Entries Into the POST Public Safety Dispatcher Program
B.5 Withdrawals from POST Regular (Reimbursable) Program

B.6 Implementation of POST's Mandatory Field Training Program Progress Report

B.7 Driver and Force Options Simulator Curriculum

B.8 Royalty Agreement for Driving Scenarios

B.9 Approval of Resolutions for:

- Don Brown, former POST Advisory Committee member, in appreciation for his dedicated service to law enforcement;
- In commemoration of the life and many achievements of the late Richard Breza, Chief of the Santa Barbara Police Department;
- John Mirolla, retiring Director of the California Specialized Training Institute.

Commissioner Baca was called away from the meeting and was absent for the balance of the meeting.

PUBLIC HEARINGS

The Chairman announced that the hearings are related to the proposed amendments of Commission Regulations and Procedures. There are two hearings. Hearing I pertains to the amendment of Commission Regulations and Procedures relating to the Specialized Investigators' Basic Course. Hearing II pertains to the amendment of Commission Regulation 1003 related to the Notice of Appointment/Termination form.

The Executive Director advised that the hearings are conducted in compliance with requirements set forth in the *Administrative Procedures Act*. The records of compliance are on file at POST headquarters. The proposed amendments are described in Commission Agenda Items C and D and were announced in POST Bulletins 00-03 and 00-04, respectively, and published in the California Regulatory Notice Register, as required by law.

The Executive Director reminded persons wishing to receive copies of any regulation revised as a result of the hearing today, to list their name, agency, and mailing address on the sign-in sheet.

Hearing I

C. Public Hearing to Consider Modifications to Specialized Investigators Basic Course

The Chairman opened Hearing I to consider the amendments to Commission Regulation 1005, Commission Procedure D-1-5, and the document *Training Specifications for the Specialized Investigators' Basic Course*. The amendments incorporate 32 of the 41 Regular Basic Course learning domains into the Specialized Investigators' Basic Course (SIBC), and create four new investigative learning domains. In addition, the PC 832 curriculum is incorporated into the SIBC instead of being a prerequisite. The changes align the SIBC more closely with the Regular Basic course curriculum so that when changes occur in the Regular Basic Course, they are automatically changed in the SIBC. These amendments also substantially improve the preparedness of the State specialized peace officers to assume their important and critical duties.

POST staff reported on the proposed changes to Commission Regulation 1005 and Commission Procedure D-1-5, which relates to POST-prescribed minimum hours and curriculum for the Specialized Investigators' Basic Course (SIBC). The curriculum and hours were last reviewed by the Commission in November 1994.

This proposal will increase the current minimum hours from 428 to 587. The changes proposed by this item provide the following benefits: They will raise the bar, provide a better trained investigator, align the course with a regular basic course, and provide for regular updates of the curriculum.

Chairman TerBorch invited those in the audience who wanted to present testimony to come forward.

Opposition:

No opposition testimony was offered on this issue.

Support:

Steve Craig, Director of Security, California State Lottery. Mr. Craig stated that the State Lottery Commission is one of the agencies affected by the regulation change. He reported that he supports the regulation amendment and wished to commend the Commission and staff for their efforts on this issue.

Dan Toomey, Training Manager, Alcoholic Beverage Control, and President of the statewide Training Managers Association. He stated that he represents the 27 agencies that participated in the development of this program, and is in full support of this item. He further stated that he wished to convey his gratitude to the Commission and staff for their support for this program.

There being no further testimony, the Public Hearing to amend Commission Regulation 1005 and Commission Procedure D-1-5 was concluded.

Pursuant to the California Code of Regulations, the Chairman called upon staff to address each written or oral concern or recommendation made by the public.

The Executive Director reported that POST had received no written communication either in support or opposition to the proposal.

Staff affirmed that there would be no significant fiscal impact to POST as a result of the changes. The Commission had no other comments nor questions regarding this issue.

MOTION - Kolender, Second - Knutson, carried unanimously to amend Commission Regulation 1005 and Procedure D-1-5 as proposed, effective July 1, 2000, subject to approval from the Office of Administrative Law.

Hearing II

D. Public Hearing on Proposed Changes to Regulation 1003, Notice of Appointment/Termination

Hearing II was opened to consider the amendment of Commission Regulation 1003 related to the Notice of Appointment/Termination Form.

The Chairman stated that annual inspections of agency training records and background investigation files are conducted by POST consultants as required by Penal Code Section 13512. This is done to determine compliance with POST Regulations. Many agencies voluntarily send in new Notices of Appointment/Termination forms to POST when personnel are promoted, demoted, or have a name change; however absent a regulation change requiring such action, information in the POST records database will be inaccurate. These inaccuracies in our database cause problems when resolving issues of training compliance. Effective July 1, 2000, Continuing Professional Training (CPT) will be required for all peace officers, Level I and II reserve peace officers, dispatchers and dispatch supervisors.

The Chairman further reported that changes are proposed for the Notice of Appointment/Termination Form which incorporate new Federal Guidelines for race/ethnicity categories, new wording for Reserve Level I peace officer authority, addition of a new section requiring the Penal Code section which is the authority for appointment, and a new check-off box under the appointment section which requires notification for promotions or demotions. Clarity and design changes were made to make it easier to complete the form.

Staff reported that the changes to the Notice of Appointment/Termination form are being proposed to require agencies to notify POST when personnel are promoted or demoted. This change would require agencies to submit a Notice of Appointment/Termination form for all officers promoted to first level supervisory, middle management, or executive positions. The information will be stored in the POST peace officer database and will enable accurate tracking of mandatory training required subsequent to promotion. The information is necessary for Training Delivery and Compliance Bureau to conduct accurate training compliance audits for California law enforcement agencies.

Opposition

There was no opposition to this recommendation.

Support

John Zrofsky, Chief of Police for Shafter, California, and Training Chairman for CalChiefs, stated that CalChiefs supported the amendment.

As an aside, Chief Zrofsky suggested that the Commission consider allowing agencies to receive an "Exceptions Report " on a quarterly, or more frequent, basis. This would be in lieu of the Annual Report that is currently once each year. Chief Zrofsky explained that he believes more frequent reporting will greatly reduce the workload for agency staff, as well as POST Compliance Inspectors, and would encourage agencies to maintain compliance on their own.

The Commission directed staff to investigate the practicality of Chief Zrofsky's suggestion to allow local agencies to receive a quarterly transaction report in lieu of an annual report.

There being no further testimony, the Public Hearing to amend Commission Regulation 1003 was concluded.

In returning to the issue of amending Commission Regulation 1003, Chairman TerBorch asked that staff address the written and oral concerns and recommendations made by the public.

The Chairman stated that the California Code of Regulations requires POST to list each objection or recommendation made by the public, how the proposed action now under consideration is to be changed to accommodate each concern or recommendation, or the reasons for making no change. At this point, the Chairman called upon staff to address the issues presented.

The Executive Director responded that there were no issues presented and no communication received related to this hearing.

The Chair invited questions and comments from the Commissioners regarding an amendment of Commission Regulation 1003. There was a brief discussion regarding this issue.

MOTION - Hawkins, Second - Hunt, carried unanimously, that Commission Regulation 1003 be revised, as proposed, effective upon approval by the Office of Administrative Law.

ADMINISTRATIVE SERVICES BUREAU

E. Request for Contracts with Davisville Travel

POST has entered into two contracts with Davisville Travel for FY 99-00, one for staff travel in the amount of \$9,000 and one for letter of agreement travel in the amount of \$9,999, the maximum the Executive Director can contract for without Commission approval. These contracts were made necessary by a State Department of General Services decision to allow travel agencies to charge fees for processing air travel arrangements. Previously, travel agency costs were covered by fees recovered from the airlines. Airlines have significantly reduced such fees.

In order to pay Davisville Travel for their authorized services, it is necessary to augment a current year contract and provide authorization for new contracts in FY 2000-01. These contracts are exempt from competitive bidding.

Commissioner Knutson reported that this matter was discussed in the Finance Committee and the Committee recommended approval.

MOTION - Hunt, Second - Knutson, carried unanimously by ROLL CALL VOTE that:

- (1) The Executive Director be authorized to enter into a contract amendment with Davisville Travel to increase contract funding by \$12,501 (total amount of new contract \$22,500) during FY 1999-00; and
- (2) that the Executive Director be authorized to enter into new contracts with Davisville Travel for a total not to exceed \$81,000 during FY 2000-01.

BASIC TRAINING BUREAU

F. Proposal on Amendments to Training Standards for School Police Reserve Officers

In September 1998, Senate Bills 1626 and 1627 were signed into law amending Penal Code sections 832.2 and 832.3, respectively. The amendments moved the training requirements for regular school police officers from PC 832.2 to PC 832.3 (f), (g), and (h), leaving only school police reserve officers subject to a specialized training requirement in PC 832.2.

At the October 28, 1999, meeting, the Commission approved curriculum for a new 32-hour training course for school police officers. An ad hoc committee of subject matter experts, course presenters, and agencies that use school police reserve officers, concluded that this course should be specified as also meeting the requirement for reserve officers pursuant to P.C. 832.2. In addition, the committee recommended that: (1) the title of the course be changed to "Campus Law Enforcement Course"; (2) all school reserve officers should attend the revised course within two years of first appointment; and (3) the topical heading be changed from Laws and Liability to Laws and Liability Mandated Reporting Requirements to clarify that the training requirement of P.C. 832.2 is actually being met by this particular course.

MOTION - Kolender, Second - Cobb, carried unanimously, to amend Commission Regulations 1005, 1007 and 1081(a)(20) as proposed, subject to the Notice of Proposed Regulatory Action process.

CENTER FOR LEADERSHIP DEVELOPMENT BUREAU

G. Report on Proposed Modifications to the Management Course and Commission Procedure D-4

In July 1998, POST staff began an in-depth review at the current 80-hour Management Course mandated by the Commission. The Course was last revised in 1991, and is in need of substantial modifications and a new presentation format. The recommended presentation format would include addition of new material and an increase in the length of the course to 104-hours. In addition, it is recommended that the presentation format be changed from a consecutive two-week period to three workshops, each separated by a two-to-four week intersession period.

Chairman TerBorch reported that this item was discussed at the Long Range Planning Committee meeting on April 7, 2000, and the Committee recommended approval by the Commission.

After a brief discussion, staff was directed to review the possibility of permitting newly elected police association members to attend the course even if they are not lieutenants or above. Staff will report to the Commission at the July meeting.

MOTION - Kolender, Second - Fox, carried unanimously, to: (1) approve modifications to the Management Course in curriculum and presentation format, as described; and (2) approve changes to Procedure D-4 using the Notice of Proposed Regulatory Action process.

INFORMATION SERVICES BUREAU

H. Contract Request for POST Library Subscription Services

POST's Library has contracted out the journal/magazine subscription purchases and renewals since the 1970's. The publications in the Library are utilized by staff to provide the field with needed information on any subject in law enforcement. Some publications have been maintained in the Library for 30 years. This service provides POST with a single point of contact for purchasing the journals/magazines instead of dealing with over 90 individual publishers from the United States and Europe. The vendor is also used as POST's agent to obtain missing issues of these magazine/journal subscriptions. With the yearly increase in subscription prices, along with service charges and the addition of four more titles, the contract will exceed \$10,000.

Commissioner Knutson, Chairman of the Finance Committee, reported that this item was discussed at the last Finance Committee meeting and approval was recommended.

MOTION - Hunt, Second - Hawkins, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to increase contract funding with a journal/magazine vendor to an amount not to exceed \$15,000.

STANDARDS AND EVALUATION BUREAU

I. Augmentation of the Contract for the Regular Basic Course - Modular Format Examination Program

Due to increased participation in the Regular Basic Course - Modular Format staff recommended that the existing contract with Cooperative Personnel Services (CPS) be increased from the current amount of \$14,899.75, by an addition \$9,000.00. CPS provides testing services for the Regular Basic Course - Modular Format. At the current rate of usage, an additional 1,500 students will take the tests in an additional 80 administrations through the remainder of the fiscal year.

Commissioner Knutson, Chairman of the Finance Committee, reported that this item was before the Finance Committee the previous day and received a unanimous recommendation for approval by the committee.

MOTION - Hawkins, Second - Holden, carried unanimously, by ROLL CALL VOTE, to authorize the Executive director to increase the contract with CPS by \$9,000.00 for a new contract amount not to exceed \$23,899.75.

J. Contract Request with the Office of State Publishing to Administer the Regular Basic Course - Modular Format Examination

POST has contracted with one vendor for administration of the POST Regular Basic Course - Modular Format examination since the program's inception in 1999. The vendor with which POST initially contracted, while performing at an acceptable level, has significantly increased its charges in other testing programs in recent years. It is anticipated that costs will rise similarly in this program.

Staff reported that the Office of State Publishing (OSP) has agreed to provide all of the same services at a cost to POST of \$20,610.00 in FY 2000/01, which

represents a 14% decrease from the \$23,900.00 contract for the current fiscal year. Staff recommended contracting with OSP for this service for the next fiscal year.

The Chairman noted that this issue was before the Finance Committee the previous day, along with Agenda Items "K" (Contract Request with OSP to Administer the Entry Level Reading and Writing Test Battery) and "L" (Contract Request with the OSP to Administer the P.C. 832 Written Examination). At that meeting, the Committee recommended adoption of all three items.

MOTION - Fox, Second - Hunt, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to sign agreements with the Office of State Publishing (OSP) for: (1) administration of the POST Regular Basic Course - Modular Examination, in an amount not to exceed \$20,610.00; (2) administration of the POST Entry-Level Reading and Writing Test Battery, in an amount not to exceed \$87,125.00; and (3) administration of the PC 832 Written Examination, in an amount not to exceed \$38,710.00.

K. Contract Request with Office of State publishing to Administer the Entry-Level Reading and Writing Test Battery

The action for this item was taken under Item "J".

L. Contract Request with the Office of State Publishing to Administer the P. C. 832 Written Examination

The action for this item was taken under Item "J".

TRAINING PROGRAM SERVICES

M. Recognition of Non-POST Certified Training Courses to Satisfy Continuing Professional Training (CPT)

Staff reported that at its January 21, 1999, meeting, the Commission extended the Continuing Professional Training (CPT) requirement to law enforcement executives, managers, Level II reserves, and dispatchers. At that time, it was suggested that POST recognize Out-of-State Courses and Non-POST Certified Courses to enable everyone to meet the Continuing Professional Training Requirement. Subsequently, after evaluation of this issue by a focus group, it was decided that staff would initially recommend approval of eight training courses on a pilot program basis.

The successful completion of the eight courses listed below are recommended as qualifying to meet POST's CPT requirement for a two year period of time. The courses would remain non-certified, non-reimbursable by POST, and limited solely to satisfying CPT requirements.

The FBI National Academy and National Executive Institute
The United States Secret Service VIP Security Course
The Northwestern Traffic Institute's Traffic Accident Investigation Course
The National Sheriffs' Association National Sheriff's Institute
The Federal Law Enforcement Training Center Advanced Bomb Scene Investigations
The FBI's Hazardous Devices School, Redstone Arsenal, Alabama
Entities of the United States Armed Forces Special Weapons and Tactics Training

Commissioner TerBorch reported that this matter was discussed in-depth during the January 2000 Long Range Planning Committee. At that meeting, the committee recommended that the Police Executive Research for Senior Police Management be included in the above list.

On the issue of adding additional courses, the Long Range Planning Committee will review this issue at some later time.

MOTION - Fox, Second - Flannagan, carried by a vote of 5 - 4, that the Police Executive Research for Senior Police Management be included in the recommended amendments, and that the Commission approve the recommended amendments to Regulation 1005(d) and Procedure D-2, subject to approval by the Office of Administrative Law.

N. Perishable Skills and the Continuing Professional Training (CPT) Requirement

It is recognized by POST and the law enforcement community that certain skills diminish over time when they are not practiced. At the January 1998 Commission meeting, the Executive Director was authorized to contract for the services of a Management Fellow for up to one year to study the feasibility of establishing a Perishable Skills training requirement.

It is proposed that POST Regulation 1005 (d) (2) and Procedure D-2 be amended to require all peace officers below the rank of first-level supervisor assigned to uniformed patrol and/or traffic, to complete a minimum of 14 hours of the required 24 hours of CPT in specified perishable skills training every two year period as part of the CPT requirement. The remaining 10 hours of

CPT would remain non-specified, allowing agency flexibility in the selection and application of other training topics. Minimum hours proposed for each of the four perishable skills are as follows:

- Arrest and Control - four hours;
- Driver Training/Awareness - four hours;
- Firearms Proficiency/Tactics - four hours;
- Communications - two hours.

Staff recommends that if this program is implemented, it apply to all officers below the rank of first line supervisors, who are assigned to uniform patrol and traffic. Staff also recommended that methods of testing be studied to avoid lengthy training in cases where the officer is already proficient in such skills.

Staff further recommended that a public hearing be scheduled to be held in conjunction with the July 20, 2000, Commission meeting, to consider this issue.

Bob Blankenship, Advisory Committee Chairman, advised that there had been considerable discussion concerning this matter the day before. The Committee was favorable but requested that the Commission consider the following two addendums:

1. The training be extended to first line supervisors and investigators or detectives.
2. The Commission direct staff to conduct a study to determine the advisability of expanding the hours of mandatory training from 24 to 40.

At this point, there was a discussion regarding backfill reimbursement. Ken O'Brien, Executive Director, reported that many departments are now participating in the Backfill program. Due to the fact that the number of participating agencies is increasing, POST is currently spending a great deal more on this program than it has in the past. Presently, the cost is approximately \$300,000 per month. Ken O'Brien observed that the four topics listed above, as well as Driver Simulator and Force Options Simulator, are covered by the Backfill program.

MOTION - Flannagan, Second - Kolender, carried unanimously, to schedule a public hearing in conjunction with the July 2000 Commission meeting to consider requiring specified "Perishable Skills" as part of the Continuing Professional Training Requirement. the hearing will include consideration of the Advisory Committee recommendations related to this issue.

O. Revisions to POST's Guidelines for Handling Missing Persons

Penal Code Section 13519.1 requires the Commission to establish guidelines for the law enforcement response to missing person and runaway cases. Recent amendments to the Penal Code and the Education Code, have made it necessary to revise the current guidelines.

Staff reported that they had collaborated with experts in drafting proposed guideline revisions to ensure consistency with state law. The proposed revisions were presented to the Commission for consideration.

MOTION - Knutson, Second - Hawkins, carried unanimously, to approve proposed revisions to Commission guidelines to be followed by law enforcement agencies in handling missing person and runaway cases.

P. Request for Contract Extension for POST Management Fellow Regional Skills Training Center Coordinator

At the April 1999 meeting, the Commission approved a one-year contract with the San Diego Regional Training Center to provide the services of Forrest Billington for a one-year period to manage the development of the Regional Skills Training Centers.

Staff reported that considerable work remains to be completed in the development of the existing centers and the proposed additional centers. For these reasons, staff proposed that a contract with the San Diego Regional Training Center be re-written for one more year, so that the additional program development and coordination can continue.

Tom Knutson, Chair of the Finance Committee, reported that the matter was heard in the Finance Committee and Commission approval was recommended.

MOTION - Hawkins, Second - Fox, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to enter into an additional one-year contract in the amount of \$130,000.00, with San Diego Regional Training Center to provide the services of Forrest Billington for an additional one year period.

Q. Request to Approve Contract Augmentation for Additional Domestic Violence Training Courses

On August 1, 1997, the Commission on POST received a Violence Against Women Act (VAWA) Law Enforcement Training Grant in the amount of

\$2,929,112. The creation and presentation of the Domestic Violence for First Responders course was one of the designated projects for use of the funds.

The original number of Domestic Violence for First Responder presentations were completed under budget. Funds remain in the final phase of the grant which would accommodate ten additional presentations. There are still requests by the field for this course.

Commissioner Knutson reported that the Finance Committee recommended Commission approval.

MOTION - Holden, Second - Cobb, carried unanimously by ROLL CALL VOTE to authorize the Executive director to augment an existing contract for ten additional presentations of the First Responder course in an amount not to exceed \$40,000.

R. Request for Contract Amendment for Master Instructor Development Program for FY 1999/2000

The Master Instructor Development Program (MIDP) is a key element in improving the quality of instruction in POST-certified courses. Notwithstanding the value and success of the program, staff recommends an evaluative inquiry of the curriculum. Classes have recently been much smaller than expected or desired. Hence, a stronger program may be needed to enhance the course.

MOTION - Knutson, Second - Hawkins, carried unanimously, to authorize the Executive Director to amend and extend the current contract with the SDRTC for the principal purpose of accomplishing an intensive program evaluation.

S. Request to Approve Two Public Safety Dispatcher Telecourses

Staff recommends an interagency agreement with San Diego State University KPBS Public Broadcasting for the development of two telecourse training programs related to public safety dispatchers. At its January 1999 meeting, the Commission approved the extension of the 24-hour Continuing Professional Training requirement to public safety dispatchers. According to POST training records, only 50% of existing dispatchers have satisfied the CPT requirement by completing POST-certified training.

Commissioner Knutson reported that the Finance Committee unanimously recommended approval by the Commission.

MOTION - Hawkins, Second - Kolender, carried unanimously by ROLL CALL VOTE, to sign an interagency agreement with San Diego State University, for the development of two distance learning telecourse training programs related to public safety dispatchers, not to exceed \$154,800.

T. Preliminary Plan for Instructor Training Requirements and Certification

Currently, there are more than 6,400 POST-certified courses. Staff proposed a plan which is directly responsive to the POST Strategic Plan and will improve the quality of instruction in all POST Certified courses. Preliminary reaction to this plan from academy directors and other stakeholders has been supportive.

Commissioner TerBorch, Chair of the Long Range Planning Committee, and Bob Blankenship, Chair of the Advisory Committee, both reported that this proposal was heard before both committees and received a recommendation of approval.

There was a brief discussion of this issue. Staff reported that the deficiencies found in some of POST's instructors have become a serious concern. Although many long-time instructors are familiar with new technologies, there is a genuine need for a uniform quality standard for teaching classes within the POST-certified program.

MOTION - Fox, Second - Hunt, carried unanimously to accept the plan in concept and to approve its implementation, with the understanding that staff will continue to work collaboratively with the law enforcement training community throughout plan implementation.

U. Request to Sign an Interagency Agreement for Production of Violence Against Women (VAWA) Grant Telecourses

In July 1999 the POST Finance Committee approved the acceptance of an augmentation of the VAWA grant funds for Fiscal Year 98-99 and 99-00 in the total amount of \$2,448,734. In this augmentation, funds were designated for three additional telecourses with domestic violence and sexual assault as designated subject areas.

Commissioner Knutson reported that when this issue was heard before the Finance Committee it received a recommendation for approval.

MOTION - Hunt, Second - Kolender, carried unanimously by ROLL CALL VOTE to authorize the Executive director to sign an interagency agreement

with San Diego State University for production of Violence Against Women (VAWA) grant telecourses and editing of these telecourses in an amount not to exceed \$273,000.

COMMITTEE REPORTS

V. Finance Committee

Commissioner Knutson, Chairman of the Finance Committee, reported that the Finance Committee met on April 26, 2000, in San Pedro. In addition to the items already considered, the Committee discussed the following issues:

The Committee received a status report on the proposed 2000/01 Governor's budget that is currently before the Legislature. Notable features of the budget are a permanent increase of \$4 million in POST spending authority and a one-time increase of \$7.6 million to fund an additional POST investment in driving and force option simulator training. Overall, the budget proposes an increase from approximately \$48 million to \$60 million.

Staff presented the third quarter financial report. Training volume and reimbursement expenditures have increased, as compared with the same period of time last year. Revenues to the Peace Officer Training Fund have also increased by almost \$2 million beyond that which was originally anticipated.

Projections for the balance of this fiscal year indicate that expenditures will exceed available funds by approximately \$3.6 million.

The Committee, following a report by staff, recommends to the Commission that the 24-hour per diem rate for trainees be increased from \$119 to \$124 to match the State of California allowance for its employees. The estimated annualized cost of the increase is \$441,738. It is believed that resources projected to be available in FY 2000/01 will support such an increase.

Staff has negotiated renewal of the following 29 contracts for FY 2000/01:

Training Contracts

- | | | |
|---|----|--------------|
| 1. Renewal of Master Instructor Development Program Contract for FY 2000/2001 With San Diego Regional Training Center | \$ | 202,747.00 |
| 2. Renewal of Tools for Tolerance Training Courses with Simon Wiesenthal Center | | 1,556,000.00 |

3.	Renewal of Telecourse Training Programs with KPBS, University of San Diego	1,118,800.00
4.	Renewal of Video Training Programs Contract with KPBS, University of San Diego	162,828.00
5.	Contracting with the Los Angeles Sheriff's Department for Presentations of the Homicide Foundation Specialty Course for the Robert Presley Institute of Criminal Investigation (ICI) for FY 2000-01	73,689.00
6.	FY 2000-01 <i>Case Law Today</i> Programs - During FY 1999-00, the Commission approved \$74,000 for contracts with Alameda County District Attorney's Office and Golden West College for the production of 36 <i>Case Law Today</i> programs by each agency.	92,000.00
7.	Sacramento Regional Criminal Justice Planning Training Center for Presentations of the Core Course, and Foundation Specialty Courses in Homicide, Sexual Assault and Child Abuse for the Robert Presley Institute of Criminal Investigation (ICI) for FY 2000-01.	370,881.00
8.	San Francisco Police Department for Presentations of the Core Course of the Robert Presley Institute of Criminal Investigation (ICI) for FY 2000-01.	111,035.00
9.	San Jose State University for Presentations of the Core Course of the Robert Presley Institute of Criminal Investigation (ICI).	182,660.00
10.	Los Angeles Police Department for Four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course, in an amount not to exceed \$111,564 for fiscal year 2000-01.	111,564.00

11.	The Department of Justice Training Center for continued presentation of a variety of POST certified training courses.	1,999,096.00
12.	Management Course presentation spread among four presenters:	579,628.04
	<ul style="list-style-type: none"> • California State University - Humboldt • California State University - Long Beach • California State University - San Jose • San Diego Regional Training Center - San Diego 	
13.	San Diego Regional Training Center for Support of Executive Training (e.g., Law Enforcement Command College, Executive Training and Seminars, and the Leadership 2000 Symposium).	747,566.00
14.	The San Diego Regional Training Center for four presentations of the Labor Management Relations Partnership Course.	76,287.55
15.	California State University - Long Beach, for Support of the Sherman Block Supervisory Leadership Institute (SBSLI).	946,507.00
16.	Renewal of Contracts with specified presenters for Basic Driver Training Motorcycle and Narcotic Courses.	3,070,468.00
17.	Contract agreements with specified POST-certified presenters of the Driving Simulator Training and Force Option Simulator Training for FY 2000/01.	1,640,450.00
18.	CSU-Sacramento Contract for FY 2000/01 for Crime Analysis Institute	120,000.00
19.	San Diego Regional Training Center for presentation of Robert Presley Institute of Criminal Investigation courses.	471,635.00

Standards Contracts

- | | |
|--|------------|
| 21. Renewal of Office of State Publishing Contract for the cost of providing Basic Course instructional materials and support services. | 170,225.00 |
| 22. Continuation of the Contract with Cooperative Personnel Services (CPS) to Administer the Entry-Level Dispatcher Selection Test Battery | 177,449.00 |
| 23. Continuation of the Contract with CPS to Administer the Basic Course Proficiency Test | 105,593.50 |
| 24. Cooperative Personnel Services - Renewal of Contract to Improve Writing Skills in Basic Academy | 50,984.00 |

Administrative Contracts

- | | |
|--|------------|
| 25. Contract with CSUS Foundation for Student Assistants. | 15,000.00 |
| 26. Interagency Agreement with Teale Data Center for supplemental computer services. | 65,000.00 |
| 27. Health and Welfare Data Center - CALSTARS support. The mandated California State Accounting and Reporting Systems (CALSTARS) requires an agreement with the Health and Welfare Data Center to provide computer linkage and necessary data processing services. | 32,000.00 |
| 28. Department of Finance, Office of State Audits and valuations (OSAE), to perform a risk assessment/review of internal controls. Commission policy requires this audit on a biennial basis. | 25,000.00 |
| 28. State Controller's Office Agreement for Auditing Services in FY 2000-01 - These audits of participating agencies have been conducted by the State Controller's Office on a yearly basis. | 116,045.00 |

29. Continuation of agreement with Danka Office 13,000.00
Imaging for maintenance of the Kodak copy machine

Grand Total: \$ 14,404,138.09

The Committee recommended the Executive Director be authorized to sign the contracts in the amounts shown above.

There was a brief discussion concerning the renewal of the Master Instructor Development Program (MIDP) Contract.

MOTION - Knutson, Second - Flannagan, carried unanimously, by ROLL CALL VOTE to accept the Finance Committee Report, and approve the described expenditure recommendations.

W. Long Range Planning Committee

Rick TerBorch, Chairman of the Long Range Planning Committee, reported that the Committee met at POST Headquarters, 1601 Alhambra Boulevard, Sacramento, on April 7, 2000, at 10:00 a.m. Present at the meeting were Commissioners TerBorch, Holden, Hunt, Kolender, and Knutson.

In addition to items already addressed on the agenda, the Committee received reports on the following issues:

1) Governor's Award Selection Process

Staff presented a report, requested by the Commission, describing the selection process for the Governor's Award for Excellence in Peace Officer Training.

Following discussion, the Committee approved the staff report and directed staff to adopt a modified selection process that will: 1) include the Commissioners who are the Advisory Committee Liaison Committee in the review of applications and development of recommendations for the award; and 2) provide a preliminary report on applications for the award to the Commission at the annual November meeting and present the recommendations for final consideration at the annual January meeting.

With respect to the Governor's Award Selection Process, Bob Blankenship, Chair of the Advisory Committee, reported that the Committee had a considerable discussion regarding this issue.

It was determined that 1) all the Commissioners so inclined were invited to participate in the Awards process; and 2) the Committee recommends to the Commission that the Advisory Committee retain its existing Awards schedule rather than the schedule recently proposed by Staff, which allows a two-month lag time. The current schedule would keep the process neutral and concise.

MOTION - Flannagan, Second - Hawkins, carried unanimously to accept the recommendation of the Advisory Committee, specifically including the proposal that any and all Commissioners wishing to participate in the Awards' screening and recommendation process are invited to do so.

2) Feasibility Study - San Diego City Attorney

Pursuant to the Penal Code, together with a request from the San Diego City Attorney, staff conducted a peace officer feasibility study concerning the designation of investigators employed by that office as peace officers. The report summarized the study, including the conclusion that the investigators have sufficient authority to perform the assigned functions and the recommendation that the position not be designated as peace officer.

Following a discussion of this issue, the Committee directed staff to distribute the report of the study, including the recommendation, to the Legislature and the San Diego City Attorney, as required by law.

3) POST Strategic Plan

- The Committee received a report on the progress of implementing the Strategic Plan. Following a discussion of the need to seek broad-based input concerning the update of the Plan, the Committee agreed that revision of the Plan for 2000 should include input from a diverse group of clients, constituents, and interested parties.

MOTION - Fox, Second - Knutson, carried unanimously, that staff be directed to update the Strategic Plan using a public process to collect information that is similar to that used in 1996 to create the Strategic Plan.

- Chairman TerBorch reported that the charter of the Strategic Plan Implementation Committee will expire on July 2, 2000. Following a discussion, there was consensus that oversight of the Strategic Plan implementation falls within the responsibilities of the Long Range Planning Committee. Accordingly, it was recommended that this function be assumed by the Committee after July 2000.

MOTION - Hunt, Second - Fox, carried unanimously, that after July 2000, the Long Range Planning Committee will assume the function of the Strategic Plan implementation.

4) Cost-Benefit Analysis of the Command College

At the January 2000 meeting, the Commission had directed staff to prepare a five-year, cost-benefit study of the Command College. The review focused on the Law Enforcement Command College, but also included the Robert Presley Institute of Criminal Investigation (ICI), the Master Instructor Development Program (MIDP), and the Sherman Block Supervisory Leadership Institute (SBSLI).

The staff report provided instructional and presentation costs for each of the programs for the period from FY 1994/95 through FY 1998/99, excluding the cost of reimbursement. The analysis included total program costs, including per student and per student hour costs, and a description of the audience and number of graduates of each program.

The report of the Cost-Benefit Analysis will be presented and discussed before the Commission at its July 2000 meeting.

X. Legislative Review Committee

Commissioner Bill Kolender, Chairman of the Legislative Review Committee reported that the Committee met last on April 27, 2000, at 8:30 a.m., at the Hilton Hotel, San Pedro.

Staff member, Tom Hood, POST Legislative Liaison, reported that the following legislation was discussed by the Committee:

Pending Legislation

- AB 1494 (Wildman), which pertains to a feasibility study on a proposed change in designation for the Los Angeles Unified School District Police Department from P.C. Sec. 830.32 to Sec. 830.1.
Commission position: Support;
- AB 1718 (Hertzberg), requires POST to develop a classroom training program to address the handling of developmentally disabled and mentally ill persons. The bill was recently amended.
Commission position: Support;

- AB 1819 (Shelley), relating to elder abuse, is still moving through the process and there have been no significant changes.
Commission position: Support;
- SB 66 (Murray), relating to peace officer training, has not been changed in any significant manner and is still moving through the process.
Commission position: Support

New Legislation of Interest to POST

- AB 1762 (Villaraigosa) Peace Officer Training: Mentally Ill Persons.
Recommended Commission Position: Watch
- AB 1928 (Vincent) Peace Officers: Court Services Investigators. This bill would designate a court services investigator as a peace officer. A POST feasibility study would be required before this bill would take effect. This bill also modifies existing regulations to allow POST to Streamline the current requalification process.
Recommended Commission Position: Support
- AB 1997 (Strickland) relates to Tribal Law Enforcement Relations.
Recommended Commission Position: Neutral
- AB 2449 (Wildman) relating to POST Commission activities, would add one additional member to the Commission from the rank of sergeant or below, and would restrict certificate revocation activities to the conviction of a felony only.

It was noted that the language which would have disallowed the Attorney General's vote has been amended out of the bill.

Staff reported that the Committee members were concerned about the language relating to certificate revocation. The basic concern was that if a certificate were issued in error, or issued by fraudulent action, with this restriction, the Commission would have no authority to revoke it. After a great deal of discussion, the Committee did not concur on a position for this bill.

Committee Recommendation: None

After a brief discussion about this measure, Commissioner Hunt read in part from a letter submitted by the measure's advocate. The crux of the letter

disagreed with the POST staff analysis and asserted that the bill does not limit POST's current authority to revoke a POST certificate, that it merely limits POST's ability to expand its authority, and that POST can only expand its authority by changing the Penal Code.

There was a brief discussion relating to legislative intent and whether the bill's language was ambiguous.

Staff further reported that, during its deliberations on this measure, the Committee decided that the bill was contrary to the Commission's direction to staff at the last meeting. The direction was to research the possibility of amending regulations so that the certificate revocation authority of the Commission was enforceable. Hence, this legislation and the Commission actions of the January 2000 meeting are in conflict.

The above task had been assigned to Advisory Committee member, Woody Williams.

Woody Williams reported that pursuant to this assignment, the Professional Certificate Review Committee met on April 13, 2000, in Sacramento. He stated that the Committee determined that its main goal should be to increase the public's confidence in law enforcement.

He further stated that according to Deputy Attorney General Vince Scally, the primary issue making Regulation 1011 (b) unenforceable was that it did not specify that the conduct in question were issues of moral turpitude. Hence, appropriate clarifying language needs to be included in the regulation.

In addition, Mr. Williams stated that due to changes in social mores, particular laws pertaining to sexual violations are no longer being enforced. Despite this fact, several members of the Committee were concerned that these laws may allow prosecution of an individual and revocation of the certificate because of a personal lifestyle, rather than the conviction of a felony. This was addressed by changing the language to state that sexual behavior crimes must be with "non-consenting adults or with juveniles". Mr. Williams reported that the proposed language states the following:

"The Certificate may be denied or canceled when the person is adjudged guilty of a felony which constitutes moral turpitude, which has been reduced to a misdemeanor, pursuant

to Penal Code Section 17 (b), and which involves either unlawful sexual behavior with a juvenile or non-consenting adult, assault under color of authority, dishonesty associated with official duties, theft or narcotic offense."

Woody Williams reported that the Committee reinforced the position that the certificate is the property of the POST Commission and, as such, the Commission has the right to revoke it. Though one of the issues to be discussed with Deputy Attorney General Scally is the means by which there could be an appeal procedure in various bizarre or extreme cases.

Mr. Williams stated that according to Deputy Attorney General Scally, the certificate may still be denied or canceled even in a case in which an individual returns to court and has the record expunged or sealed. Commissioner James Fox indicated his agreement with this opinion.

Mr. Williams explained that, although Deputy Attorney Vince Scally was unable to stay for the entire meeting, the two will meet on May 1st to discuss the Committee's proposed language. Meanwhile, members of the Committee will present the proposed language to their respective organizations for their viewpoints and, thereafter, the Committee will meet again to adopt or amend the language as necessary.

Woody Williams reported that the Committee will probably be prepared to present an agenda item on this issue at the July 2000 Commission meeting.

Commissioner Hunt stated that if the language formulated by the Professional Certificate Review Committee is adopted as a POST regulation, it will be grandfathered into the current legislation. He stated that AB 2449 and the proposed language of the regulation are not mutually exclusive.

MOTION - Fox, Second - Kolender, carried by a vote of eight to two, to take a formal position of neutral on AB 2449 (Wildman).

- AB2059 (Vincent) relating to Peace Officers: Welfare Fraud Investigators.
Recommendation Position: Neutral
- SB 1389 (Murray) this bill which has been vetoed twice, requires data collection on ethnicity, gender and other information, on each vehicle stopped. The collected information would be directed to the Commissioner of the Highway Patrol for an annual report to the Legislature. This bill was vetoed in 1999 by

Governor Davis and the previous year by Governor Wilson. The Commission has, in the past, taken an Oppose Unless Amended position and the Committee has recommended the same for this bill.

Recommended Position: Oppose Unless Amended.

- SB 1539 (Lewis) POST would be mandated to develop training course(s) and guidelines for the handling of stalking complaints.

Recommended Position: Neutral

- SB 1831 (Hughes), pertains to school safety. POST is to work in consultation with the Department of Justice in the development of three regional school safety academy pilots.

Recommended Position: Neutral

- SB 1833 (Schiff) pertains to law enforcement technology. The POST Executive Director or his or her designee would be sitting on the Board of Directors for the Institute for Criminal Justice Technology. This Institute would review and evaluate available and emerging technologies with law enforcement applications.

Recommended Position: Support

- SB 1945 (Ortiz) Crimes: Support for Abortion Rights. POST would be asked to develop training and guidelines addressing anti-abortion crimes. The training could be presented in concert with hate crimes training. The committee had some discussion on this bill and felt that a persons views on abortion, as with the environment and a number of other issues, was personal choice and was not a hate crime. The committee felt that mixing training in that area with the hate crimes curricula was not appropriate.

Recommended Position: Oppose Unless Amended.

- SB 1955 - This is an omnibus bill presented by the Senate Public Safety Committee, relating to reserve peace officers. It is a cleanup measure to SB 359 from last year. This bill would extend the "three-year rule" to Level One and Two Reserve Officers when they move from one agency to another.

Recommended Position: Neutral

- SB 2004 - (Speier) relating to Pursuit Intervention Termination Management. It requires POST to develop a course of instruction, in consultation with the manufacturer, for officers who use PITMS equipment, designed to disable vehicles.

Recommended Position: Neutral

MOTION - Kolender, Second - Hunt, carried unanimously to approve the report of the Legislative Review Committee.

Y. Advisory Committee Report

Advisory Committee Member Norman Cleaver reported that the Committee met on April 26, 2000, at 9:00 a.m., in San Pedro.

Mr. Cleaver commented that most items presented at the Advisory Committee meeting had already been discussed earlier in the Commission meeting. He expressed appreciation on behalf of the Advisory Committee for the Commission's decision pertaining to Perishable Skills and First Level Supervisors/Investigators. In addition, Mr. Cleaver also thanked the Commission for its acceptance of the Advisory Committee recommendations concerning the Governor's Awards.

OLD/NEW BUSINESS

Z. Report of Nominating Committee for Election of Officers for FY 2000/01

Commissioner Monty Holden reported that the Committee met and recommended the following nominations for the upcoming year:

- Chairman, Ted Hunt
- Vice-Chairman, Bill Kolender

MOTION - Holden, Second - Flannagan, carried unanimously to approve the recommendations of the Nominating Committee.

FUTURE COMMISSION MEETINGS:

July 20, 2000 - Holiday Inn, San Francisco International Airport, San Francisco

November 2, 2000 - Holiday Inn Northeast, Sacramento

January 25, 2001 - Piccadilly Inn, Fresno

ADJOURNMENT: 12:50 p.m.

Respectfully, submitted,

Anita Martin

Anita Martin

Commission Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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.



COMMISSION MEETING MINUTES Thursday, July 20, 2000 Holiday Inn - San Francisco Airport 275 South Airport Boulevard South San Francisco, CA 94080

Gray Davis
Governor

Bill Lockyer
Attorney General

Chairman Ted Hunt called the Commission meeting to order at 10:05 a.m.

The Color Guard from the San Francisco Sheriff's Department posted the colors and led the 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:

- Daryle Black, Officer, Long Beach Police Department
- Steve Parsons, Deputy, Orange County Sheriff's Department

WELCOMING ADDRESS

Undersheriff Mary Ann De Souza, San Francisco Sheriff's Department welcomed the Commission and meeting attendees to San Francisco. She expressed appreciation for the opportunities presented by P.O.S.T., and stated that the training received by the Sheriff's Department has been outstanding.

RECOGNITION OF CAPTAIN AL WATERS

Chairman Hunt thanked Captain Al Waters, of the San Francisco Sheriff's Department and San Francisco Deputy Sheriffs' Association, for his efforts in arranging the evening's social activities.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll determined there was no quorum.

Commissioners present:

Lee Baca
Marc Cobb
James P. Fox
Monty Holden
Ted Hunt
Bud Hawkins
Rick TerBorch

Commissioners absent:

George (Joe) Flannagan
William Kolender
Tom Knutson

Chairman Hunt announced that Commissioner Kolender's flight was canceled and he would be unable to attend the Commission meeting, as planned. He further stated that the meeting would proceed as an informational one, with no votes taken.

INTRODUCTIONS

Visitors present:

Philip Judson, San Francisco Sheriff's Department - Color Guard
Victor Santiago, San Francisco Sheriff's Department - Color Guard
Woody Williams, P.O.S.T. Advisory Committee member, representing California Peace Officers Association (CPOA)
Al Waters, P.O.S.T. Advisory Committee member, representing California Coalition of Law Enforcement Associations (CCLEA)
Leisha Lekawa, P.O.S.T. Advisory Committee Vice-Chair, representing Women Peace Officers' Association of California (WPOA)
Charles Byrd, Sheriff, Siskiyou County, Advisory Committee member
Philip del Campo, Advisory Committee member
John Zrofsky, Chief of Shafter Police Department, representing Cal Chiefs Training Committee
Steve Craig, Director of Security, California State Lottery
Kreg Muller, Huntington Beach Peace Officers' Assn.
Donna Harlan, San Francisco Sheriff's Department

Don Blankenship, Orange County District Attorney's office
Jim Martin, Calif. Correctional Peace Officers Assn.
Carl Koehler, San Francisco Sheriff's Dept.
Allen Barcellona, California Assn. of Unions of State Employees
Jim Suibielski, Livermore Police Dept.
Wayne Kidwell, California Department of Fish and Game
Clancy Faria, Peace Officers Research Assn. of California
Tony Levatino, Santa Ana Police Department
Hugh Tate, Costa Mesa Police Department
Alex Bernard, Member POST Advisory Committee
Mark Raffaelli, South San Francisco Police Department
Victor Sanchez, Sacramento Police Officers' Assn.
Neil Telford, San Bruno Police Dept., representing San Mateo Training Managers
Bill Reynolds, Riverside Sheriff's Department
Mark Nichols, Santa Ana Police Officers' Assn.
Bob Reed, Santa Ana Police Officers' Assn.
Paul Miyamoto, San Francisco Sheriff's Department
Sue Oliviera, South Bay Regional Public Safety
Ron Havner, South Bay Regional Public Safety
Don Atkinson, El Dorado County Sheriff's Department
George Gascon, Los Angeles Police Department
Lena Maddux, Sacramento County Sheriff's Department
Tennise Allen, Sacramento County Sheriff's Department
Jay Clark, Contra Costa County District Attorney's Office
Gretchen Fretter, Contra Costa County Public Safety Training Center
Larry Stimach, Santa Rosa Training Center
Earle Robitaille, Member, Advisory Committee
Russell Reinhart, Huntington Beach

Staff present:

Kenneth J. O'Brien, Executive Director
Glen Fine, Assistant Executive Director, Administrative Division
Hal Snow, Assistant Executive Director, Standards & Development Division
Tom Hood, Bureau Chief, Public Information/Legislative Liaison
Frederick Williams, Bureau Chief, Administrative Services
Bud Lewallen, Bureau Chief, Basic Training
Alan Deal, Bureau Chief, Standards and Evaluation
Kenneth Whitman, Bureau Chief, Ctr/Leadership Development
Dick Reed, Bureau Chief, Training Delivery and Compliance
Ray Bray, Bureau Chief, Training Program Services
Tom Liddicoat, Administrative Services
Bob Stresak, Consultant, Training Program Services

Jody Buna, Consultant, Training Program Services
Forrest Billington, Consultant, Training Program Services
Anita Martin, Administrative Assistant, Commission Secretary

CONSENT CALENDAR

The Consent Calendar was discussed but not voted upon. There were no exceptions to any of the following items. The items are informational with the exception of resolutions.

- B.1 Course Certification Report
- B.2. Financial Report - Fourth Quarter FY 1999-00
- B.3 New Entries Into the POST Regular (Reimbursable) Program
- B.4 New Entries Into the POST Public Safety Dispatcher Program
- B.5 New Entries Into the POST Non-Reimbursable Program
- B.6 Approval of Resolutions
 - Norman Cleaver, Advisory Committee member;
 - Derald Hunt, Advisory Committee member;
 - Jody Buna, POST staff;
 - Shirley Paulson, POST staff;
 - Bob Norman, Foster City Police Chief;
 - Strategic Plan Implementation Committee Members:
 - Jerry Shadinger
 - Woody Williams
 - Bob Norman
 - Skip Murphy.

Presentation of Resolutions

- Chairman Hunt presented Jody Buna, POST Senior Consultant, with a Resolution in appreciation for his outstanding efforts in the development and implementation of the Basic Course Workbooks, Instructor Guides, video resource material, and standardization of that curriculum.

Shirley Paulson, who assisted on this project, has recently retired from POST and was presented with a Resolution at the time of her retirement. Executive Director Ken O'Brien stated that the efforts made by Jody Buna and Shirley Paulson have been exemplary and will have a positive impact on law enforcement for years to come.

- Chairman Hunt presented Woody Williams with a Resolution in appreciation of his efforts, time, expertise and personal contributions to the POST Strategic Plan Implementation Committee.

The remaining resolution recipients were not in attendance. Chairman Hunt reported that they would receive their resolutions at a later time.

B.7 Report on POST's College Education Studies

B.8 Quarterly Progress Report on Implementing POST's Strategic Plan

PUBLIC HEARING

The Chairman stated that this hearing pertains to the proposed amendment of Commission Regulations and Procedures relating to Continuing Professional Training (CPT) - Perishable Skills requirements.

The Executive Director advised that the hearing is conducted in compliance with requirements set forth in the *Administrative Procedures Act*. The records of compliance are on file at POST Headquarters. The proposed amendments are described in Commission Agenda Items C, announced in POST Bulletins 00-08, and published in the California Regulatory Notice Register, as required by law.

The Executive Director reminded persons wishing to receive copies of any regulation revised as a result of the hearing today, to list their name, agency, and mailing address on the sign-in sheet.

Hearing

C. Incorporating Perishable Skills Requirement Into the Continuing Professional Training Requirement

The Chairman opened the Hearing to consider the amendments to Commission Regulation 1005 and Commission Procedure D-2. This would require perishable skills training, every 24 months, for peace officers and first-level

supervisors assigned to uniformed patrol and/or traffic, and detectives and first-level supervisory detectives employed in a full-time capacity by a sheriff or municipal law enforcement agency, who routinely effect the physical arrest of criminal suspects.

Executive Director Ken O'Brien advised that each written comment received has been acknowledged and all concerns responded to in writing by staff. A summary of the written commentary received was then read into the record, as follows:

GARY MISSEL, Chief of Police Burlingame Police Department wrote that POST did not present clear and compelling evidence to prove the hypothesis that skills related to arrest and control techniques, emergency vehicle operations, and service handgun manipulation deteriorate over time. He stated that there may be no relationship between scores and years since training. Chief Missell stated that a chief or sheriff would be in the best position to determine which officers needed additional training instead of POST. If perishable skills training is mandatory for all, a vast majority of officers/deputies will be subjected every two years to training they don't need. Chief Missel stated that no one can afford redundant training and that for every hour of mandated training added each year by POST or the Legislature, reductions would be made to discretionary training hours, and decrease the time remaining for other vital training.

D. E. BUTLER, Chief of Police, Berkeley Police Department wrote that departments operate under numerous federal, state and local mandates regarding training topics that are required to be presented to their personnel. One way to ensure that the training remains relevant for the officers are to allow individual agencies to tailor continuing training (hours and content) to the needs of both its employees and the community they service. Requiring more than half of the existing Continuing Professional Training hours to conform to additional state mandated topics of instruction severely limits the ability of individual departments to address the needs of their officers and the communities they serve.

Chief Butler wrote that individual departments are most acutely aware of the activities that create civil liability and complaints involving their own personnel. Consequently, the individual department should be the decision-maker regarding the hourly requirement, as well as the content of training, required for its officers.

TONY LEVATINO, President, Orange County Training Manager's Association and HUGH TATE, Training Manager, Costa Mesa Police Department wrote in with 10 questions, as follows:

- 1) What is the basis for the staff's conclusion that there would be no fiscal impact as a result of the adoption of this regulation?
- 2) What are the technical definitions of each of the identified Perishable Skills?
- 3) How did the Long Range Planning Committee determine that Tactical Communications and Interpersonal Skills met the Perishable Skills definition of gross or complex psychomotor skills?
- 4) What impact does POST anticipate on currently certified courses?
- 5) Did POST consider the potential difficulty in tracking compliance with this requirement?
- 6) Where did the concept of four-hour blocks originate?
- 7) Does POST anticipate any administrative problems with potential noncompliance with this regulation?
- 8) There are no EVOC courses in Orange County, what will be the impact on the other EVOC Providers?
- 9) Will the Regional Training Centers that obtained driving and force option simulators be able to service departments which will require its use?
- 10) POST staff has been directed to conduct a study to determine the advisability of expanding the hours of mandatory training to 40 hours. What is the status of this study, and has its adoption been analyzed for its impact on agencies?

This concluded the summary of the written commentary. Executive Director O'Brien stated that a response to the points raised would be given later in the public hearing.

POST staff reported the proposed changes to Commission Regulation 1005 and Commission Procedure D-2 would require specified "Perishable Skills" to become part of the Continuing Professional Training (CPT) requirement and that the proposed changes would take effect July 1, 2001.

There were questions and comments from members of the Commission concerning flexibility of hours involved in the perishable skills training. Assistant Executive Director Hal Snow reported that pursuant to the Commission's direction at the April 2000 meeting, staff is examining the hours and frequency of the Continuing Professional Training in view of the pending perishable skills requirement. Staff will be prepared to address this issue at the November 2000 Commission meeting.

Chairman Hunt invited those in the audience wishing to present testimony to come forward.

Opposition

Tony Levatino, Training Sergeant, Santa Ana Police Department, and Orange County Training Manager's Association, President.

Mr. Levatino stated that they were not in opposition to the Perishable Skills requirement but are seeking clarification as to its precise implementation. He stated that the Orange County Training Managers Association (OCTMA) has long held that perishable skills deteriorate without consistent training. OCTMA whole-heartedly supports POST's efforts to see that some type of baseline regulations be adopted to ensure officers do not lose these skills. Mr. Levatino recapped the concerns set forth in his letter to POST, which had earlier been read into the record by Ken O'Brien. Mr. Levatino concluded his presentation by recommending that the Commission postpone voting on this regulation, return it to staff, and form a special committee to do the following:

- 1) Analyze the type, number, locations of current courses that meet the recommendations, and determine the adequate number of classes in existence. If new courses must be added, determine the actual cost to agencies, and obtain necessary written data from Training Managers. In addition, acknowledge the fiscal impact on agencies to allow them to justify an increase in their respective budgets.
- 2) Remove tactical communications and interpersonal skills from the regulation and adopt it under a separate regulation. Provide training managers and agencies more information on the necessity of this course and identify presenters who currently provide two-hour blocks of instruction.

- 3) Provide documentation of the "test-out" option for individuals who do not need the training .

Hugh Tate, Training Manager, Costa Mesa Police Department and Past President of the Orange County Training Managers Association.

Mr. Tate stated that as one of the original members of the "24 hours" CPT Steering Committee, he is in full support of the intent of the regulation and feels POST staff should be commended for its efforts. However, he recalled that during the Steering Committee deliberations there was agreement that the regulation's "four-hour requirement" should be a minimum and not necessarily one four-hour class. The frequency of refresher training is a key factor in maintaining perishable skills. In light of this fact, some consideration should be given to presenting a one-hour class, four times, over a period of one or two years to fulfill the four-hour minimum requirement.

Additionally, Mr. Tate suggested there be more presentations for the Orange County Technical Training Center and the finalization of contracting for classes presented at that facility. He explained that this would open up these types of facilities to small agencies and greatly reduce the fiscal impact, which will help them meet the requirement.

Neil Telfold, San Bruno Police Department, also representing San Mateo Training Managers Association

Mr. Telfold stated that while POST's efforts to raise the bar in training are praise worthy, this proposal will create an undue hardship upon agencies in trying to comply with the current 24 hour CPT requirement. Mr. Telfold further stated that although he had been informed that the proposal was derived from a random study of 277 to 500 officers from the counties of San Francisco, Los Angeles, San Bernardino and Alameda, the mandate will affect 59,000 sworn peace officers throughout the state. The regulation will have a significant fiscal impact on most agencies, particularly the smaller ones.

Mark Raffaelli, Chief, South San Francisco Police Department, also representing San Mateo County Police Chiefs and Sheriffs Association

Chief Raffaelli stated that in addition to the fiscal implications, this regulation would also confer a scheduling impact upon most departments. He reiterated that a four-hour class every two years will be useless because frequency of such training is a necessity. Since repetition is a key factor, the classes would be beneficial in one or two hour blocks presented several times during a one or two year period.

With reference to local departments providing continuing training, in-house, Chief Raffaelli suggested that, to ensure uniformity, POST could provide pre-certified courses for use to agencies that have certified instructors.

Support

There was no testimony in support of this recommendation.

There being no further testimony, the Public Hearing to amend Commission Regulation 1005 and Commission Procedure D-2 was concluded.

The Chairman stated that the California Code of Regulations requires POST to list each objection or recommendation made by the public, how the proposed action now under consideration is to be changed to accommodate each concern or recommendation, or the reasons for making no change.

Chairman Hunt called upon staff to address the issues presented and Executive Director Ken O'Brien responded, as follows:

In response to **Chief Missel's** concern that POST did not show clear evidence that perishable skills deteriorate over time, and that it should be up to the chief/sheriff of a department to decide what officers need this training:

POST wrote a response letter to Chief Missel stating that the limitations cited about POST's study on deterioration of critical skills over time are identified in our April 17 report to the Commission. The study results, while not statistically significant, were only one of many factors that staff and our advisory committee of law enforcement professionals concluded to show a compelling need for a perishable skills training requirement. The following factors were also considered in developing the proposed perishable skills requirement:

- Conventional wisdom of law enforcement professionals is that manipulative skills deteriorate over time without periodic refresher training.
- Most liability for law enforcement agencies stems from driving and use-of-force incidents.
- Many other states specify refresher training in these critical skills as part of their Continuing Professional Training requirements.

- California law enforcement has overwhelmingly supported the establishment of Regional Skills Training Centers which are designed to provide this instruction.

With regard to the concern that this proposal reduces flexibility of police administrators to determine which officers should receive perishable skills training, POST believes that selective application of perishable skills training would defeat the purpose of establishing uniform training standards.

The response to **Chief Butler's** concern that individual agencies would be more acutely aware of the activities that create civil liability and complaints involving their own personnel, as well as tailoring continuing training (hours and content) to the needs of its employees and the community, was follows:

POST's response was a letter stating that the decision to amend current POST regulations to reflect a perishable skills training requirement was based on the consideration of many facts. The evaluation of these factors led staff and our advisory committee of approximately 26 representatives from the law enforcement community, to conclude there is a compelling need for a perishable skills training requirement. Most liability for law enforcement agencies stems from driving and use-of-force incidents. It was the collective, conventional wisdom of law enforcement professionals that manipulative skills deteriorate over time when not periodically refreshed. California has also overwhelmingly supported the establishment of Regional Skills Training Centers designed to support this type of regulation change.

In response to Chief Butler's concern that this would reduce police administrators authority to determine officers' training needs, POST staff is currently researching the CPT requirement for the purpose of providing greater agency flexibility in the selection of training topics. Finally, perishable skills training courses are eligible for backfill reimbursement.

The response letter to **Tony Levatino** and **Hugh Tate's** ten questions stated the following:

1. What is the basis for the staff's conclusion that there would be no fiscal impact as a result of the adoption of this regulation?

POST replied that the implementation of this policy does not result in any significant fiscal impact to the Commission on POST. POST provides reimbursement to agencies for the 24 hours of Continuing Professional Training currently mandated by POST regulations. The implementation of this policy neither adds, nor subtracts mandated training hours from this total. The

designation of topics to be trained and credited toward Continuing Professional Training Credit, while maintaining the established 24-hour ceiling, creates no additional fiscal impact on the implementation of this regulation. Perishable skills training implies "back to the basics" refreshing. Consequently, no new curriculum need be developed, no new instructors need be hired, and the training remains POST reimbursable. Perishable skills training courses are eligible for backfill reimbursement from POST.

2. What are the technical definitions of each of the identified Perishable Skills?

POST replied that perishable skills are defined by four categories: Arrest and Control, Driving, Firearms, and Communications (Interpersonal and Tactical.)

3. How did the Long Range Planning Committee determine that Tactical Communications and Interpersonal Skills met the Perishable Skills definition of gross or complex psychomotor skills?

POST replied that following lengthy research of this issue, it was determined that communications was a skill which required constant awareness of not only content and delivery of voice commands, but also an officer's on-going awareness of options available in a variety of workplace and field conditions. It can be argued that officers instinctively refine communication skills with every field contact. However, communications skills training provides officers with experiential training to build confidence and potentially reduce incidents of use of force.

4. What impact does POST anticipate on currently certified courses?

POST replied that there will be little additional impact from the implementation of Perishable Skills training other than to make sure training courses that satisfy the requirement are readily available.

5. Did POST consider the potential difficulty in tracking compliance with this requirement?

Yes. POST is currently evaluating options to facilitate the accurate tracking of this regulation. POST agrees that the development of a uniform tracking system poses challenges to the law enforcement community and is working toward a solution that will prove equitable to all involved agencies.

6. Where did the concept of four-hour blocks originate?

POST responded that it was the consensus of the approximate 26-member ad hoc committee formed to evaluate the concept of perishable skills training that four hour blocks of time for the three key categories (Arrest and Control, Driving, Firearms) would be sufficient to address refresher training.

7. Does POST anticipate any administrative problems with potential non-compliance with this regulation?

As with all courses certified by POST and all training mandates, POST remains vigilant to identify non-compliance issues throughout the state.

8. There are no EVOC courses in Orange County; what will be the impact on the other EVOC providers?

POST responded that satisfaction of the driver training component can be accomplished by completing EVOC courses, but also by Driver Awareness and Driving Simulator courses. It is expected there may be a need for additional course presentations.

9. Will the Regional Training Centers that obtained driving and force option simulators be able to service departments which will require its use?

POST responded that the audience targeted to receive Perishable skills training in Orange County is comprised of approximately 3,708 officers. Understandably, this number still poses challenges to the training manager. POST established a Regional Skills Center in Orange County to alleviate some of these issues.

10. POST staff has been directed to conduct a study to determine the advisability of expanding the hours of mandatory training to 40 hours. What is the status of this study, and has its adoption been analyzed for its impact on agencies?

POST staff is currently conducting research to evaluate the feasibility of expanding the CPT requirement. The expansion to 40 hours is only one option being considered. Many states already require 40 hours (in some cases annually) which exceeds California's CPT training. However, the current research, expected to be concluded in November 2000, has yet to provide sufficient evidence to support, or refute, the implementation of an increase to 40 hours. This research remains a work in progress.

The Chairman called for comments and questions of the Commissioners.

There was a lengthy discussion of this issue by the Commissioners. In response to comments made by opponents, concerning "four-hour blocks of time" for the refresher training, Commissioner TerBorch pointed out that the regulation does not call for four-hour blocks, rather it calls for four hours of training over a two-year period which could be accomplished in several ways, including in-house agency programs that are certified by POST. Staff added that POST currently has a requirement that certified courses must be at least two hours in length. It was also noted that agencies are free to give the training more often than every two years and are reimbursed by POST.

Executive Director O'Brien commented that the Commission, as well as staff, is very sensitive concerning "mandated" requirements. It is never done lightly, but only after careful research. The perishable skills requirement at hand will ensure the safety of officers, as well as the community. According to the input and endorsements received from law enforcement in the field, there is a great deal of support for this requirement.

Assistant Executive Director Hal Snow stated that many agencies are already doing refresher training and the regulation will merely be a reflection of current action.

There was consensus that flexibility, as well as the method of presentation for this program, are factors that need to be further examined.

Leisha Lekawa, Vice Chair of the Advisory Committee, reported that this matter was addressed by the Advisory Committee at its meeting on July 19, 2000, and supports the proposed regulation.

The Advisory Committee did not agree with the premise that the mandate apply only to sheriff and municipal law enforcement agencies and investigators of those agencies. In addition, there is no requirement that agencies that did not fall into that particular category could decline or elect to voluntarily participate in the program. After careful evaluation of this proposed regulation, the Advisory Committee recommended the following amendment: "Any individual participating in the POST program should be included and covered by the mandate, and that it should not be applicable only to sheriffs' departments, municipal agencies and investigators from those departments."

Chairman Hunt directed staff to re-evaluate this issue and develop various models that would allow flexibility for training and delivery. This matter is to be a part of the October 3, 2000, Long Range Planning Committee Agenda, and thereafter returned to the Commission for further discussion at the November 2, 2000, meeting.

BASIC TRAINING BUREAU

D. Report on Pilot Transition Basic Program

The Commission approved a Transition Pilot Program in 1996 for a three-year period, which was extended for an additional year by the Long Range Planning Committee. The purpose for the Pilot Program was to increase the number of people going into law enforcement, as well as reduce the redundancy of training. Based on statistics, it has been determined that there has not been sufficient participation to warrant continuing the program.

The Staff recommendation is to conclude this pilot program. Part 1 of the program would be removed in January, 2001, and Part 2 removed in January 2002.

Chairman Hunt stated that at the next Commission meeting there will be a motion to eliminate this program, as proposed.

E. Proposed Revisions to Basic Course Training Specifications

In November 1996, the Commission approved the staff proposal to develop student workbooks for each of the Regular Basic Course learning domains. Existing basic course materials (e.g., training specifications, performance objectives, etc.) were used to assist the contractor, POST staff, and subject matter experts in the development of each of these workbooks. Although these existing materials were used as guidelines, the student workbooks were developed using a specific information mapping system that uses different terminology and taxonomy. The workbooks were also developed to include emerging training needs, changes in the law, and to resolve curriculum, testing and evaluation problems. The process identified curriculum changes and additions. Due to the compressed development schedule, these changes were not made to the training specification document on a quarterly basis, as done in the past. Now that the student workbook development project is completed, the training specification document needs to be updated to reflect the changes.

The Chairman directed that this item would be taken up at the next Commission meeting.

F. Report and Presentation on Basic Course Workbook Project

This item did not require action by the Commission. It is informational and includes a Power Point presentation, which will be done at the next Commission meeting.

Staff reported that, in essence, the Power Point presentation is a celebration of the completion of the seven-year Workbook Project. It calls special attention to the three individuals significant to the project: Shirley Paulson, Jody Buna and Ken Whitman.

MOTION - Hawkins, Second - TerBorch, carried unanimously to accept the report.

CENTER FOR LEADERSHIP DEVELOPMENT

G. Report on the Cost-Benefit Analysis of the Command College Program

At the April 2000 meeting of the Commission, Commissioner Cobb requested a completed report of the cost-benefit study of the Command College program be presented for review at the meeting at hand. Staff presented the report, which included comparative information for the Sherman Block Supervisory Leadership Institute, Robert Presley Institute of Criminal Investigation, and the Master Instructor Development Program. Staff described various aspects of the report and its attachment.

There was a brief discussion concerning the report.

MOTION - Cobb, Second - Holden, carried unanimously to table this issue until the next meeting when an itemized statement of all costs will be provided for the Commission's review.

INFORMATION SERVICES BUREAU

H. Regulatory Review and Clean Up

State agencies are required by Executive Order to review all regulations to ensure clarity and necessity. The recommended changes in this agenda item primarily focus on adding, amending, and/or deleting language in Commission Regulations 1020-1080 to comply with the Executive Order.

The Commission will address this item at the next Commission meeting.

STANDARDS AND EVALUATIONS

I. Request for Approval to Contract for Management Fellow to Research and Identify Strategies to Implement a Physical Fitness Minimum Qualification

Academy presenters have expressed concern that many students arrive at the academy and are incapable of deriving sufficient benefit from a 12-week conditioning program to successfully complete the physical abilities test. While many agencies assess the candidates' potential for success, there is no recognized standard throughout California law enforcement. This request addresses the need for POST to contract with a local law enforcement agency for a special consultant (Management Fellow) to assist in the establishment of a physical fitness minimum qualification.

This item will be addressed for a roll call vote at the next Commission meeting.

J. Contract Request for Psychological Assessment Consulting Services

Staff explained that this request addresses the two components of the POST Strategic Plan that concern screening and selection for candidates entering law enforcement. Specialized expertise is required in order to develop both screening and selection testing. Two individuals have been identified that have the requisite background, experience, and education in these areas.

This item will be addressed at the next meeting for a roll call vote.

TRAINING, DELIVERY AND COMPLIANCE

K. Report on Proposal to Amend Regulation 1015(e) to Authorize Backfill Reimbursement for Public Safety Dispatchers and Dispatch Supervisors

Public Safety Dispatchers and Dispatch Supervisors are not currently eligible for backfill reimbursement. Commission Regulation 1015(e) authorizes reimbursement only for peace officers. If the Commission approves the recommendation to authorize backfill reimbursement for Public Safety Dispatchers and Dispatch Supervisors for selected courses, it will be included in the regulations.

This item will also be addressed at the next Commission meeting.

TRAINING PROGRAM SERVICES

L. Contract Request for Analysis and Design for Driver Training CD-ROM Course

The need for refresher driver training is one of the reasons the Commission established regional skills training centers that include driving simulators. The simulators give students practice in judgment and decision-making in situations that are too dangerous for behind-the-wheel-training. Similarly, an interactive multimedia program on CD-ROM can provide training in judgment and decision-making in many areas that do not require the features unique to the simulators. In addition, a CD-ROM course would be effective in training officers in cognitive material prior to simulator or behind-the-wheel training.

Staff reported that a \$1 million for developing multimedia training in perishable skills was included in the budget change proposal for FY 2000-2001. Developing a CD-ROM on driver training was a major project envisioned for the use of these funds.

Entering into a contract with San Diego State University and KPBS would allow POST to expedite the project.

This item will also be considered at the next POST Commission meeting.

M. Contract Request for Additional Regional Skills Training Centers

At its April 2000 meeting, the Commission approved a request for a Budget Change Proposal (BCP) for approximately 6.5 million dollars to establish four additional training center sites for Regional Skills Centers. The sites were: Ventura County sheriff's Department, College of the Redwoods in Eureka, San Francisco Police Department, and Kern County Sheriff's Department. These skills centers will be located within one hour driving time of most officers. The cost of simulators for each of the four sites is \$500,000, totaling \$2,000,000.

In addition, there is a need to modify or upgrade existing driving training systems since many of the systems are outdated. The total cost for the modifications and upgrades is \$2,075,000.

Staff explained that the BCP also allocated funds to provide various additional equipment for each of the 22 Regional Skills Training Centers and each center would receive \$102,258 for the necessary equipment. The total cost for the additional equipment is \$2,273,892.

This issue will be discussed at the next Long Range Planning Committee meeting.

N. Request for Production of Driving Simulator Scenarios

It is necessary to have fresh driving simulator scenarios, especially for officers who may be taking training a second time. The total cost of refreshing the scenarios is \$33,000.

This item will be considered at the next POST Commission meeting.

O. Royalty Agreements for Driving Simulator Scenarios

At the April 2000 meeting, the Commission approved renewal of the marketing agreement with Doron Precision Systems, Inc., to provide recovery of funds to POST when Doron sells its driving simulators outside California. Staff reported that over the last several years, POST has recovered approximately \$45,000 from Doron.

Recently, two additional manufacturers of driving simulators have met POST's specifications and have sold driving simulators to California law enforcement agencies. Staff recommends that the Commission authorize the Executive Director to enter into agreements with these two companies, FAAC, Inc. and I-SIM, Inc., to market on a nonexclusive basis 70 POST driving simulator scenarios and instructor guides through June 30, 2002, and to provide POST a \$2,500 royalty payment for each out-of-state sale.

This item will also be addressed at the next Commission meeting.

COMMITTEE REPORTS

P. Finance Committee

Commissioner TerBorch reported that the Finance Committee met on July 19, 2000, in San Francisco. Commissioners present were TerBorch and Hunt.

In additions to matters already discussed, the Committee addressed the following issues:

The Governor's Budget has been approved and signed into law. Notable features of the budget are a permanent increase of \$4 million in POST spending

authority and a one-time increase of \$7.6 million to fund an additional POST investment in driving and force option simulator training. Overall, the POST budget increased from approximately \$48 million to \$60 million.

A request was made by staff for Commission approval to submit 2000/2001 Budget Change Proposals (BCPs) to the Department of Finance to provide for required additional resources to continue the work guided by Commission policy and the Strategic Plan. Budget proposals are the following:

1. Augmentation of the local assistance appropriation by \$2,212,000 to match projected revenues.
2. Funding for the first year of a 2 year project to replace the aging statewide academy (POSTRAC) testing system. The first year involves planning and coordination activities, with the ultimate objective the development, acquisition and installation of components and software necessary to establish a statewide Testing Management Systems (TMAS), \$800,000 (1 Person Year).
3. Addition of one Office Technician position to meet the clerical needs of the Training Program Services Bureau, \$50,000 (1 Person Year).
4. Funding for 2 training projects (technology acquisitions). The first is Simulators for Dispatcher Training - Starz Simulator. The second is for the Development of Multimedia Courses, \$2,250,000.
5. A proposal to fund the establishment of two additional Regional Skills Centers at locations to be determined. The proposal would also fund the upgrade of any driver training simulators as necessary, being that some existing simulators are aging, \$2,500,000.
6. A proposal to add an Office Technician position to manage the increasing workload in the Basic Course Waiver/Requalification Program Unit, \$50,000 (1 Person Year).
7. A proposal to add 3 staff necessary to implement a voluntary accreditation program for California Law enforcement, \$300,000 (3 Person Years).
8. A proposal to add one Senior Law Enforcement Consultant position to oversee the Training Audit Program, \$150,000 (1 Person Year).

9. Addition of one Office Technician position to the Computer Services Bureau to assist with web-site development and computer service office duties, \$50,000 (1 Person Year).
10. Addition of one Office Technician position to the Information Services Bureau to support the library and clearinghouse functions, \$50,000 (1 Person Year).
11. A proposal from the Administrative Services Bureau to provide an augmentation to POST's temporary help blanket to hire part-time help to assist with critical projects, \$50,000 (1 Person Year).
12. A proposal to add an Instructional Designer to the Learning Technology Resource Center, within the Training Program Services Bureau. The position will be responsible for development of additional multimedia courseware, \$75,000 (1 Person Year).
13. A proposal to add a Graphic Artist Assistant position within the Information Services Bureau to assist with the POST web-site, electronic forms and web-based publications, \$50,000 (1 Person Year).

There was consensus to receive the report.

Q. Long Range Planning Committee

Commissioner TerBorch reported that the Long Range Planning Committee met at POST Headquarters, 1601 Alhambra Boulevard, Sacramento, on June 22, 2000, at 9:30 a.m.

Present were Commissioners TerBorch, Holden, Hunt, and Fox. Commissioners Baca and Kolender were absent. Visitors were Commissioner Cobb and Kevin Otto. POST staff present included Glen Fine, Mike DiMiceli, and Hal Snow.

The Committee received reports from staff on the following issues:

Report of the FY 2000/01 Training Needs Assessment

The Committee received an informational report summarizing the statewide training needs assessment that was completed in June 2000. The report included the training needs identified for the coming year and the training

course presented in this current fiscal year. During the discussion, the Committee suggested the staff invite risk managers to participate in the next statewide training needs assessment.

Report on Attendance at the Management Course

The Committee received a report, prepared at the request of Commissioner Hunt, concerning the feasibility of members of a peace officer association attending the POST Management Course. The course is required training for all officers who are promoted, appointed or assigned to a middle management position. Commission Regulation 1005(c) provides that every officer assigned to a first-level supervisory position who has completed the training requirements of the Supervisory Course may attend the Management Course if authorized by the department head.

The Committee discussed the value of the training for other ranks or assignments that are not specifically designated as management by an agency. Following the discussion, the Committee directed staff to present, at its next meeting, a report concerning the feasibility of developing a new course within the Labor/Management Forum that will provide information concerning the needs of newly appointed or elected peace officer association members.

Report on the POST Electronic Data Interchange (EDI) and the Sherman Block Supervisory Leadership Institute (SBSLI)

The Committee received a brief informational report concerning the use of a new application for the EDI project. Effective July 10, 2000, applications for the SBSLI can be screened, prepared, and submitted to POST electronically, using the secure, Internet-based EDI process. Bulletin 00-07, distributed in June, describes the electronic process in detail.

Report on the Violence Against Women Act (VAWA) Grant Funding

The Committee received a report that summarized the VAWA grant-funded domestic violence training that has been developed and presented by POST during the past 3 years. At the request of OCJP, staff has prepared a proposal for one-year continuation funding of approximately \$763,348. The grant funds will support the continued presentation of 12 training course previously developed with VAWA funds and will also support a grant administrator position.

Report on Salary and Backfill Reimbursement

The Committee received a report, prepared at the request of Commissioner Hunt, that described the history and cost of both salary and backfill reimbursement. The report observes that backfill reimbursement has the approval of both Department of Finance and the Legislature. The report includes the staff's conclusion that backfill reimbursement provides a superior mechanism to support skills training.

The Committee discussed the report and various reimbursement mechanisms. The participation of the large agencies in the backfill reimbursement program was also discussed. Following the discussion, the Committee accepted the informational report and directed staff to study: a) the feasibility of modifying the reimbursement process to enable large agencies (i.e. LAPD) to participate; and b) the feasibility of a backfill-approved Advanced Officer Course with specified content and instructors. The staff report will be presented to the Committee before the January 2001 Commission meeting.

Report on Promoting College Education for Peace Officers

The Committee received an information report that described a number of alternatives POST may employ to encourage college education for law enforcement applicants and incumbents.

Following a brief discussion, the consensus of the Committee was to accept the report and direct staff to continue the work on this subject, including an immediate focus on the educational requirements for higher level POST certificates (e.g., Intermediate, Advanced, Supervisory, Management). The Committee recommends Commission approval of the report and continued staff work on the subject.

Proposed Revisions to the POST Strategic Plan

At the April 2000 meeting, the Commission directed staff to update the Strategic Plan using a process similar to that used initially to create the plan, and to include the input and review of agencies and organizations outside of POST. In addition, the Commission directed the Long Range Planning Committee to assume the functions and responsibilities of the Strategic Plan Implementation Committee, when the charter for that committee expires on July 1, 2000.

The Committee received a report that described the results of an internal staff review of the Strategic Plan. During the discussion, the importance of

retaining the fundamental strategic planning needs and processes that were employed initially was emphasized. Following the discussion, the consensus of the Committee was to accept the report, direct staff to begin the revision process as described, and recommend Commission approval of the report and process to revise the Strategic Plan.

Report and Recommendations of the Profession Certificate Review Committee

During a public hearing related to the cancellation of a POST Basic Certificate, conducted at the January 2000 meeting, the Commission directed the formation of a broad-based committee to study the issue and provide recommendations.

Commissioner TerBorch stated that Woody Williams, Advisory Committee member, was appointed Chairman of the Committee. The Committee met in April and June 2000, and concluded its review with two recommendations. Commissioner TerBorch reported that Woody Williams will provide the Commission with a complete report.

R. Advisory Committee

Leisha Lekawa, Vice Chair of the Advisory Committee, reported that the Committee met on July 19, 2000, at the Holiday Inn, San Francisco.

Governor's Awards

Ms. Lekawa stated that the Committee received a copy of the revised brochure for the Governor's Awards. This brochure will be sent out to law enforcement agencies throughout the state.

California Law Enforcement Image Coalition

The Committee also received a report from the California Law Enforcement Image Coalition. The report included the status on the development of the Image Coalition Web site and, although the site is not yet active, the domain name is calpoliceimage.org. In addition, plans are in progress by the Committee to publicize the existence and objectives of the group through local and international trade journals.

Instructor Symposium 2000

The Symposium was held on May 8 - 10, 2000, in San Diego and highlighted the latest in instructional technology and methodology. This well-attended and very successful event was organized by Norman Cleaver, Director of the

Santa Rosa Training Center. Since there will be grant funds available from the federal government, the Advisory Committee is hopeful that the Symposium can be produced every year, rather than every other year.

In addition to the above, the Committee viewed a staff demonstration of the latest POST-developed technology.

Legislative Review Committee

Commissioner Monty Holden, Chair of the Legislative Review Committee, deferred to Tom Hood of POST staff to present the committee report.

Tom Hood, POST's Legislative Liaison, reported that the Legislative Review Committee met that morning at 9:00 a.m. to review the following bills:

- **SB 66 (Murray)**, which is *supported* by POST and pertains to racial profiling, has been amended dramatically and now requires three things: 1) POST to develop a training program for all California law enforcement officers addressing the subject of racial programming; 2) it will require every peace officer in the state to provide motorists with their business card upon every car stop; and 3) it will outlaw the practice of racial profiling in California.

This bill has passed through the Senate and is currently in the Assembly Appropriations Committee.

Other legislation briefly reviewed by the Committee were:

- **SB 1494 (Wildman)**, which expands the scope of peace officer feasibility studies conducted by POST, was recently signed into law by the Governor. The Commission *supports* AB 1494.

Under the bill's provisions, POST is required to do a feasibility study for Los Angeles Unified School District Police Department in reference to that department's request for peace officer status under Section 830.1 of the Penal Code.

AB 1494 also expands POST's responsibilities in that it will be required to conduct a study any time a law enforcement entity wishes to move from one category to another in the Penal Code.

- **AB 1718 (Hertzberg)**, which the Commission also *supports*, requires POST to develop a classroom training program addressing the handling of developmentally disabled and mentally ill persons. This proposal has

passed through both houses of the Legislature and is on the Governor's desk for signature.

- **AB 1762 (Villaraigosa)**, directs the Office of Criminal Justice Planning to establish a Crisis Intervention Team pilot project to train law enforcement officers and public safety dispatchers in the nature and handling of mentally ill persons. AB 1762 has failed passage from the Assembly and its outcome appears indefinite. POST has taken a *watch* position on this measure.
- **AB 1819 (Shelley)**, which POST *supports*, has passed the Assembly and will be considered by the Senate Appropriations Committee on August 7th. This bill pertains to updating POST's Elder Abuse training.
- **AB 1928 (Vincent)** is *supported* by POST. The Los Angeles County Court Service Investigators are seeking peace officer status and this will be a routine peace officer feasibility study. The second portion of the bill will allow POST to reconfigure and streamline the Basic Course Waiver Examination process. This measure will also come before the Senate Appropriations Committee on August 7th.
- **AB 2059 (Vincent)** will require that all welfare fraud investigators in California complete the specialized investigators basic course. This bill does not appear to have opposition. POST has taken a *neutral* position.
- **AB 2449 (Wildman)**. This measure was discussed at the April 2000 Commission meeting and deals with clarification of the POST Basic Certificate revocation policy. The Committee recommends that the Commission change its position from neutral to *support*.
- **SB 1389 (Murray)** - This was the data collection bill which POST originally *opposed*. However, POST is no longer concerned about this measure since Senator Murray has amended much of the bill's language into SB 66.
- **SB 1539 (Lewis)** - This bill requires POST to provide training classes on stalking. However, POST already has courses on stalking and we will only need to update those courses and provide any other support that the field may need in this area. POST has taken a position of *neutral*.
- **SB 1831 (Hughes)** - This measure requires POST to work in concert with other law enforcement entities in developing a school safety

project in three strategic areas throughout the state. This bill does not have a significant impact on POST and we have taken a position of *neutral*.

- **SB 1833 (Schiff)** - This measure would place POST's Executive Director on a board that would oversee the acquisition for technology for law enforcement purposes. POST's position is *support*.
- **SB 1945 (Ortiz)** - Under the provisions of this proposal, POST is required to develop a video tape related to crimes motivated by the victim's views on abortion rights. This bill, which was very contentious and controversial, died in the Senate Appropriations Committee. POST had taken an *oppose* position.
- **SB 1955 (Sen. Public Safety Committee)** This is an omnibus bill which includes a number of small "clean-up" issues. POST is particularly impacted by one portion of SB 1955, which pertains to extending the three year rule to Level I and Level II Reserve Officers. Under the provisions of this bill, Level I and Level II Reserve Officers who wish to move from one organization to another would be precluded from having to meet the new training standard when they receive their new appointment. It also allows them a three-year break in service. This is consistent with the rule applied to regular peace officers, and POST's position is *neutral*.
- **SB 2004 (Speier)** - This bill pertains to a Safety Track System - a built-in device to be placed in all new cars by the manufacturer. The bill failed passage from the Senate and, at this point, appears to be dead. POST had taken a *neutral* position.

MOTION - Holden, Second - TerBorch, carried unanimously (6-0), to support AB 2449.

T. Professional Certificate Committee

Committee Chairman Woody Williams reported that the Committee met on two occasions and, in addition to recommending the Commission take a "support" position on AB 2449, the Committee recommends the following:

Regulation 1011(b) be modified as follows:

"Professional Certificates shall remain the property of the Commission.

"Certificates shall be denied or canceled when a peace officer has been adjudged guilty of a felony or has been disqualified for any other reason described in Government Code Section 1029(a)(1) through (a)(6); or

"Certificates may be denied or canceled when the person is adjudged guilty of a felony which constitutes moral turpitude which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or (b)(3), and which involves either unlawful sexual behavior with a juvenile or a non-consenting adult, assault under color of authority, dishonesty, theft, or narcotic offense."

Mr. Williams reported that the above recommendations have been carefully reviewed by Deputy Attorney General Vince Scally, who determined that the language is enforceable, that it meets the necessary legal requirements, and is appropriate to be enacted by this Commission.

Mr. Williams reported that the members of the Committee were diverse and represented all facets of California law enforcement. The recommendation to adopt the new language was unanimous by the Committee.

Chairman Hunt stated that the recommendation will be considered at the next Commission meeting.

OLD/NEW BUSINESS

U. Advisory Committee Nominations

After a brief discussion, the Commission took the following action:

MOTION - Hawkins, Second - Baca, carried unanimously (6-0), to appoint Michael Scott from the Daly City Police Department as a representative from California Organization of Police and Sheriffs (COPS) to replace Raymond Griffith; and Marv Engquist as a representative for California Association of Administration of Justice Educators (CAAJE) to replace Derald Hunt.

Chairman Hunt advised that although the next scheduled Commission meeting is November 2, 2000, there will be a follow-up meeting prior to that date to properly consider the items on this agenda.

FUTURE COMMISSION MEETINGS:

November 2, 2000 - Holiday Inn Northeast, Sacramento

January 25, 2001 - Piccadilly Inn Airport, Fresno

April 19, 2001 - Airport Inn International, San Jose

July 19, 2001 - To be determined.

ADJOURNMENT: 12:40 p.m.

Respectfully, submitted,

Anita Martin

Anita Martin
Commission Secretary

no Part 2 specific courses certified. Of the seven students who passed all three portions of the state comprehensive exam, only two attended and successfully completed Part 2. Both students were hired in November 1999; however, one was required to repeat his academy training due to agency hiring practices.

Staff's assessment is that not only has the program not performed well statistically, it also has not achieved any of its original goals/objectives. As reported in the July 1995 agenda item, the program's goals/objectives are as follows:

- Reduces redundancy of instruction between educational programs and law enforcement academies. By encouraging transferability and eliminating duplication there is more efficient use of educational funds.
- Allows a student to fulfill POST training requirements while receiving educational credit. This system is flexible and is expected to appeal to entry-level college students. A student can satisfy vocational educational requirements while completing coursework toward a degree.
- Gives basic training presenters more flexibility to design training options for regular officers, reserves and students.
- Reduces training cost.
- Increases the pool of pretrained officers.
- Provides an experimental alternative method to deliver basic training that is beneficial to students.

In hindsight it is believed, the program was conceptually flawed from the outset. Nobody knew or could have predicted these flaws before beginning the pilot. The flaws, as staff sees it, are as follows:

- The program takes too long for students to realistically pass our tests. Extended format academy students don't do as well on our tests as intensive format students. Transition students have even more of a time lapse between receiving the curriculum and testing, and are greatly disadvantaged due to this fact.
- It is unrealistic to expect basic academies to offer Part 2; it is the most expensive part of the training.
- Many believe that training for a career in law enforcement must intermix cognitive instruction with manipulative skills in a way that there is continuous alternation between the two.
- The basic academy training program, including its instructional methods, curriculum, testing, instructional materials and instructor development, is dynamically changing at such a pace that it is unrealistic to expect college academic programs to keep pace.

On March 16, 2000, POST staff met with the current pilot presenters, as well as a few prospective Part 2 presenters, to discuss our evaluation of the pilot and the recommendation that should be made to the Commission. The committee unanimously agreed that the program was not working and had not achieved its original goals/objectives. Although the pilot project didn't work, the committee felt the program improved the instruction in the AJ/CJ program by aligning it closer with the academy

and helped professionalize the AJ/CJ instructors. Unanimous support to cancel the program was also obtained from the Consortium of Academy Directors and Coordinators at their June 7-8, 2000 meeting.

Based upon the evaluation data and recommendations from the pilot presenters and the Consortium of Academy Directors and Coordinators, staff is recommending that the Transition Program - Pilot Format be eliminated as an alternative delivery format of the Regular Basic Course. It is proposed that the program be canceled in two phases; Part 1 canceled as of January 1, 2001 and Part 2 as of January 1, 2002. This phased approach accommodates students who have begun the program, giving them an opportunity to complete the program before cancellation. Attachment A shows the regulatory change deleting the *Transition Program - Pilot Format* as an alternative delivery format of the Regular Basic Course.

RECOMMENDATION

It is recommended, subject to the results of the Notice of Proposed Regulatory Action process, that the Commission approve staff's proposal to amend Commission Procedure D-1 eliminating the *Transition Program - Pilot Format* as an alternative delivery format of the Regular Basic Course as of January 1, 2002.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-1

BASIC TRAINING

1-1 through 1-3(e) continued

(Please note the content below has been renumbered and contains new language based upon another agenda item/OAL package that has requested implementation of said changes as of January 1, 2001)

(f) ~~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 section 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) ~~Learning Objectives.~~ Instruction shall be provided on all learning objectives specified in ~~Training and Testing Specifications for Peace Officer Basic Courses~~ as described below:
- (A) ~~Part 1.~~ Instruction on learning objectives specified for the Regular Basic Course (RBC) 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 learning objectives specified for the Regular Basic Course (RBC) 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 and Testing Specifications for Peace Officer Basic Courses~~. The total minimum hourly requirement for part 1 of the Transition Program-Pilot Format is 211 hours and 453 hours for part 2.
- (3) ~~Testing Requirements.~~ The tests listed below are graded on a pass/fail basis. Students who fail a 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 in part 1 of the instructional sequence, the student cannot advance to part 2 of the instructional sequence. If the student fails the second test in part 2 of instructional sequence, the student fails the course.

- (A) **Knowledge Tests Administered During Part 1 of the Instructional Sequence.** As specified in *Training and Testing Specifications for Peace Officer Basic Courses*, 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.
- (B) **POST-Constructed Comprehensive Test.** Students who complete the instruction specified in section 1-3(f)(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 learning objectives 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.
- (C) **POST-Constructed Knowledge Tests Administered During Part 2 of the Instructional Sequence.** As specified in *Training and Testing Specifications for Peace Officer Basic Courses*, 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.

(4) **Other Tests:**

- (A) **POST-Developed Report Writing Test.** Students who complete the instruction specified in section 1-3(f)(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 and Testing Specifications for Peace Officer Basic Courses*, 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) ~~Instructional Activities in Part 1 of the Instructional Sequence.~~ As specified in *Training and Testing Specifications for Peace Officer Basic Courses*, instructional activities are required in some, but not all, learning domains. Where an instructional 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 an instructional activity due to extenuating circumstances shall be given a second opportunity to participate in the same or a comparable activity. If a student fails to participate in an instructional activity after being given a second opportunity, the student cannot advance to part 2 of the instructional sequence.

(6) ~~Instructional Activities in Part 2 of the Instructional Sequence.~~ Where an instructional 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 an instructional 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 an instructional activity due to extenuating circumstances shall be given a second opportunity to participate in the same or a comparable activity. If a student fails to participate in an instructional 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(d)(6):
- (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. Academics 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(f)(1) to 1-3(f)(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 (f)(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.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposal to Adopt a New Training Specification Document and Modify Regulations 1005 and 1007, and Procedure D-1		Meeting Date July 20, 2000
Bureau Basic Training Bureau	Reviewed By Forrest G. Lewallen <i>[Signature]</i>	Researched By Kelly York
Executive Director Approval <i>[Signature: Kenneth J. O'Brien]</i>	Date of Approval 6.15.00	Date of Report June 15, 2000
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, subject to the results of the Notice of Proposed Regulatory Action, adopt the new document, *Training and Testing Specifications for Peace Officer Basic Courses*, and approve proposed changes to Regulations 1005, 1007, and Procedure D-1?

BACKGROUND

Following a public hearing in November 1993, the Commission approved changes to Regulation 1005 and Procedure D-1 regarding minimum standards for the Regular Basic Course. Among these changes was the adoption of the document, *Training Specifications for the Regular Basic Course*, which mandated instruction within the basic course. Prior to training specifications, POST mandated instruction by using the document, *Performance Objectives for the Regular Basic Course*, which served as a testing specification document. Currently, academies use the training specification document to identify the mandated instruction in the Regular Basic Course, and the performance objectives document to identify the areas in which students will be tested. Both documents, in some instances, are provided to students enrolled in academy courses as reference material.

In November 1996, the Commission approved staff's proposal to develop student workbooks for each of the Regular Basic Course learning domains. Existing basic course materials (e.g., training specifications, performance objectives, etc.) were used to assist the contractor, POST staff, and subject matter experts in the development of each of these workbooks. Although these existing materials were used as guidelines, the student workbooks were developed using a specific information mapping system that uses different terminology and categorization. The workbooks were also developed to reflect emerging training needs, changes in the law, or to resolve curriculum, testing and evaluation problems. However, due to the compressed development scheduled, these changes were not made to the training specification document on a quarterly basis, as done in the past. Now that the student workbook development project is completed (a report on the completion of the project is the subject of another report on the Commission's agenda), the training specification document needs to be updated to reflect all such changes that occurred.

ANALYSIS

The Regular Basic Course (RBC) student workbooks use learning needs and learning objectives in place of instructional goals and topics, respectively. The learning needs explain why the instruction is important, and the learning objectives give a more detailed description of the required curriculum than the topics that were previously used. Instead of listing all learning needs together followed by all learning objectives as done in the past with instructional goals and topics, the learning objectives are listed under the learning need they pertain to and each learning need is a separate chapter in the workbook.

Learning activities are also used in the student workbooks. In order to clarify that only the learning activities in the training specification document are required, they have been renamed instructional activities.

In addition to the terminology and categorization changes, some curriculum has been modified. These changes were made to reflect emerging training needs, changes in the law, or to resolve curriculum, testing and evaluation problems, as recommended by the subject matter experts. In most instances, any new curriculum that was added was already being taught in the academy; but not listed or clearly identified as mandated curriculum in the training specification document. Attachment A identifies the new curriculum by learning domain.

The RBC curriculum is also used as a basis for curriculum in the Modular Format (reserve training system) and the Specialized Investigators' Basic Course (SIBC); both of which have training specification documents. Since staff is proposing to modify the terminology, categorization and curriculum of the RBC, then the other training specification documents would also need to be changed. However, in the past, staff has had the arduous task of tracking and cross referencing RBC curriculum so that when changes occur, they are made in all affected courses. In order to develop a more efficient, error proof update system, the new training specification document has been redesigned using a matrix to identify RBC curriculum that is contained in other courses. This eliminates the need for the *Training Specifications for the Regular Basic Course - Modular Format* and deletes the 32 RBC learning domains from the *Training Specifications for the Specialized Investigators' Basic Course*. Once the student workbooks for the four investigative-specific learning domains in the SIBC are developed, staff will recommend eliminating the SIBC training specifications altogether; moving those four domains into the new proposed document, *Training and Testing Specifications for Peace Officer Basic Courses*.

In addition to the modifications listed above, this proposal recommends merging the training specifications document with the performance objectives document (testing specifications). Over the last year or so, POST staff in the Standards and Evaluation Bureau have been aligning the POSTRAC tests with the new student workbooks. In doing so, the new test questions have been developed based upon the learning objectives in the workbooks; eliminating the need for the knowledge objectives that are listed in the performance objectives document. In the case of learning activities (now instructional activities), exercise and scenario tests, the same language, in most cases, is used in both documents. Merging the documents will direct academy staff and students to focus on the learning objectives for the written, cognitive tests and eliminates redundancy.

Attachment B is a sample of the **current** training specification document. Attachment C is a sample of the **new proposed** format that illustrates the changes in terminology and categorization. Since the new training specification document is several hundred pages long, only a sample of the new proposed format has been provided. An entire copy of the document can be provided upon request.

Making the changes as noted above also requires modifications to Commission Procedure D-1. Attachment D reflects the changes to Procedure D-1, as well as other modifications staff has made for clarity, consistency and to eliminate redundant language within the procedure.

Attachments E and F reflect the necessary changes that need to be made to Regulations 1005 and 1007 incorporated by reference statements if the Commission approves the new training specification document.

RECOMMENDATION

It is recommended that the Commission, subject to the results of the Notice of Proposed Regulatory Action, adopt the new document, *Training and Testing Specifications for Peace Officer Basic Courses*, in place of the documents, *Training Specifications for the Regular Basic Course* and *Training Specifications for the Regular Basic Course - Modular Format*. It is further recommended that the Commission approve modifications to Regulations 1005, 1007, Procedure D-1, and the document *Training Specifications for the Specialized Investigators' Basic Course*, as proposed.

New RBC Curriculum Identified by Learning Domain

LD #1 - History, Professionalism & Ethics

- Legal authority for establishing a law enforcement system
- Expectations of wearing a peace officer's badge held by:
 1. Peace officer
 2. Suspect, victim, witnesses
 3. Government
 4. Department

(Other subtopics under this EO were covered previously)

- Criteria used by members of the public to evaluate peace officers
- Traits officers should exemplify

LD #3 - Community Relations

- Criteria members of the community use to evaluate peace officers and their agencies (*see above, this is also addressed in LD #1*)
- Officer strategies for countering negative stereotypes of law enforcement
- Translation process and the influences on the process
- Proper methods for handling telephone contacts

LD #4 - Victimology/Crisis Intervention

- Direct and indirect victims of a crime
- Potential negative attitudes that peace officers may exhibit toward victims of crime
- Five phases of a victim contact and appropriate officer actions during each phase
- Guidelines for interviewing a victim

LD #5 - Introduction to Criminal Law

- Three primary sources on which the law is based, including:
 1. Concept of a social contract
 2. English common law
 3. U.S. and California Constitutions

- Statutory definition of crime
- Possible punishments for criminal activity
- Persons liable for punishment under the laws of California
- Basic elements common to all crimes
- Defenses against criminal liability

LD #9 - Crimes Against Children

- Terms and concepts associated with crimes against children, including:
 1. Child
 2. Criminal negligence
 3. Great bodily injury
 4. Corporal injury
 5. Corporal punishment
 6. Traumatic condition
 7. Cruel or inhumane punishment
 8. Lascivious act
 9. Lewd act
 10. Molest
 11. Sexual intercourse
- Necessary documentation when investigating a report
- Peace officer's responsibility for maintaining the confidentiality of the reporting party
- Appellate court cases which have upheld warrantless entries based on exigent circumstances

LD #10 - Sex Crimes

- Crime elements, classification and Penal Code section for sexual assault in concert
- Examples of assessing a victim's physical state in order to make them as comfortable as possible and secure the necessary medical attention (*new to LD #10 - covered in LD #30 in the past*)
- Common emotional and physical reactions victims experience and the pressures associated with reporting a sex crime (*new to LD #10 - covered in LD #30 in the past*)
- Peace officer's own emotional and attitudinal reactions to sex crimes (*new to LD #10 - covered in LD #30 in the past*)
-

- Factors that set a positive tone for the victim interview (*new to LD #10 - covered in LD #30 in the past*)
- Questions to be asked during the victim interview (*new to LD #10 - covered in LD #30 in the past*)
- Purpose of a medical/legal exam (*new to LD #10 - covered in LD #30 in the past*)
- Victim's rights (*new to LD 10 - covered in LD #4 in the past*)
- Types of evidence to be collected from the crime scene, victim and suspect (*new to LD #10 - covered in LD #30 in the past*)
- Services available to sexual assault victims (*new to LD #10 - covered in LD #30 in the past*)

LD #11 - Juvenile Law

- Being a ward of the court
- Options available to a peace officer for the disposition of a juvenile case
- Conditions under which a juvenile may become a dependent of the court
- Emancipation and how it effects a juvenile's status under juvenile court law
- Appropriate level of confinement for the purposes of temporary custody
- Conditions in which a juvenile can be tried under the adult criminal system rather than juvenile court system

LD #12 - Controlled Substances

- Crime elements, classification and appropriate code section(s) of the following crimes
 1. Possession of drug paraphernalia
 2. Being present where a controlled substance is used
 3. Being under the influence of a controlled substance
 4. False representation to procure a drug

(Other subtopics under this EO were covered previously)

- Characteristics of a human body in a homeostatic state
- Two nerve categories
- Inherent dangers of clandestine laboratories

- Characteristics of a clandestine laboratory
- Required safety precautions when securing a clandestine laboratory

LD #13 - ABC Law

- Purpose of the ABC Act
- Responsibilities of the Department of ABC
- Law enforcement officer's responsibility for enforcement of ABC laws
- Consequences of violations of the ABC Act
- Types of licenses by the Department of ABC
- Information displayed on an ABC license
- Conditions under which an ABC license is not required
- Possible threats to officer safety encountered when investigating ABC violations
- Methods for determining if a suspect liquid is an alcoholic beverage
- Appropriate methods for obtaining evidence to establish proof of a violation of ABC statutes
- Procedures for establishing the age and identity of a suspect using legally accepted identification
- Techniques and requirements for an investigation involving minors in possession of alcoholic beverages
- General information to include in a written report involving a violation of ABC law
- Crimes most commonly associated with ABC law violations

LD #15 - Laws of Arrest

- Detention defined
- Appropriate peace officer actions during a detention
- Scope and conditions for warrantless searches and seizures during a detention for the safety of the officer
- Conditions under which the use of force or physical restraint is appropriate during a detention

- Arrest defined
- Arrest vs. detention
- Conditions under which the use of force or physical restraint is appropriate during an arrest
- Exceptions to the powers to arrest

LD #16 - Search & Seizure

- Constitutional, statutory and case law as the primary sources of search and seizure law (*new to LD #16 - covered in LD #5 in the past*)
- Constitutional protections guaranteed by the Fourth Amendment that guard persons from unreasonable searches and seizures by government
- Reasonable expectation of privacy
- Standing and how it applies to an expectation of privacy
- Exclusionary rule applied to a peace officer's collection of evidence (*new to LD 16 - covered in LD #17 in the past*)
- Statutory grounds for issuance of a search warrant
- Requirements for establishing the reliability of information provided by an informant
- Components of an affidavit in support of a warrant to search for and seize property
- Appropriate actions for securing an area pending issuance of a search warrant
- Nexus rule application while conducting an authorized search

LD #18 - Investigative Report Writing

- Definition of an investigative report
- Legal basis for requiring investigative reports
- Category vs. narrative report formats
- Advantages and disadvantages of using category or narrative report formats

LD #19 - Vehicle Operations

- Types of collisions involving law enforcement vehicles

- Importance of initial and ongoing training in the effort to reduce the number and severity of collisions involving law enforcement vehicles
- Three types of law enforcement driving and the purpose for each

LD #20 - Use of Force

- Specific topics and level of detail that should be included in an officer's report when force has been used in the line of duty

LD #21 - Patrol Techniques

- Roles and responsibilities of the contact and cover officer (*new to LD #21 - covered in LD #23 in the past*)

LD #22 - Vehicle Pullovers

- Appropriate actions for cover officers who are called to assist the primary officer during a high-risk vehicle pullover

LD #24 - Handling Disputes/Crowd Control

- Considerations officers should take into account before making a referral
- Crimes associated with labor disputes, including:
 1. Loitering or trespassing in a posted industrial area
 2. Destruction of signs in a posted area
- Civil disobedience defined

LD #26 - Unusual Occurrences

- Unusual occurrence defined
- Mission of law enforcement when responding to an unusual occurrence
- Actions for securing a scene where an explosive device has been located
- Agencies with authority to investigate crashes involving civilian aircraft, commercial aircraft, and military aircraft

LD #27 - Missing Persons

- Classification of missing person cases, including:
 1. Dependent adult
 2. Catastrophic missing
 3. Lost
 4. Stranger abduction

(Other subtopics under this EO were covered previously)

- Peace officer's primary responsibilities when responding to a missing person report involving abduction of a child by a parent/family member
- Circumstances related to custody dispute situations when an officer may take a child into protective custody

LD #28 - Traffic Enforcement

- Benefits of enforcing traffic laws

LD #29 - Traffic Accident Investigation

- Motor vehicle defined
- Difference between:
 1. Traffic collisions
 2. Nontraffic collisions
- Skidmark vs. tire impression
- Ways of linking a tire mark with a particular vehicle
- Three causes of skidmarks
- Types of collision documentation, including:
 1. Collision investigative reports
 2. Collision reports
 3. Property damage only reports
 4. Counter reports
- Collision sketch vs. factual diagram

LD #30 - Preliminary Investigation

- Goal of a criminal investigation
- Criteria for allowing crime scene photographs to be admitted as evidence by the court (*new to LD #30 - covered in LD #17 in the past*)
- Criteria used to determine whether evidence is admissible in a court of law (*new to LD #30 - covered in LD #17 in the past*)
- Function of an officer's field notes (*new to LD #30 - covered in LD #18 in the past*)
- Statutory requirements for reporting incidents of suspected child abuse (*new to LD #30 - covered in LD #9 in the past*)

- Information that should be included in an investigative crime report (*new to LD #30 - covered in LD #18 in the past*)

LD #31 - Custody

- Custody defined

LD #32 - Lifetime Fitness

- Lifetime fitness defined
- Elements that determine an officer's ability to perform duties
- Lifestyle conducive to lifetime fitness
- Appropriate measures for improving an officer's performance within each of the five components of a personal fitness program
- Individual and societal costs of inadequate fitness in peace officers

LD #33 - Arrest and Control/Baton

- Principles of weaponless defense as they pertain to:
 1. Awareness
 2. Balance
 3. Control
- Parts of an officer's body that are most vulnerable to serious injury
- Parts of an officer's body that may be used as personal weapons to overcome resistance by a suspect or for self-defense
- Rationale for using controlling force to gain advantage of a suspect

LD #34 - First Aid and CPR

- Components of the EMS system
- Assessment criteria for establishing priorities when assessing multiple victims at a single scene
- First aid measures for a victim who is experiencing signs of poisons that have been ingested, inhaled, absorbed or injected

LD #35 - Firearms/Chemical Agents

- Basic safety guidelines to be followed at a firing range
- Safety precautions for proper storage of a peace officer's firearms

- Guidelines for the safe handling of all forms of ammunition
- Relationship between the distance traveled and the size of the shot pattern
- Three forms in which a person who has been struck by one or more projectiles can be incapacitated
- Factors that affect the size of the permanent cavity created by a projectile after impact

LD #37 - Persons with Disabilities

- Disability defined
- Indicators that could lead an officer to believe that an individual is:
 1. A danger to self
 2. Dangerous to others
 3. Gravely disabled
- Specific procedures of the law which apply to persons with disabilities and:
 1. Public access
 2. Use of service animals
- Mental disorder defined
- Developmental disability defined

LD #38 - Gang Awareness

- Criminal street gang defined
- Criminal activities commonly associated with gangs

LD #39 - Crimes Against the Justice System

- Crime elements, classification and appropriate Penal Code section for the following:
 1. Removing a firearm from an officer
 2. Removing any weapon, other than a firearm, from an officer
 3. Attempting to remove a firearm from a public officer
 4. Falsely personating another

(Other subtopics under these EOs were covered previously)

LD #40 - Weapons Violations

- Crime elements, classification and appropriate Penal Code section for discharging a firearm:

1. From a motor vehicle

(Other subtopics under this EO were covered previously)

LD #42 - Cultural Diversity/Discrimination

- Elements common to many cultures

REGULAR BASIC COURSE

**SPECIFICATIONS FOR LEARNING DOMAIN #23
CRIMES IN PROGRESS**

April 1, 1997

I. INSTRUCTIONAL GOALS

The goals of instruction on **Crimes in Progress** are to provide students with:

- A. the skills and ability needed to effectively search a building or an open area for a suspect;
- B. an understanding of the factors affecting an officer's response to a crime-in-progress call;
- C. the skills and ability needed to effectively respond and investigate different types of crimes in progress;
- D. the skills needed to effectively respond to different high-risk situations demonstrating sound tactics;
- E. the skills needed to perform the role of contact officer and cover officer;
- F. an understanding of the capabilities and limitations of body armor;
- G. an understanding of the basic concepts of officer safety; and
- H. an understanding of current patterns related to deaths and assaults on peace officers.

II. REQUIRED TOPICS

The following topics shall be covered:

- A. General considerations for searching a building for suspects to include:
 - 1. Perimeter control
 - 2. Determining point(s) of entry

3. Owner contact
 4. Communication (e.g. announcement to potential suspects, contact with other units)
 5. Use of lighting
 6. Use of canine/special unit
 7. Use of cover officer
 8. Thorough and systematic search procedures
- B. General considerations for searching an open area for suspects to include:
1. Perimeter control
 2. Selecting a starting point
 3. Initiating owner contact, if applicable
 4. Communication (e.g. announcement to potential suspects, contact with other units)
 5. Use of lighting
 6. Use of canines/special units
 7. Use of cover officers
 8. Thorough and systematic search procedures
- C. General factors affecting an officer's response to a crime-in-progress call to include:
1. Observed v. dispatched
 2. Methods of response
 3. Approach
 4. Route selection
 5. Distance from the call/time lag

6. Nature of the crime
 7. Geographic considerations
 8. Impact of agency policy
- D. Factors affecting an officer's response to specific types of crime-in-progress calls to include:
1. Prowler calls
 2. Burglary calls
 3. Robbery calls
 4. Shots-fired calls
- E. Considerations for tactically responding to specific high-risk situations to include:
1. Barricaded suspects
 2. Hostage situations
 3. Sniper assaults
 4. Firebomb assaults
 5. Contacts with persons under the influence of alcohol/drugs
- F. Capabilities, limitations and proper use of body armor against firearms, knives and other penetrating weapons
- G. Roles and responsibilities of the contact officer and the cover officer to include:
1. Designating the contact officer and the cover officers
 2. Maintaining communication
 3. Assuming and maintaining proper position
 4. Appropriately delegating responsibilities
 5. Maintaining awareness of surroundings

H. Basic aspects of officer safety to include:

1. Current patterns related to deaths and assaults on peace officers
2. The concept of "will to survive"
3. Officer actions after receiving a nonfatal wound
4. Officer actions in officer-taken-hostage incidents
5. Officer actions in officer-ambush incidents when officer is on foot
6. Officer actions in officer-ambush incidents when officer is in a patrol car

III. REQUIRED TESTS

The following tests shall be administered:

A. A scenario test that requires the student to demonstrate the skills necessary to effectively respond and investigate a simulated prowler incident as the assigned contact officer to include:

1. Making a quiet and tactically sound approach with the patrol car
2. Making a silent, undetected approach on foot
3. Effectively using cover and concealment during the approach on foot and communicating with the cover officer
4. Searching for, locating, and detaining the suspect(s)
5. Conducting a lawful search for weapons
6. Interviewing the suspect(s) to establish sufficient probable cause for an arrest
7. Using proper arrest techniques without endangering self or cover officer

B. A scenario test that requires the student to demonstrate the skills necessary to effectively respond and investigate a simulated burglary-in-progress incident involving suspect(s) concealed in a building to include:

1. Coordinating with other responding units

2. Making a quiet and tactically sound approach with the patrol car
 3. Making a silent and undetected approach on foot
 4. Effectively using cover and concealment during the foot approach and exterior area search
 5. Searching the exterior of the building and locating the point of entry
 6. Requesting resources
 7. Notifying assisting units/dispatch of current status and developments
 8. Securing the perimeter and ordering any possible occupants out of the building
 9. Using cover officer(s) and communicating a plan for the building entry/search
 10. Making a tactically sound building entry
 11. Using a systematic searching method
 12. Using safe tactics during the search
 13. Finding and arresting any suspect(s)
 14. Immediately removing any suspect(s) from the building
 15. Completing the building search after any suspect(s) have been removed
- C. A scenario test that requires the student to demonstrate the skills necessary to effectively respond and investigate a simulated robbery-in-progress incident to include:
1. Coordinating with other responding units
 2. Making a quiet and tactically sound approach with the patrol car
 3. Making a silent and undetected approach on foot
 4. Using and maintaining cover and/or concealment
 5. Notifying assisting units and dispatch of current developments

6. Maintaining cover and/or concealment while surveying the incident
 7. Requesting and deploying additional resources to achieve full perimeter containment
 8. If appropriate, telephoning the location to direct any occupants out
 9. Ordering the exiting occupants to a position of disadvantage and handling them as suspects until identity is determined
 10. Demonstrating safe arrest techniques without endangering self or cover officer
 11. Securing the scene by completing a search of the premises
- D. A scenario test that requires the student to demonstrate the ability to react appropriately to a simulated ambush to include:
1. Using and maintaining cover (attempting to exit the "kill zone" to the extent possible)
 2. Assessing the situation
 3. Locating the suspect(s) and responding with an appropriate level of force
 4. Communicating an action plan for the safe deployment of responding units

IV. REQUIRED LEARNING ACTIVITIES

- A. The student shall participate in a learning activity that reenforces an understanding of law enforcement response to a variety of high-risk situations including:
1. Person with a gun
 2. Shots-fired call
 3. Officer down
 4. Suspicious circumstances/unknown trouble
 5. Firebomb assault

6. Suicidal person

B. The student shall be given a series of drawings, sketches, photographs or other visual depictions of locations where a crime is allegedly in progress. The student will indicate, either verbally or in writing:

1. A suggested approach to the location
2. An effective placement of perimeter units
3. An acceptable scene search pattern

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **16 hours** of instruction on handling crimes-in-progress calls.

VI. ORIGINATION DATE

July 1, 1993

VII. REVISION DATES

December 1, 1994

July 15, 1995

April 1, 1997

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #23
CRIMES IN PROGRESS**

January 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X		X	X
X		X	X	X	X
X		X	X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X		X	X	X	X
X		X	X	X	X
X		X	X	X	X

I. LEARNING NEED

Peace officers must recognize that their first responsibility when responding to a crime in progress is to protect their own safety and that of others without taking unnecessary risks.

LEARNING OBJECTIVES

A. Importance of wearing soft personal body armor while on patrol

B. Officer safety vs. officer survival, including:

1. Current patterns related to deaths and assaults on peace officers
2. The concept of "will to live"
3. Officer actions after receiving a nonfatal wound
4. Officer actions in officer-taken-hostage incidents
5. Officer actions in officer-ambush incidents when on foot
6. Officer actions in officer-ambush incidents when in a patrol car

C. Roles and responsibilities of the primary unit and other supporting units that respond to the scene of a crime in progress, including:

1. Designating the contact officer and cover officers
2. Maintaining communication
3. Assuming and maintaining proper position

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X	X	X	X
X		X	X	X	X
X		X	X	X	X
X		X	X	X	X
X		X	X	X	X
X		X	X	X	X
X		X	X	X	X
X		X	X	X	X
X		X	X	X	X
X			X	X	X
X			X	X	X
X				X	X
X				X	X
X				X	X
X				X	X

4. Appropriately delegating responsibilities
5. Maintaining awareness of surroundings

II. LEARNING NEED

To respond effectively and safely to a crime in progress, patrol officers need to understand and utilize appropriate strategies and tactics, and must be able to execute them working as a coordinated team.

LEARNING OBJECTIVES

A. Elements of a tactical approach to a crime scene involving a crime in progress, including:

1. Selection of a response route
2. Distance from the call/time lag
3. Nature of the crime
4. Geographic considerations
5. Use and nonuse of warning lights and siren
6. Approaching the immediate area
7. Upon arrival
8. Impact of agency policy

B. Primary purposes for establishing crime scene perimeters

C. Responsibilities of officers who are assigned to maintaining the integrity of a crime scene perimeter

D. Appropriate actions when conducting a search for suspects, including:

1. Preparing to enter the area to be searched
2. Initiating owner contact, if applicable
3. Communication (e.g., announcement to potential suspects, contact with other units)
4. Use of lighting
5. Use of canines/special units
6. Use of cover officers

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	X
X				X	X
X				X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X

7. Making a tactical entry
8. Conducting a systematic search
9. Confronting a suspect during the search

III. LEARNING NEED

The unique nature and risks associated with some types of crimes in progress require officers to plan and execute specific approach, arrival, and search tactics. Officer planning and patience are critical to achieving safe and successful outcomes in these incidents.

LEARNING OBJECTIVES

A. Appropriate officer actions for the safe and tactical response to and investigation of crimes in progress calls involving:

1. Shots fired/calls involving unknown circumstances
2. Prowlers
3. Burglaries
4. Robberies

IV. LEARNING NEED

To ensure the highest chance of survival and the safest possible outcome for all involved individuals, officers must recognize the particular dangers associated with various high-risk situations and understand and employ appropriate tactics for dealing with each.

LEARNING OBJECTIVES

A. Appropriate officer actions for the safe and tactical response to high-risk situations involving:

1. Barricaded suspects/hostages
2. Violent suspects
3. Emotionally disturbed/suicidal suspects
4. Officer ambush/sniper attack
5. Officer-down calls

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	X
X				X	X
X				X	X
X				X	X
X		X	X	X	
X		X	X	X	
X		X	X	X	

C. A scenario test that requires the student to demonstrate the skills necessary to effectively respond and investigate a simulated robbery-in-progress incident to include:

1. Coordinating with other responding units
2. Making a quiet and tactically sound approach with the patrol car
3. Making a silent and undetected approach on foot
4. Using and maintaining cover and/or concealment
5. Notifying assisting units and dispatch of current developments
6. Maintaining cover and/or concealment while surveying the incident
7. Requesting and deploying additional resources to achieve full perimeter containment
8. If appropriate, telephoning the location to direct any occupants out
9. Ordering the exiting occupants to a position of disadvantage and handling them as suspects until identity is determined
10. Demonstrating safe arrest techniques without endangering self or cover officer
11. Securing the scene by completing a search of the premises

D. A scenario test that requires the student to demonstrate the ability to react appropriately to a simulated ambush to include:

1. Using and maintaining cover (attempting to exit the "kill zone" to the extent possible)
2. Assessing the situation
3. Locating the suspect(s) and responding with an appropriate level of force
4. Communicating an action plan for the safe deployment of responding units

VI. REQUIRED INSTRUCTIONAL ACTIVITIES

A. The student shall participate in an instructional activity that reinforces an understanding of law enforcement response to a variety of high-risk situations, including:

1. Person with a gun
2. Shots-fired call

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X	X	X	
X		X	X	X	
X		X	X	X	
X		X	X	X	
X			X	X	
X			X	X	
X			X	X	
16		4	6	16	16

3. Officer down
4. Suspicious circumstances/unknown trouble
5. Firebomb assault
6. Suicidal person

B. The student shall be given a series of drawings, sketches, photographs or other visual depictions of loctions where a crime is allegedly in progress. The student will indicate, either verbally or in writing:

1. A suggested approach to the location
2. An effective placement of perimeter units
3. An acceptable scene search pattern

VII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on crimes in progress.

VIII. ORIGINATION DATE

January 1, 2001

IX. REVISION DATE

None

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-1

BASIC TRAINING

Purpose

1-1. Basic Training Specifications: This Commission procedure implements that portion of the Minimum Standards for Training established in section 1005(a) and that portion of the Reserve Officer Minimum Standards established in section 1007(b) of the Regulations which relate to Basic Training. Basic Training includes the Regular Basic Course, Specialized Investigators' Basic Course, Public Safety Dispatchers' Basic Course, Investigation and Trial Preparation 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, 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 section 1-3(a). Testing and training requirements vary by delivery format and are described in section 1-3(bd), *standard format*; section 1-3(e), *modular format*; section 1-3(df), *transition program-pilot format*; and section 1-3(eg), *reserve 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~~ learning needs, ~~topics~~ learning objectives, and hourly requirements. Training specifications for a domain also may include ~~learning~~ instructional activities and testing requirements.
- (2) **Instructional Goal.** ~~A general statement of the results that instruction is supposed to produce.~~ Learning Need. ~~A general statement justifying the training for a specific learning domain.~~
- (3) **Topic Learning Objective.** A word or phrase that succinctly describes subject matter associated with an ~~instructional goal~~ learning need.
- (4) **Learning Instructional Activity.** An activity designed to achieve or facilitate one or more ~~instructional goals~~ learning needs. Students participating in an ~~learning instructional~~ activity may be coached and/or provided feedback, but unlike tests, ~~learning instructional~~ 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~~ Training and Testing Specifications for Peace Officer Basic Courses specified for the Regular Basic Course (RBC) 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 *modular format*, the *transition program-pilot format*, and the *reserve 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(bd). Except as provided for in section 1-3(b)(9), the course shall be delivered by a single academy.
- (B) **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~~ each of the certified courses shall be delivered by a single academy presenter.
- (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(df).
- (D) **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(eg).
- (7) **Test.** An evaluation of the extent to which students have achieved satisfied one or more ~~instructional goals~~ learning objectives. Tests are graded on a pass/fail basis. Depending on the delivery format, five types of tests 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~~ learning objectives in a single learning domain.
- (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 and decision making skills required to achieve satisfy one or more instructional goals learning objectives.

- (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 learning objectives. 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-Use and Security Agreement.** An agreement between a Regular Basic Course training presenter and POST that identifies the terms and conditions under which a presenter may acquire and use specific POST-constructed knowledge, and comprehensive, scenario and exercise tests. Failure to accept or abide by the terms and conditions of such agreement is grounds for decertification in accordance with POST Regulation 1057.
- (9b) **Single Academy Presenter.** The Regular Basic Course Each course presentation shall be completed under the sponsorship of one academy presenter unless POST has approved a contractual agreement dividing responsibility for delivering the Regular Basic Course training between an academy and other multiple training presenters. All courses in the modular format represents a separate course presentation. All modular format courses do not have to be taken through the same presenter.
- (10c) **Academy Training Presenter Requirements.** POST has established minimum, statewide training standards for the Regular Basic Course and its various delivery formats. 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.
- (b1) **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 Learning Objectives.** Academies shall provide instruction on all topics learning objectives specified for the Regular Basic Course (RBC) in Training Specifications for the Regular Basic Course-Training and Testing Specifications for Peace Officer Basic Courses.
- (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-Training and Testing Specifications for Peace Officer Basic Courses. The total minimum hourly requirement for the Regular Basic Course is 664 hours.
- (3) **Testing Requirements.** The tests listed below are graded on a pass/fail basis. Students who fail a 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 an alternate form of the same test. If the student fails the second test, the student fails the course.

A. POST-Constructed Knowledge Tests. As specified in *Training Specifications for the Regular Basic Course-Training and Testing Specifications for Peace Officer Basic Courses*, 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)B. Scenario Tests. As specified in *Training Specifications for the Regular Basic Course-Training and Testing Specifications for Peace Officer Basic Courses*, 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)C. Exercise Tests. As specified in *Training Specifications for the Regular Basic Course-Training and Testing Specifications for Peace Officer Basic Courses*, 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.~~

(64) Learning Instructional Activities. As specified in *Training Specifications for the Regular Basic Course-Training and Testing Specifications for Peace Officer Basic Courses*, learning instructional activities are required in some, but not all, learning domains. Where an learning instructional activity is required, each student must participate in that activity. A student who does not participate in an learning instructional activity when given the opportunity, fails the course unless the academy determines that there were extenuating circumstances. Students who do not participate in an learning instructional 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 an learning instructional activity after being given a second opportunity, the student fails the course.

- (75) **Physical Conditioning Program.** Students must complete the POST physical conditioning program as described in the *Basic Academy Physical Conditioning Manual - 1996*.
- (86) **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.

(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)(~~DB~~)] 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 Learning Objectives.** Presenters shall ~~deliver~~ provide instruction on all PC 832 and Level III ~~topics learning objectives~~ specified in *Training Specifications for the Regular Basic Course - Modular Format Training and Testing Specifications for Peace Officer Basic Courses* 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 Training and Testing Specifications for Peace Officer Basic Courses*. The total minimum hourly requirement for the two-part Level III Module is 162 hours; 64 hours for PC 832 and 98 hours for the Level III Course.
 - (C) **Testing Requirements.** The tests listed below are graded on a pass/fail basis. Students who fail a 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 fails the Level III Module.
 - 1. **POST-Constructed Tests.** Students who complete the Level III Module 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)~~ 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(b)~~ A POST-Constructed Comprehensive Test [as defined in section 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 learning objectives 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)2.~~ **Exercise Tests.** As specified in *Training Specifications for the Regular Basic Course - Modular Format Training and Testing Specifications for Peace Officer Basic Courses*, 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)1.~~ **Learning Instructional Activities.** As specified in *Training Specifications for the Regular Basic Course - Modular Format Training and Testing Specifications for Peace Officer Basic Courses*, learning instructional activities are required in some, but not all, PC 832 and Level III learning domains. Where an learning instructional activity is required, each student must participate in

that activity. A student who does not participate in an learning instructional 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 an learning instructional 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 an learning instructional 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 Learning Objectives.** Presenters shall ~~deliver~~ provide instruction on all topics learning objectives specified for the Level II Module in *Training Specifications for the Regular Basic Course - Modular Format Training and Testing Specifications for Peace Officer Basic Courses* 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 Training and Testing Specifications for Peace Officer Basic Courses*. The total minimum hourly requirement for the Level II Module is 224 hours.

(D) **Testing Requirements.** The tests listed below are graded on a pass/fail basis. Students who fail a 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 fails the Level II Module.

1. **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 learning objectives specified in learning domains 6, 7, 8 and 39. The second POST-constructed comprehensive test may assess knowledge of any of the topics learning objectives specified in learning domains 15, 16, 17 and 20. The third POST-constructed comprehensive test may assess knowledge of any of

the topics learning objectives 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)2. **Exercise Tests.** As specified in *Training Specifications for the Regular Basic Course - Modular Format Training and Testing Specifications for Peace Officer Basic Courses*, 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.~~

(FE) **Learning Instructional Activities.** As specified in *Training Specifications for the Regular Basic Course - Modular Format Training and Testing Specifications for Peace Officer Basic Courses*, learning instructional activities are required in some, but not all, Level II learning domains. Where an learning instructional activity is required, each student must participate in that activity. A student who does not participate in an learning instructional 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 an learning instructional 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 an learning instructional 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) and 1-3(e)(2) must pass a POST-constructed comprehensive test [as defined in Section 1-3(a)(7)(B)] before advancing to the Level I mModule. The POST-constructed comprehensive test may assess knowledge of any of the topics learning objectives 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 mModule, or may accept the results achieved by the applicant during a previous test 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 mModule 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 meeting the prerequisites defined in [see subsection D-1-3(e)(23)(B)].
- (B) **Topics Learning Objectives.** Presenters shall deliver provide instruction on all topics learning objectives specified for the Level I Module in *Training Specifications for the Regular Basic Course - Modular Format* Training and Testing Specifications for Peace Officer Basic Courses for the Level I Module.

- (C) **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 Training and Testing Specifications for Peace Officer Basic Courses. The total minimum hourly requirement for the Level I Module is 344 hours.
- (D) **Testing Requirements.** The tests listed below are graded on a pass/fail basis. Students who fail a 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 fails the Level I Module.
1. **POST-Constructed Knowledge Tests.** As specified in Training Specifications for the Regular Basic Course - Modular Format Training and Testing Specifications for Peace Officer Basic Courses, 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.~~
- ~~(E)~~2. **Scenario Tests.** As specified in Training Specifications for the Regular Basic Course - Modular Format Training and Testing Specifications for Peace Officer Basic Courses, 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.~~
- ~~(F)~~3. **Exercise Tests.** As specified in Training Specifications for the Regular Basic Course - Modular Format Training and Testing Specifications for Peace Officer Basic Courses, 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.

- (GE) **Learning Instructional Activities.** As specified in *Training Specifications for the Regular Basic Course - Modular Format Training and Testing Specifications for Peace Officer Basic Courses*, learning instructional activities are required in some, but not all, Level I learning domains. Where an learning instructional activity is required, each student must participate in that activity. A student who does not participate in an learning instructional 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 an learning instructional 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 an learning instructional activity after being given a second opportunity, the student fails the Level I Module.
- (HF) **Physical Conditioning Program.** Students must complete the POST physical conditioning program as described in the *Basic Academy Physical Conditioning Manual - 1996*.
- (IG) **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)(86).

(df) **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 section 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 Learning Objectives.** Instruction shall be ~~delivered~~ provided on all topics learning objectives specified in *Training Specifications for the Regular Basic Course Training and Testing Specifications for Peace Officer Basic Courses* as described below:
 - (A) **Part 1.** Instruction on topics learning objectives specified for the Regular Basic Course (RBC) 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 learning objectives specified for the Regular Basic Course (RBC) 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 Training and Testing Specifications for Peace Officer Basic Courses*. 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 Testing Requirements.** The tests listed below are graded on a pass/fail basis. Students who fail a 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 in part 1 of the instructional sequence, the student cannot advance to part 2 of the instructional sequence. If the student fails the second test in part 2 of instructional sequence, the student fails the course.

(A) **Knowledge Tests Administered During Part 1 of the Instructional Sequence.** As specified in *Training Specifications for the Regular Basic Course Training and Testing Specifications for Peace Officer Basic Courses*, 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(e)(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 learning objectives 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 Training and Testing Specifications for Peace Officer Basic Courses*, 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(df)(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 Training and Testing Specifications for Peace Officer Basic Courses*, 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 Instructional Activities in Part 1 of the Instructional Sequence.** As specified in *Training Specifications for the Regular Basic Course Training and Testing Specifications for Peace Officer Basic Courses*, learning instructional activities are required in some, but not all, learning domains. Where an learning instructional 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 an learning instructional 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 an learning instructional activity after being given a second opportunity, the student cannot advance to part 2 of the instructional sequence.
- (6) **Learning Instructional Activities in Part 2 of the Instructional Sequence.** Where an learning instructional 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 an learning instructional 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 an learning instructional 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 an learning instructional 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)(86).
- (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.

(cg) **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)(D)] 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) **Module D 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. **Test.** An evaluation of the extent to which students have achieved one or more instructional goals. Tests are graded on a pass/fail basis. There are four types of tests that are used in Module D:
 - (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 measure acquisition of complex psychomotor and decision making skills required to achieve one more instructional goals.
- (c) Physical Abilities Test. A POST-developed test of physical abilities described in the *Basic Academy Physical Conditioning Manual - 1996*.
- (d) Exercise Test. Any test other than a POST-constructed knowledge test, scenario test, or physical abilities test that measures the acquisition of knowledge and/or skills required to achieve one 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 academy.

6. Test-Use and Security Agreement. An agreement between a Regular Basic Course presenter and POST that identifies the terms and conditions under which a presenter may acquire and use specific POST-constructed knowledge, scenario and exercise tests. Failure to accept or abide by the terms and conditions of such agreement is grounds for decertification in accordance with POST Regulation 1057.

- (B) **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.
- (BC) **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.
- (ED) **Topics.** Academies shall deliver instruction on all topics specified in *Training Specifications for the Reserve Training Module "D"*.
- (DE) **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.

- (EF) **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.
- (FG) **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.
- (GH) **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.
- (HI) **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.
- (IJ) **Physical Conditioning Program.** Students must complete the POST physical conditioning program as described in the *Basic Academy Physical Conditioning Manual - 1996*.

- (JK) **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(bd)(86).

D-1-4 continued

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 and Testing Specifications for Peace Officer Basic Courses* and *Training Specifications for the Specialized Investigators' 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. Training specifications for each learning domain include instructional goals or learning needs, topics or learning objectives, and hourly requirements. Training specifications for a domain also may include learning or instructional activities and testing requirements.
- (2) **Instructional Goal.** A general statement of the results that instruction is supposed to produce.
- (3) **Learning Need.** A general statement justifying the training for a specific learning domain.
- (34) **Topic or Learning Objective.** A word or phrase that succinctly describes subject matter associated with an instructional goal or learning need.
- (45) **Test.** An evaluation of the extent to which students have achieved one or more instructional goals or learning objectives. 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 learning objectives in a single learning domain.
 - (B) **Scenario Test.** A job-simulation test that measures acquisition of complex psychomotor and decision making skills required to achieve one or more instructional goals learning objectives.
 - (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 or learning objectives. There are two kinds of exercise tests: (1) a POST-developed report writing test which is administered and scored under POST's supervision, and (2) All other exercise tests are administered and scored by the training presenters.
- (56) **Learning or Instructional Activity.** An activity designed to achieve or facilitate one or more instructional goals or learning objectives. Students participating in a learning or instructional activity may be coached and/or provided feedback, but unlike tests, learning or instructional activities are not graded on a pass-fail basis.

- (67) **Test-Item Security Agreement.** An agreement between a training presenter and POST that identifies the terms and conditions under which the training presenter may acquire and use specific POST-constructed knowledge, scenario and exercise tests. Failure to accept or abide by the terms and conditions of such agreement is grounds for decertification in accordance with POST Regulation 1057.

(b) **Testing and Training Requirements**

- (1) **Topics.** Training presenters shall provide instruction on all topics and learning objectives as specified in Training and Testing Specifications for Peace Officer Basic Courses and Training Specifications for the Specialized Investigators' Basic Course.
- (2) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each learning domain is specified in the Training and Testing Specifications for Peace Officer Basic Courses and Training Specifications for the Specialized Investigators' Basic Course. The total minimum hourly requirement for the Specialized Investigators' Basic Course is 587 hours.
- (3) **Testing Requirements.** The tests listed below are graded on a pass/fail basis. Students who fail a 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 an alternate form of the same test. If the student fails the second test, the student fails the course.

(3)A. **POST-Constructed Knowledge Tests.** As specified in Training and Testing Specifications for Peace Officer Basic Courses and Training Specifications for the Specialized Investigators' 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 training 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 fails the course.

(3)B. **Scenario Tests.** As specified in Training and Testing Specifications for Peace Officer Basic Courses and Training Specifications for the Specialized Investigators' 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 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 course.

(3)C. **Exercise Tests.** As specified in Training and Testing Specifications for Peace Officer Basic Courses and Training Specifications for the Specialized Investigators' 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 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 course.~~

- (34) **Learning or Instructional Activities.** As specified in Training and Testing Specifications for Peace Officer Basic Courses and Training Specifications for the Specialized Investigators' Basic Course, learning or instructional activities are required in some, but not all, learning domains. Where a learning or instructional activity is required, each student must participate in that activity. A student who does not participate in a learning or instructional 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 or instructional 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 or instructional activity after being given a second opportunity, the student fails the course.
- (75) **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.
- (6) **Single Presenter.** The Specialized Investigators' Basic Course shall be completed under the sponsorship of one presenter unless POST has approved a contractual agreement dividing responsibility for the delivering the training between multiple presenters.

Subparagraph 1-1 adopted and incorporated by reference into Commission Regulation 1005 effective September 26, 1990, amended January 14, 1994, August 7, 1996, and September 25, 1998 and _____*.

Subparagraph 1-3 adopted and incorporated by reference into Commission Regulation 1005 on April 15, 1982, and amended on January 24, 1985, September 26, 1990, January 14, 1994, July 16, 1994, December 16, 1994, August 16, 1995, August 7, 1996, November 27, 1996, February 22, 1997, August 17, 1997, and December 4, 1997, and _____*.

Subparagraph 1-5 adopted and incorporated by reference into Commission Regulation 1005 on October 20, 1983, and amended on September 26, 1990, October 27, 1991, January 14, 1994, and May 7, 1995, and _____*.

Commission on Peace Officer Standards and Training

POST ADMINISTRATIVE MANUAL

1005. Minimum Standards for Training

All text continued

PAM section D-1-1 adopted effective September 26, 1990 and amended January 14, 1994, and August 7, 1996, and * _____ is herein incorporated by reference.

PAM section D-1-3 adopted effective April 15, 1982, and amended January 24, 1985, September 26, 1990, January 14, 1994, July 16, 1994, December 16, 1994, August 16, 1995, August 7, 1996, November 27, 1996, February 22, 1997, August 17, 1997, and December 4, 1997, and * _____ is herein incorporated by reference.

PAM section D-1-5 adopted effective October 20, 1983, and amended September 26, 1990, October 27, 1991, January 14, 1994 and May 7, 1995, and * _____ is herein incorporated by reference.

~~The document, *Training Specifications For the Regular Basic Course - July 1993* adopted effective January 14, 1994 and amended July 16, 1994, December 16, 1994, and August 12, 1995 is herein incorporated by reference. This document was republished in 1995 as *Training Specifications For The Regular Basic Course* adopted effective August 16, 1995, and amended effective August 23, 1995, August 24, 1995, September 20, 1995, November 10, 1995, February 17, 1996, March 29, 1996, May 17, 1996, December 13, 1996, February 12, 1997, March 15, 1997, May 16, 1997, July 5, 1997, January 14, 1998, April 11, 1998, and October 27, 1998 is herein incorporated by reference.~~

The document, *Training and Testing Specifications for Peace Officer Basic Courses*, adopted effective * _____ is herein incorporated by reference.

The document, *Training Specifications for the Specialized Investigators' Basic Course - 1995* adopted effective May 7, 1995, and amended * _____ and * _____ is herein incorporated by reference.

Commission on Peace Officer Standards and Training

POST ADMINISTRATIVE MANUAL

1007. Reserve Officer Minimum Standards and Waiver of Training Requirements for Modules B and/or C.

All text continued

PAM Section D-1-1. adopted effective July 1, 1999 and amended _____ * _____ is herein incorporated by reference.

PAM Section D-1-3. adopted effective July 1, 1999 and amended _____ * _____ is herein incorporated by reference.

PAM Section D-1-5. adopted effective July 1, 1999 and amended _____ * _____ is herein incorporated by reference.

~~The document, *Training Specifications for the Regular Basic Course - Modular Format* adopted effective July 1, 1999 is herein incorporated by reference.~~

The document, *Training and Testing Specifications for Peace Officer Basic Courses*, adopted effective _____ * _____ is herein incorporated by reference.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report and Presentation on Basic Course Workbook Project		Meeting Date July 20, 2000
Bureau Basic Training Bureau	Reviewed By <i>Bud Lewallen</i> Bud Lewallen	Researched By Mickey Bennett
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 6/26/00	Date of Report June 27, 2000
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 checked="" type="checkbox"/> No

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

ISSUE

This is the final report and presentation on the Student Workbook Instruction System development.

BACKGROUND

In June 1993, a Management Fellow began research into the use of student workbooks in the Regular Basic Course. The results of that research were included in a report, *Basic Course Student Workbook Project*. The report was presented at the January, 1994 Commission meeting.

At the July 1994 meeting, the Commission approved a Request for Proposal (RFP) be prepared to obtain cost estimates for developing workbooks for six learning domains.

At the November 1994 meeting, the Commission approved a contract with International Computers and Telecommunications (ICT) to develop the six pilot workbooks.

At the July 1996 meeting, the Commission received a report on the pilot workbook project and authorized converting the instructional materials from the Regular Basic Course to the Student Workbook Instruction System.

At the November 1996 meeting, the Commission was presented with a *Report and Recommendations to Expand the Student Workbook Pilot Project*. The report included:

"The pilot workbooks have exceeded initial expectations despite the development delays. Because of the obvious utility of the workbooks, staff and training presenters are enthusiastic about the potential of the system to meet emerging training demands. Many of the advantages to the student workbooks are consistent with the directions emerging from the strategic planning process. Student workbooks and accompanying instructor guides will:

- Provide the student and instructor with professionally designed curriculum and lesson plans that standardize the delivery of instruction

- Discourage instructor lectures and as an alternative provide student learning activities based on adult learning strategies
- Be a cost-effective method of supporting basic training and provide an opportunity to market POST training nationwide
- Provide a new method to deliver basic training in the field training program
- Aid the development of tests which is a critical step in moving from standards based upon training requirements to standards based upon competency
- Upgrade other existing basic training programs”

The Commission upon receipt of the report authorized a RFP to convert all of the Regular Basic Course instructional materials to the Student Workbook Instructional System.

At the January 1997 meeting, the Commission authorized a contract with JWK International Corporation to develop the Student Workbook Instructional System. The contract was to convert the remaining 35 learning domains within a three-year period. At the same meeting, the Commission also authorized a contract with the Office of State Publishing (OSP) for printing, packaging and distribution of basic training instructor materials to academies. The instructor package provides instructors with all the materials needed to teach the course including 30 minute training videos.

At the March, 1999 meeting, the Commission expanded the role of the Office of State Publishing to include: 1) video duplication, printing, packaging, and distributing basic training instructor materials to law enforcement academies, 2) developing a pilot program to deliver selected student workbooks and instructor materials to academies and law enforcement agencies using CD-ROM technology and the Internet, and 3) developing a Digital Archive System to store and track instructional curriculum.

At the July 1999 meeting, the Commission approved the expansion of the Basic Course Student Workbook Instructional System to include four additional student workbooks for the Specialized Investigator's Basic Course (SIBC). The proposed workbooks to be developed for specialized training materials are: LD 60 - Vehicle Operations and Surveillance, LD 61 - Administrative Procedures, Affidavits, Court Orders, and Warrants, LD 62 - Case Management and Sources of Information, and LD 63 - Computer Crime/Seizure.

Under the stewardship of Associate Government Program Analyst Shirley Paulson and Senior Consultant Jody Buna, the three year contract with JWK International was brought to a successful conclusion. The contract was completed within budget. All 82 documents (41 Student Workbooks and 41 corresponding Instructor Guides) have been delivered to POST.

ANALYSIS

The success of the workbooks is directly related to the intense and dedicated work from hundreds of academy subject matter experts, the JWK consultants, and POST staff. The combined efforts created a new instructional system and the workbooks marked the beginning of a new era. The workbooks are specifically designed for today's students and focus on their learning needs. In the past, the POST Unit Guides frequently only documented the changes which the field had already implemented in their Basic Course presentations. Now the Student Workbook Instructional System drives all the changes to curriculum, instructional techniques, and testing. The workbooks are the central focus of the Basic Course.

The workbooks have incorporated today's instructional methodology, including Adult Learning Concepts. Adult learning principles are embedded in the eight key elements which include: chapter learning need; chapter objectives; chapter content; examples and non-examples; synopsis; learning activities; self assessment exercise; and glossary.

The Basic Course Student Workbook Instructional System has received overwhelming support from the Basic Course Consortium, instructors and students. The support has been generated because:

- For the first time, students have training documents for every portion of the Regular Basic Course
- A statewide, standardized training presentation system has been created
- Workbooks support instructor's lecture, discussions and learning activities
- Workbooks reduce lecture time and increase opportunity for learning activities
- Each workbook is available at the low cost of \$3.80
- The workbooks are shipped within 5 days of an order
- All students have easy and equal access to study materials
- Remediation training is now easier
- All POSTRAC test questions are aligned to the workbooks and defensible
- Academy Directors report that test scores have improved
- Ensures that legislative mandated training is presented
- There is now an instructor support system, including videos
- Workbooks are being sold to out-of-state trainers and recouping some development costs

The success of the program is demonstrated by the increase in sales to our clients since OSP began publishing the workbooks. Since the workbooks are voluntary support documents to the Regular Basic Course and not required, the increase of sales is reflective of the value provided to the academy students. OSP has sold workbooks for two fiscal years. The total number sold is:

- 1998/1999 - 92,161 workbooks
- 1999/2000 - over 250,000 workbooks

POST has also received numerous student workbook inquiries from other state POST organizations. Most recently POST was visited by Wyoming Peace Officer Standards and Training. POST has also received inquiries from Canada and Great Britain.

This report is provided for the Commission's information and comment.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report on Cost-Benefit Analysis of the Command College		Meeting Date August 23, 2000
Bureau Center for Leadership Development	Reviewed By Ken Whitman	Researched By Staff
Executive Director Approval 	Date of Approval 8-21-00	Date of Report August 8, 2000
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:

The Commission directed staff to study the cost-benefits of the Law Enforcement Command College and to provide a report at the August 2000 meeting.

BACKGROUND:

At the January 2000 meeting, Commissioner Hunt requested that staff study the cost-benefits of the Command College. The review focused on the Command College, but also included the Robert Presley Institute of Criminal Investigation (ICI), the Master Instructor Development Program (MIDP), and the Sherman Block Supervisory Leadership Institute (SBSLI). The report was presented to the Long Range Planning Committee at its April 7, 2000, meeting and to the Commission at its April 27, 2000 and July 20, 2000 meetings.

The staff report provided instructional and presentation costs for each of the programs for the period from FY 1994/95 through FY 1998/99, excluding the cost of reimbursement. The analysis included total program costs, including per student and per student-hour costs, and a description of graduates of each program. A contract with the San Diego Regional Training Center (SDRTC) provides administrative support for several of executive training programs. The Command College is one of the programs that is administered through the contract.

ANALYSIS:

After discussion at the July 20, 2000 meeting, staff was directed to gather additional information on Command College costs. Attachment A contains a description of the budget categories for the Command College program for Fiscal Years 1994 through 2000. Attachment A-1 provides a summary of the expenditures for the Command College program for fiscal years 1994 through 2000.

The Command College is generally perceived as a high profile, executive training program. However, the guidelines, policies and requirements concerning costs and reimbursement for all mandated and in-service, technical training apply equally to the Command College. Reimbursement for travel and per diem is fixed for all training courses, including the Command College, and is paid without regard for the rank or assignment of a student. Each year, as a new contract with the SDRTC is proposed, the Commission has the opportunity to review expenditures for the Command College. Historically, accommodations, resources, and expenditures for the Command College program are consistent with those that available for other training programs.

RECOMMENDATION:

This report is for information and discussion.

ATTACHMENT A

LAW ENFORCEMENT COMMAND COLLEGE BUDGET CATEGORIES

During each fiscal year the delivery of the Command College program is supported by a contract with the San Diego Regional Training Center (SDRTC). Command College administration and support is one element of the contract that includes other executive training programs. Budget categories for the Command College are described in the following paragraphs.

CONFERENCE/FACILITIES RENTAL

This category includes the rental of meeting rooms at Quails Inn in San Marcos. The cost is \$250 per day and includes the main meeting room and two smaller breakout rooms. In addition, Quails Inn secures and stores all computer and projection equipment between sessions at no additional cost.

CURRICULUM DEVELOPMENT/REVISIONS

This category includes the costs that are associated with instructional design and revisions to curriculum. Each faculty member is required to regularly review their material in preparation for each new session to make sure it is updated and reflects current events. In addition, lead instructors and POST staff meet regularly to ensure consistency and coordination with the curriculum. Significant costs were generated in this area during the 1995/1997 fiscal years as the Command College program was completely revised and the new format developed.

PROGRAM SUPPORT EXPENSES

This budget category includes all costs that are necessary to deliver the program. The costs include instructor travel and per diem, printing, subscriptions, research books, Internet service, the application and selection process, journal and article review, communications with the student and agencies, POST membership in professional organizations, and the graduation.

INSTRUCTIONAL DELIVERY

This category includes all of the Instructor/Faculty costs to provide instruction and to coordinate and facilitate each class session. These Instructor/Faculty costs are reviewed annually. The daily rates range from \$250 to \$1500 which are comparable with industry-wide standards.

REIMBURSEMENT

The daily reimbursement rate for the Command College is the same as for all other training courses. The current rate, effective July 1, 2000, is \$124 per day which includes \$84 for lodging and \$40 for meals and incidentals. The Quails Inn charges the state rate of \$84 per night for those trainees attending the Command College program.

PER STUDENT COST

POST staff reviewed the costs for two separate Command College classes. One of the classes was presented under the original 320-hour format (Class 21) and the other class was presented under the new 240-hour format (Class 28).

Original Format (FY 93-95)

Class #21	Presentation Costs: \$59,641	Graduates: 27	Student Cost: \$ 2,208
			Hourly Cost: 6

New Format (FY 98-99)

Class #28	Presentation Costs: \$65,786	Graduates: 20	Student Cost: \$ 3,289
			Hourly Cost: 12

LAW ENFORCEMENT COMMAND COLLEGE BUDGET CATEGORIES

Fiscal Year 1994/95

Conference/Facilities Rental	\$ 14,730.24
Curriculum Development/Revisions	\$ 12,371.00
Support Expenses	\$ 76,575.16
Instructional Delivery	\$ 63,376.50
TOTAL EXPENDITURES	\$167,052.90*

Fiscal Year 1995/96

Conference/Facilities Rental	\$ 10,835.65
Curriculum Development/Revisions	\$ 16,171.38
Support Expenses	\$ 80,663.38
Instructional Delivery	\$ 42,157.50
TOTAL EXPENDITURES	\$149,827.91*

Fiscal Year 1996/97

Conference/Facilities Rental	\$ 16,021.26
Curriculum Development/Revisions	\$ 24,210.49
Support Expenses	\$ 63,690.56
Instructional Delivery	\$ 61,347.74
TOTAL EXPENDITURES	\$165,270.05*

Fiscal Year 1997/98

Conference/Facilities Rental	\$ 16,582.23
Curriculum Development/Revisions	\$ 10,204.19
Support Expenses	\$ 34,376.57
Instructional Delivery	\$ 73,657.10
TOTAL EXPENDITURES	\$134,820.09*

Fiscal Year 1998/99

Conference/Facilities Rental	\$ 16,497.93
Curriculum Development/Revisions	\$ 9,333.75
Support Expenses	\$ 38,782.90
Instructional Delivery	\$ 62,594.25
TOTAL EXPENDITURES	\$127,208.83*

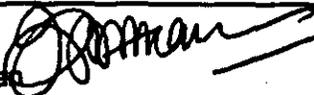
LAW ENFORCEMENT COMMAND COLLEGE BUDGET CATEGORIES

Fiscal Year 1999/2000

Conference/Facilities Rental	\$ 16,329.05
Curriculum Development/Revisions	\$ 9,707.50
Support Expenses	\$ 33,650.49
Instructional Delivery	\$ 53,432.50
Course Manager (New Category)	\$ 9,831.25
TOTAL EXPENDITURES	\$122,950.79*

*** Includes Indirect Contract Administration Cost of 10%**

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Report on Cost-Benefit Analysis of the Command College		July 20, 2000
Bureau	Reviewed By	Researched By
Center for Leadership Development	Ken Whitman 	Staff
Executive Director Approval	Date of Approval	Date of Report
	6/26/00	May 19, 2000
Purpose:		Financial Impact: <input type="checkbox"/> Yes (See Analysis for Detail)
<input type="checkbox"/> Decision Requested	<input checked="" type="checkbox"/> Information Only	<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 Commission directed staff to study the cost-benefits of the Law Enforcement Command College and to provide a report at the July 2000 meeting.

BACKGROUND:

At the January 2000 meeting, Commissioner Hunt requested a study of the cost-benefits of the Command College. The review focused on the Command College, but also included the Robert Presley Institute of Criminal Investigation (ICI), the Master Instructor Development Program (MIDP), and the Sherman Block Supervisory Leadership Institute (SBSLI). The study was completed and a report was presented to the Long Range Planning Committee at its April 7, 2000 meeting.

The staff report provided instructional and presentation costs for each of the programs for the period from FY 1994/95 through FY 1998/99, excluding the cost of reimbursement. The analysis included total program costs, including per student and per student-hour costs, and a description of graduates of each program. The consensus of the Committee was to suggest that staff explore less costly training courses as an alternative to the MIDP. After discussion, the Committee received and approved the report.

At the April 27, 2000 meeting there was further discussion on this issue and Commissioner Cobb requested that the report be brought before the full Commission for further discussion at the July 2000 meeting.

ANALYSIS:

The Law Enforcement Command College is one of four POST-presented programs developed to provide a training continuum that spans all levels of law enforcement personnel. The report to the Long Range Planning Committee provided the review of all four programs. A copy of the report is included as Attachment A.

During the Long Range Planning Committee meeting much of the discussion centered around the MIDP. The committee was also briefed on a planned review of the MIDP. At the April 2000 meeting the Commission approved the amendment of the existing MIDP contract to redirect funds to an intensive evaluation of the program. The comprehensive in-depth evaluation of the program has begun and the review will be focused on: (1) the alignment of process and curriculum with program goals and outcomes, and (2) quality of candidate recruitment, selection, and retention activities. The San Diego Regional Training Center (SDRTC) will also conduct an extensive survey of master instructors that have completed the program. The focus of this part of the evaluation will be assessment of the degree to which master instructors have been and continue to be involved in training activities. SDRTC will also perform a self-assessment of recruitment, selection, and retention activities.

As part of the overall instructor development issue POST, in collaboration with the Santa Rosa Training Center and the Chancellor's Office of Community Colleges, presented Symposium 2000, a conference for public safety instructors on May 8-10, 2000. The Symposium, designed to assist instructors in the development of their teaching skills, was attended by approximately 175 instructors. The workshops at the Symposium also showcased the MII since the majority of the workshop instructors were MIDP graduates. Evaluations repeatedly cited the greatest strength of the program as the "knowledgeable instructors."

A recent article in the California Peace Officers *NETWork* magazine highlighted the MIDP and stated that "agencies have greatly benefitted having POST trained "Master Instructors" among their ranks. A copy of the article is included as Attachment B.

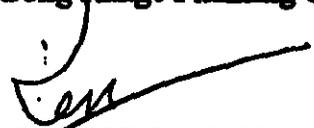
RECOMMENDATION:

The report is provided for information and discussion.

Memorandum

To: Long Range Planning Committee

Date: April 7, 2000


From: KENNETH J. O'BRIEN, Executive Director
Commission on Peace Officer Standards and Training

Subject: REPORT ON COST-BENEFIT ANALYSIS OF THE COMMAND COLLEGE

The Commission directed staff to study the cost-benefits of the Command College. The review was requested by Commissioner Hunt.

The review focused on the Law Enforcement Command College, the Robert Presley Institute of Criminal Investigation (ICI), the Master Instructor Development Program (MIDP), and the Sherman Block Supervisory Leadership Institute (SBSLI). Each of these programs is certified by POST and presented through a series of contracts with training presenters statewide.

The Law Enforcement Command College program is one of four POST-presented programs developed to provide a law enforcement training continuum that spans all levels of law enforcement personnel from the peace officer recruit through the supervisory, management, and executive levels. All four programs are POST-developed and managed by POST staff. The programs are directed at a specific target audience and require intensive resources to support their delivery to the field. As the research was being conducted on the Command College program it afforded staff the opportunity to examine the three other programs to provide a balanced review on costs during the five fiscal years from 1994/95 through 1998/99.

This informational report summarizes the information from the program reviews. Each program is described and cost information is contained in the attachments.

Law Enforcement Command College

Attachment A provides an overview and summary of the costs associated with presenting the Command College during a five-year period from 1994 to 1999. The Command College began in 1982 and has graduated 569 managers and executives to date. The attachment also outlines costs associated with the original presentation format prior to 1997 and with costs associated with the revised presentation format presented after 1997. The average cost for the current program is approximately \$3,030 per manager and the average hourly cost is \$11.

Through the reinforcement and discussion of these and other issues they understand, from a realistic perspective, the direction they must take to become effective leaders and supervisors. The supervisors return to their respective agencies and hopefully utilize the tools from this program to influence changes in the organization and becoming an effective leader and courageous follower. This program has proven very effective since its inception.

Master Instructor Development Program

Attachment C provides an overview and summary of costs associated with presenting the Master Instructor Development Program during a five-year period from 1994 to 1999. The MIDP was established in 1991 and approximately 112 instructors have graduated from 10 classes. The average cost for the current program is approximately \$16,955 per student and the average hourly cost is approximately \$84. This cost is unusually high and is solely the result of the small size of the class that completed the program. The details of this program are included in the attachment. To provide some context for these costs, the 10-year average program costs are significantly lower, approximately \$11,000 per student; \$55 per hour.

Since its inception in 1991, the MIDP has steadily fulfilled its goal of preparing a cadre of highly skilled instructors capable of developing and presenting effective training and providing assistance to regional academies, agencies, other presenters, and instructors. Beyond their training and mentoring contributions to agencies statewide, MIDP graduates also provide POST with assistance as facilitators/mentors at numerous programs of special interest to POST. Master instructors have served as facilitators during the POST Strategic Planning workshop process and routinely facilitate information harvesting at Training Managers Workshops. Master instructors also served as pilot instructors in the Voluntary Basic Course Instructor Certification Program and have assumed a lead role in the "Symposium 2000", a special seminar designed for statewide instructors seeking to enhance their training skills. Master instructors also have assumed a vital role as mentors in the Robert Presley Institute from Criminal Investigation.

Substantial contribution to the training and crime prevention bodies of knowledge have resulted from MIDP graduates' literary and course development efforts. Numerous master instructors have published articles in mainstream professional publications such as *Police Chief*, *FBI Law Enforcement Bulletin*, and *Law Enforcement Trainer*. A number of the "turn-key" training projects developed in the course of the MIDP have evolved to POST-certified courses in direct satisfaction of training needs statewide and at a substantial development savings to POST.

Robert Presley Institute of Criminal Investigation

Attachment D provides an overview and summary of costs for presenting the Robert Presley Institute of Criminal Investigation during a five-year period from 1994 to 1999. The ICI was established in 1989 and has graduated approximately 2100 investigators from the core program. The average cost for presenting the current program is approximately \$2,875 per investigator and the average hourly cost is approximately \$12.

LAW ENFORCEMENT COMMAND COLLEGE

The original Law Enforcement Command College was established in 1982 to provide a strategic management course with a futures perspective to prepare law enforcement leaders of today for the future. The program focuses on leadership principles to influence the future direction of the organization, strategies to identify emerging issues and develop a proactive response to those issues, methods and benefits of sharing information through networking, and attaining the skills and knowledge necessary to anticipate and prepare for the future.

Participants must possess or be eligible for a POST Management Certificate and be currently employed in a management position or higher level in an agency in the POST program. Approximately 4,700 sworn personnel are eligible to participate in the Command College. To date, 569 managers have graduated from 27 classes and 59 are attending the three classes now in session.

Prior to 1997, the Command College was presented in a 320-hour, 10-week workshop format that spanned approximately two years. In 1997 the Commission implemented a new 264-hour, seven session format that is completed in approximately one year. The chart below illustrates the costs associated with delivering Command College during a five-year period from 1994 to 1999.

Law Enforcement Command College			
Fiscal Year	Contractual Costs	Letter of Agreement; Room; Equipment Rental	TOTAL
1994-95	\$ 443,512	\$ 7,610	\$ 451,122
1995-96	\$ 369,870	\$ 11,572	\$ 381,442
1996-97	\$ 320,421	\$ 3,063	\$ 323,484
1997-98	\$ 412,809	\$ 4,074	\$ 416,883
1998-99	\$ 366,994	\$ 12,168	\$ 379,162
TOTAL	\$ 1,913,606	\$ 38,487	

Summary:

Original Format (prior to 1997):

Class #21	Presentation Costs: \$124,349	Graduates: 27	Student Cost: \$4,605
			Hourly Cost: \$ 14

New Format (after 1997):

Class #28	Presentation Costs: \$ 60,615	Graduates: 20	Student Cost: \$3,030
			Hourly Cost: \$ 11

SHERMAN BLOCK SUPERVISORY LEADERSHIP INSTITUTE

The Sherman Block Supervisory Leadership Institute (SBSLI) was established in 1988. The SBSLI was designed to enhance the leadership abilities of first-line peace officer supervisors in California. The eight month program is intense, highly experiential, and designed for highly motivated supervisors. The curriculum is designed to teach the effective integration of management skills with leadership qualities and to enhance attributes such as responsibility, integrity, courage, and supportiveness within the organization.

Participants must be a supervisory peace officer, have completed the POST Supervisory Course or have a POST Supervisory Certificate, and have a least two years of full-time supervisory experience. Approximately 8,540 sworn personnel are eligible to participate in the SBSLI. To date, approximately 2201 supervisors have graduated from 96 classes. Another 192 are currently attending classes or have been assigned to classes scheduled in the future. The SBSLI is presented in a 192-hour, eight workshop format presented over eight months. The chart below illustrates the costs associated with delivering the Sherman Block Supervisory Leadership Institute during a five-year period from 1994 to 1999.

Sherman Block Supervisory Leadership Institute			
Fiscal Year	Contractual Costs	Letter of Agreement; Room; Equipment Rental	TOTAL
1994-95	\$ 250,318	\$ 60,291	\$ 310,609
1995-96	\$ 294,017	\$ 61,751	\$ 355,768
1996-97	\$ 343,318	\$ 64,327	\$ 407,645
1997-98	\$ 411,536	\$ 95,591	\$ 507,127
1998-99	\$ 616,122	\$ 151,464	\$ 767,586
TOTAL	\$ 1,915,311	\$ 433,424	

Summary:

Fiscal Year 1994/95:

SBSLI Graduates: 65 Presentation Costs: \$ 88,520 Student Cost: \$1,361
Hour Cost: \$ 7

Fiscal Year 1998/99:

SBSLI Graduates: 120 Presentation Costs: \$161,752 Student Cost: \$1,347
Hourly Cost: \$ 7

MASTER INSTRUCTOR DEVELOPMENT PROGRAM

The POST Master Instructor Development Program (MIDP) was established in 1991. The MIDP program is designed to prepare a cadre of highly skilled trainers capable of developing and presenting effective training in POST-certified programs. The curriculum focuses on adult learning concepts, instructional design and course development, research methods, emerging instructional technology and coaching and mentoring strategies. Each class includes 18-20 participants and is presented twice annually. Participants are experienced law enforcement instructors that are highly motivated and committed to completing the program to enhance law enforcement training at regional academies, agencies, and other training presenters in California.

The MIDP is presented in a 200-hour, five workshop format over a period of one year. The five workshops range from 24 to 80 hours each. To date approximately 112 personnel have graduated from 10 classes. Another 24 are currently attending the course.

The chart below illustrates the costs associated with delivering the Master Instructor Development program during a five-year period from 1994 to 1999.

Master Instructor Development Course			
Fiscal Year	Contractual Costs	Letter of Agreement; Room; Equipment Rental	TOTAL
1994-95	\$ 51,569	\$ 57,730	\$ 109,299
1995-96	\$ 106,663	\$ 66,141	\$ 172,804
1996-97	\$ 191,342	\$ 63,621	\$ 254,963
1997-98	\$ 181,173	\$ 90,807	\$ 271,980
1998-99	\$ 295,686	\$ 105,645	\$ 401,331
TOTAL	\$ 826,433	\$ 383,944	

Summary:

Fiscal Year 1995/96:

MIDP Class #5 Graduates: 10 Presentation Costs: \$158,628 Student Costs: \$15,863
Hourly Costs: \$ 79

Fiscal Year 1998/99:

MIDP Class #10 Graduates: 9 Presentation Costs: \$152,596 Student Costs: \$16,955
Hourly Cost: \$ 84

ROBERT PRESLEY INSTITUTE OF CRIMINAL INVESTIGATION (ICI)

The Robert Presley Institute of Criminal Investigation (ICI) was established in 1989. The ICI is designed to improve the effectiveness of individual investigators through a structured training program. The ICI courses use adult experience-based techniques of learning. Participants are challenged through the use of realistic and practical applications. Each core class consists of 24 students. Participants are experienced full-time investigators and must have the approval of the agency's chief executive to attend the course. The ICI consists of a Core Course, 12 Foundation Speciality Courses, and a series of related elective courses designed for investigator specialists. Investigators who complete a specified series of courses receive a certificate in an investigative specialty (i.e. robbery).

Each Investigator must attend the core course (80 hours), one foundational specialty course (40 or 80 hours each), and three elective courses (40 hours each) to complete the program and receive a certificate. Candidates may take up to five years to complete the ICI program. There are 3,686 personnel statewide that are eligible to participate in the program. To date, approximately 2100 investigative personnel have completed the core course. Other investigators have attended many of the ICI designated courses. From 1993 through 1999 approximately 550 investigators graduated from the ICI program and received a certificate.

The chart below illustrates the costs associated with delivering and supporting the Robert Presley Institute of Criminal Investigation during a five-year period from 1994 to 1999.

Robert Presley Institute for Criminal Investigation			
Fiscal Year	Contractual Costs	Letter of Agreement; Room; Equipment Rental	TOTAL
1994-95	\$ 244,568	\$ 62,925	\$ 307,493
1995-96	\$ 367,806	\$ 39,261	\$ 407,067
1996-97	\$ 442,185	\$ 73,482	\$ 515,667
1997-98	\$ 581,103	\$ 61,526	\$ 642,629
1998-99	\$ 867,667	\$ 121,021	\$ 988,688
TOTAL	\$ 2,503,329	\$ 358,215	\$ 2,861,544

Summary:

A typical ICI class of 24 investigators that completes the program (core, foundation specialty, and three electives) for a certificate costs approximately \$69,000. The individual costs are approximately: 1) \$33,600 for the core course (\$1,400 per student); 2) \$19,200 for an 80-hour foundation specialty course (\$800 per student); and 3) \$16,200 for the three elective courses (\$675 per student). The average cost for the complete program is approximately \$2,875 per investigator and the average hourly cost is approximately \$12.

Master instructor training program stresses adult learning

If efficient training is a priority in your agency, then this article may be your answer. I became actively involved in training in 1997 when I became a Survival Skills Instructor for the Los Medanos College Criminal Justice Training Center in Pittsburg, California.

Like many of you I had attended numerous mandated department-training updates, in addition to several specialty schools for the various assignments I have held. As I now reflect on all of those schools and department training, I have always found one thing to be true, and I'm sure this is something we all commonly ask ourselves when we complete our training "Did I actually walk away more knowledgeable than when I arrived?" This is a question everyone who is involved in the training and learning process should ask himself or herself, from the instructor on down to the student. If you can't answer "yes" to this question, then you or your agency are not taking full advantage of the adult learning process.

This has been my frustration about how we view training as law enforcement trainers and students, in which we commonly just throw a few handouts and a video, and lecture bedtime stories to our sleepy colleagues who have just finished a graveyard shift. This has been an all too typical scenario for many years in our profession, and I think we can all agree there are no winners when learning is not occurring in the classroom.

As law enforcement officers, administrators, and training managers, we all should recognize that to overlook these issues could be a potentially costly liability. Unfortunately this is something we typically overlook.

I wanted to do my part in addressing these concerns, in the field of curriculum design and adult learning specific to law enforcement. I found exactly the program I was looking for in 1999, while discussing this issue with a colleague. The program is called the "Master Instructor Development Program." The program is funded and facilitated by the Commission on Peace Officers Standards and Training. It was designed as a course to produce extremely proficient law enforcement trainers. The

"Master Instructors" are skilled in the area of adult learning and curriculum design specific to law enforcement training needs. POST used this program to fill the training gap in law enforcement and has skillfully used these Master Instructor graduates to design curriculum and training for POST. Agencies have greatly benefited having POST trained "Master Instructors" among their ranks.

If this program sounds like a remedy for your agency training needs, let me first tell you about the extreme demands of the program. First, you must be currently in the law enforcement field. Your executive officer and training manager must also recommend you for the program. Two letters of recommendation to the "Program Coordinator" must follow up these recommendations. An interview by an assigned mentor "Master Instructor" will follow.

The "Master Instructor" program is a one-year commitment. It is dedicated to the advanced practices and principals of adult learning concepts, instructional system design, presentation skills and curriculum design. Half of the program is dedicated to extensive research in the adult learning process. You then are required to present this research and demonstrate your expertise in the adult learning process to a POST panel of experts.

The second half of the year is dedicated to designing and presenting a POST certifiable course, which does not currently exist. Both projects are requirements to graduate from the program. Additionally there are four quarterly workshops involved with the program. Before you participate in the program, your executive officer is required to sign a contract committing you to the program. The cost is covered by POST as a schedule IV reimbursement plan.

For more information and a brochure on this program contact Program Coordinator Michelle Thompson of the San Diego Regional Training Center in San Diego at (858) 792-6501.

By Matthew Wastenev

Inspector Matthew Wastenev is a 13-year veteran of the Pittsburg Police Department in Pittsburg, California, currently assigned to the Investigations Bureau. Inspector Wastenev has several years' experience in the area of training and adult learning concepts. He currently is a staff member at the Los Medanos Criminal Justice Training Center in Pittsburg where he serves as a survival skills instructor. He is currently a student in the Master Instructor Development Program sponsored by POST. He can be reached at (925) 252-4866.

Agencies have greatly benefited having POST trained "Master Instructors" among their ranks.

FY 2000/2001 Proposed/Approved
 By Comm

ON 4/27

CONTRACT REQUEST	State of California	Department of Justice	
	COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, California 95816-7083		

NAME OF CONTRACTOR San Diego Regional Training Center	TAXPAYER ID OR SSA NO.
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ADDRESS OF CONTRACTOR (NO. AND STREET) % Doubletree Hotel, 11915 El Camino Real, #105	CITY San Diego	STATE CA	ZIP 92130
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CONTACT PERSON Suzanne Foucault	TELEPHONE NUMBER (858) 792-6501
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TYPE OF REQUEST	SOLE SOURCE/ADVERTISE*
NEW <input checked="" type="checkbox"/> RENEWAL OF # ¹²⁸ 99-011-01 — 00-011-01 AMENDMENT OF #	REQUEST SOLE SOURCE * Attach Bid/Proposal Information or Sole Source Justification ADVERTISE <input checked="" type="checkbox"/> NOT REQUIRED

PERIOD COVERED	AMOUNT OF CONTRACT	COMMISSION APPROVAL NECESSARY?
FROM: 7/1/00 TO: 6/30/01	\$ 747,566	Yes
		DATE OF MEETING: 4/27/2000

DESCRIPTION OF WORK (Clear and complete statement of work, service, or product to be performed, rendered or provided)

Command College workshops, instructors, facilitators, management consultants, materials, equipment and training sites for seminars and development of courses as described in Attachment A (Description of Services and Budget).

COMMAND COLLEGE	21406	320,545
EXECUTIVE SEMINARS	21403	128,700
EXEC DEVEL COURSE	21404	155,727
LEADERSHIP SYMPOSIUM	21410	142,594
		\$ 747,566
		(INCLUDES INDIRECT COST @ 10%)

*SUMMARY OF BIDS (Contracts over \$1000 require formal competitive bid (IFB/RFP). Contract Coordinator must list 3 bids (firm name and bid amount) for contracts under \$1000. (Or provide sole source justification.)

Not required - other State agency.	FOR POST USE ONLY
	PCA
	21400

APPROVALS		
Yes	No	
X		<u>[Signature]</u> 5-26-00 (REQUESTER) (DATE)
X		<u>[Signature]</u> 5-26-00 (BUREAU CHIEF) (DATE)
X		<u>[Signature]</u> 5-26-00 (EXECUTIVE OFFICE) (DATE)

As indicated hereon, I do/do not want to review the contract before it is sent to the contractor for signature.

1. San Diego Regional Training Center, hereafter referred to as Contractor agrees to provide for the Commission on Peace Officer Standards and Training, hereafter referred to as POST, Command College workshops, instructors, facilitators, management consultants, materials, equipment and training sites for seminars, and development of courses as described in Attachment A (Description of Services and Budget), which by reference is incorporated and made a part of this agreement. Contractor and POST will identify the above; however, final selection will be made by POST.
2. The total amount of this agreement shall not exceed \$747,566.00. Indirect costs for general administration of the agreement by the Contractor shall not exceed ten percent (10%) of the total direct costs of \$679,606.00 or \$67,960.00.
3. Compensation for services to POST pertaining to this agreement shall include consultant/instructor fees and reimbursement for travel and per diem (at rates set in accordance with the State Administrative Manual, Section 0774). Instructor fees and consulting service contracts require prior POST approval before any funds are expended.

4. Invoices for payment shall be submitted in triplicate to the attention of Judy Sallee, Commission on POST, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083. **Please put contract number on invoices.** Contractor is entitled to recover actual costs only. With prior POST approval, program costs shown on Attachment A and identified as Items 1, 2, and 3, may be exceeded without requiring a contract amendment, providing funds are available within the total agreement amount.
5. The project coordinator at POST is Alicia Powers.
6. The term of this agreement shall be July 1, 2000, through June 30, 2001, or when an approved copy of this contract is received from Department of General Services - Legal Division, except that either party may cancel the agreement upon thirty (30) days prior written notice.
7. This agreement may be amended by mutual written consent.
8. Contractor shall give priority consideration in filling vacancies in positions funded by this agreement to qualified recipients of aid under Chapter 2 commencing with Section 11200 of the Welfare and Institutions Code, in accordance with Article 3.9 commencing with Section 11349 of the Welfare and Institutions Code. (Public Contract Code Section 10353.) This requirement shall not interfere with or require a violation of a collective bargaining agreement, a federal affirmative action obligation for hiring disabled veterans of the Vietnam era, or nondiscrimination compliance laws of California and does not require the employment of unqualified recipients of aid.
9. Except as otherwise provided in this agreement, any dispute concerning a question of fact arising under this agreement which is not disposed of by compromise shall be decided by POST, who shall reduce its decision in writing and mail or otherwise furnish a copy thereof to Contractor. Contractor has fifteen (15) calendar days after receipt of such a decision to submit a written protest to POST specifying in detail in what particulars the agreement requirements were exceeded. Failure to submit such a protest within the period specified shall constitute a waiver of any and all right to adjustment in agreement terms and POST's decision shall be final and conclusive. Pending final decision of a dispute hereunder, Contractor shall proceed diligently with the performance of this agreement, upon receipt of written order from POST to do so.
10. During the performance of this contract, contractor and its subcontractors shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex. Contractors and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination. Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (Cal. Admin. Code, Tit. 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

This contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the contract.

11. Contractor agrees that the awarding agency or its delegatee will have the right to review, obtain, and copy all records pertaining to performance of the contract. Contractor agrees to provide the awarding department or its delegatee with any relevant information requested and shall permit the awarding agency or its delegatee access to its premises, upon reasonable notice, during normal business hours for the purpose of interviewing employees and inspecting and copying such books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with P.C. 10115 et seq., GC 8546.7 and 2 CCR 1896.60 et seq. Contractor further agrees to maintain such records for a period of three (3) years after final payment under the contract.

Contractor shall comply with the caveats and be aware of the penalties for violations of fraud and for obstruction of investigation as set forth in P.C. 10115.10.

12. By signing this contract, Contractor or grantee hereby certifies under penalty of perjury under the laws of the State of California that Contractor or grantee will comply with requirements of the Drug Free Workplace Act of 1990 (Government Code Section 8350 et seq.) and will provide a drug-free workplace by taking the following actions:
- 1) Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355 (a).
 - 2) Establish a Drug-Free Awareness Program as required by Government Code Section 8355 (b) to inform employees about all of the following:
 - a) the dangers of drug abuse in the workplace;
 - b) the person's or organization's policy of maintaining a drug-free workplace;
 - c) any available counseling, rehabilitation and employee assistance programs; and
 - d) penalties that may be imposed upon employees for drug abuse violations.
 - 3) Provide, as required by Government Code Section 8355 (c), that every employee who works on the proposed contract:
 - a) will receive a copy of the company's drug-free policy statement; and
 - b) will agree to abide by the terms of the company's statement as a condition of employment on the contract.

Failure to comply with these requirements may result in suspension of payments under the contract or termination of the contract or both and Contractor or grantee may be ineligible for award of any future state contracts if the department determines that any of the following has occurred: (1) Contractor or grantee has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

13. By signing this contract, Contractor assures the state that it complies with the Americans with Disabilities Act (ADA) of 1990, (42 U.S.C. 12101 et seq.), which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA.
14. By signing this agreement, Contractor does swear under penalty of perjury that no more than one final unappealable finding of contempt of court by a Federal Court has been issued against Contractor within the immediately preceding two-year period because of the Contractor's failure to comply with an order of a Federal Court which orders Contractor to comply with an order of the National Labor Relations Board (Public Contract Code Section 10296).

15. The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of recycled content, both post-consumer waste and secondary waste as defined in the Public Contract Code (P.C.), Sections 12161 and 12200, in materials, goods, or supplies offered or products used in the performance of this agreement, regardless of whether the product meets the required recycled product percentage as defined in the P.C. 12161 and 12200. The Contractor may certify that the product contains zero recycled content. (P.C. 10233, 10308.5, and 10354).
16. Contractor certifies that no foreign-made equipment, materials, or supplies furnished to the State pursuant to the contract will be produced in whole or in part by forced labor, convict labor, or indentured labor under penal sanction. The contractor agrees to comply with the requirements of Public Contract Code, Section 6108.

Any contractor contracting with the state who knew or should have known that the foreign-made equipment, materials, or supplies furnished to the state were produced in whole or part by forced labor, convict labor, or indentured labor under penal sanction, when entering into a contract pursuant to the above, may subject to P.C., Section 6108, subdivision (c), have any or all of the following sanctions imposed.

- a) The contract under which the prohibited equipment, materials, or supplies were provided may be voided at the option of the state agency to which the equipment, materials, or supplies were provided.
 - b) The contractor may be assessed a penalty which shall be the greater of one thousand dollars (\$1,000.00) or an amount equaling 20 percent of the value of the equipment, materials, or supplies that the state agency demonstrates were produced in whole or in part by forced labor, convict labor, or induced labor under penal sanction.
 - c) The contractor may be removed from the bidder's list for a period of not to exceed 360 days.
17. All financial, statistical, personal, technical, and other data and information relating to the State's operations which is designated confidential by the State and made available to the contractor in order to carry out this Agreement, will be protected by the contractor from unauthorized use and disclosure by the observance of the same or more effective procedural requirements as are applicable to the State. The identification of all such confidential data and information as well as the State's procedural requirements for protection of such data and information from unauthorized use and disclosure will be provided in writing to the contractor by the State. The contractor shall not, however, be required, by this paragraph to keep confidential any data for information which is or becomes publicly available, is already rightfully in the contractor's possession, is independently developed by the contractor outside the scope of this Agreement, or is rightfully obtained from third parties.
 18. The Contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code.

The Contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Employee Registry maintained by the California Employment Development Department.

DESCRIPTION OF SERVICES AND BUDGET
Attachment A

1. Contractor will provide Command College workshops, instructors, facilitators, training sites, equipment, and continuous development costs for Classes 29 through 33. There are fourteen (14) sessions scheduled between July 1, 2000, and June 30, 2001.

A.	Command College Workshops	Costs
	Defining the Future	
	Class 32 December 4-8, 2000	\$ 10,000
	Class 33 May 7-11, 2001	10,000
	Enhanced Leadership	
	Class 31 July 24-28, 2000	16,500
	Class 32 February 12-16, 2001	16,500
	Social and Political Issues	
	Class 31 September 18-22, 2000	7,000
	Class 32 April 9-13, 2000	7,000
	Technological Issues/Environmental Issues	
	Class 31 November 13-17, 2000	7,000
	Class 32 June 18-22, 2001	7,000
	Futures Forecasting and Economic Issues	
	Class 30 August 21-25, 2000	7,000
	Class 31 January 22-26, 2001	7,000
	Futures Planning Tools	
	Class 30 October 23-27, 2000	8,000
	Class 31 March 19-23, 2001	8,000
	Politics of Change	
	Class 29 Sept. 20-22, 2000	2,000
	Class 30 March, 2001	2,000
	Workshop Total	\$124,075
B.	Conference Site 14 Sessions @ \$1,250	17,500
C.	Computer Equipment	8,000
D.	CC/Program Support Committees	25,000

San Diego Regional Training Center

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E.	Program Selection Screening	4,000
F.	Continuous Course Development	25,000
G.	Project Review	12,500
H.	Contract Manager	75,330

Total Command College **\$291,405**

2.	Development and presentation of two-to-five day executive seminars for chiefs, sheriffs, and senior managers.	117,000
3.	Presentation of six sessions of the Executive Development Course	141,570
4.	Leadership Symposium	129, 631

Total Direct Costs **679,606**

Indirect Costs @ 10% **67,960**

CONTRACT TOTAL **\$747,566**

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title REGULATORY REVIEW AND CLEAN UP		Meeting Date August 23, 2000
Bureau Information Services Bureau	Reviewed By Paul Harman, Bureau Chief	Researched By Anna Del Porto, Associate Analyst
Executive Director Approval <i>[Signature]</i>	Date of Approval 7-26-00	Date of Report
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 approve various cleanup changes to Regulations 1020 through 1080?

BACKGROUND:

Executive Order W-131-96, issued by former Governor Pete Wilson, required all state agencies to identify unnecessary or redundant regulations. A second Executive Order, W-144-97, followed requiring the sunset review of regulations by all state agencies. Along with these Orders, there has been a desire of POST management to do a thorough clean up of Commission Regulations to assure clarity, consistency, accuracy, etc. The goal of this agenda item is to add, amend, and/or delete regulations as necessary to comply with the Executive Orders and to accomplish the cleanup. This agenda item is part 2 in a series of agenda items that will be submitted to accomplish the completion of Commission Strategic Plan Objective F.6 - "Review all existing regulations by January 1, 2001".

ANALYSIS:

The recommended changes in this agenda item will focus primarily on Regulations 1020-1080:

Regulation 1020, Reimbursement for Purchase of Satellite Antenna: Clean up only, no changes in requirements.

Regulation 1021, Reimbursement for Purchase of Interactive Multimedia Training Delivery System: Clean up only, no changes in requirements.

Regulation 1051, Course Certification Program: Clean up and the removal of text relating to reimbursement.

Regulation 1052, Requirements for Course Certification: Clean up only, no change in requirements.

Regulation 1053, Course Certification Request and Review Process: Added text that requires persons or organizations requesting course certification to contact a POST training delivery consultant prior to sending in the certification request package. Added text that requires expanded course outlines to be in sufficient detail to indicate technical information in the subject areas. Other changes are clean up.

Regulation 1054, Requirements for Course Budget: Clean up. Text added to clarify that student workbooks are not considered handouts. Text has been deleted that relates to training presentation reimbursement and subventions.

Regulation 1055, Requirements for Course Presentation: Clean up. Text has been added to expand the Publicity section to state that: No course may be publicized prior to course certification and the POST certification number shall be shown on all materials being publicized. Text was deleted relating to subventions and concurrent sessions.

Regulation 1056, Annual Recertification: Current procedures describing the recertification process have been added to this regulation to provide clarity.

Regulation 1057, Decertification: Clean up only, no changes in requirements.

Regulation 1058, Appeals Process: No change.

Regulation 1080, PC 832 Arrest and Firearms Course Examination and Requalification

Requirements: Clean up. Substantial amount of text added for clarity. Text was added that states only service in a peace officer position for which PC 832 training is *required by law* maintains the currency of an individual's PC 832 certification. Text was also added that exempts the necessity for a new criminal history clearance if there has been a lapse of less than 180 days since the last clearance.

The review of the Commission regulations and the recommended amendments in this agenda item was accomplished through the establishment of a Regulation Review Committee made up of representatives from many of the POST bureaus. The Committee reviewed each regulation, recommended amendments to improve the regulation and then discussed the amendments until final language was proposed. The Committee members were strongly committed to improving the Regulation language for the benefit of POST's clients, as well as, for POST staff who must implement the programs and enforce the requirements. The analysis of the Regulation Review Committee was that many of the current regulations need amending for clarity and currency. A few sections of regulation are obsolete and because they lack necessity to POST programs they should be deleted. All proposed changes are shown in underline/strikeout format in Attachment A.

RECOMMENDATION:

It is recommended that the Commission approve, subject to results of a public review process, the amendments to Regulations 1020-1080 and that they be adopted subject to the approval by the Office of Administrative Law.

**REGULATION CLEAN UP
REGULATIONS 1020-1081, DRAFT #3**

1020. Reimbursement for Purchase of Satellite Antenna.

- (a) The Commission will reimburse any eligible agency, Penal Code Section 13523 Penal Code, for: 1) the purchase of a steerable C/Ku Band Television Receive Only Satellite Ground Terminal (herein referred to as a satellite antenna), 2) the upgrade of an existing antenna to make that antenna a steerable C/Ku band type, and 3) the purchase of an encryption decoder module (herein referred to as a decoder) as specified by POST.
- (b) Documentation Required for Reimbursement

In order to receive reimbursement, an eligible agency must submit the following documentation to POST:

- (1) For satellite antenna and decoder purchases, a purchase invoice(s) reflecting the date, and the total cost of the purchase.
- (2) For an upgrade of an existing antenna, a purchase invoice(s) reflecting the date, and the total cost of the antenna and equipment to upgrade the antenna to a steerable C/Ku band type.
- (3) A letter signed by the agency head, or authorized agency representative, attesting that the jurisdiction has paid the purchase amount on the submitted invoice(s), has installed the satellite antenna, decoder, or upgraded antenna at an agency facility, and will use the satellite antenna for POST satellite training of full-time, regularly paid employees of the eligible agency. The letter must also include a statement that the satellite antenna or upgrade is a steerable C/Ku Band Television Receive Only Satellite Ground Terminal or for purchases of a decoder it must state that the decoder meets POST specifications.

The letter must also include, for multiple reimbursement requests made under the provisions stated in subparagraph (c)(2)(A), a description of the locations where the antennas and decoders are installed, and an attestation that the locations are regularly used for in-service training, and that the antennas are dedicated to the delivery of training programs.

(c) Reimbursement Restrictions

- (1) Costs associated with installing or maintaining a satellite antenna system, decoder, or upgrade are not reimbursable.
- (2) Reimbursement for the purchase of a satellite antenna, decoder, or the upgrade of an existing antenna is limited to one antenna, ~~one decoder~~, or one upgrade, and one decoder with the following exception:
 - (A) Participating agencies that have multiple locations where agency personnel regularly convene for in-service training, may apply and be reimbursed for one satellite antenna, one decoder, or one upgrade for each location.
- (3) Invoices must indicate the place of purchase and may have a date of purchase prior to the effective date of this regulation.

(d) Reimbursement Rates

- (1) The rates of reimbursement shall be determined by the Commission. These rates may not cover actual costs.
- (2) Notwithstanding the provisions of these regulations, reimbursement will not be paid unless the Commission has concluded that sufficient funds are available for that purpose.

(e) Purchase Not Required

Nothing in this section shall be construed to require eligible agencies to purchase and claim reimbursement for a satellite antenna and decoder.

1021. Reimbursement for Purchase of Interactive Multimedia Training Delivery System

- (a) The Commission will reimburse any eligible agency, ~~Penal Code~~ Section 13523 Penal Code, for the purchase of an interactive multimedia training delivery system (herein referred to as a multimedia system), which must be capable of running POST multimedia courseware.

(b) Documentation Required for Reimbursement

In order to receive reimbursement, an eligible agency must submit the following documentation to POST:

- (1) For multimedia system purchases, a purchase invoice(s) reflecting the date, and the total cost of the multimedia system purchase.
- (2) A letter signed by the agency head, or authorized agency representative, attesting that the jurisdiction has paid the purchase amount on the submitted invoice(s), has installed the multimedia system at an agency facility, and will use the multimedia system for POST training of full-time, regularly paid employees of the eligible agency.

The letter must also include, for multiple reimbursement requests made under the provisions stated in subparagraph (c)(2)(A), a description of the location(s) where the multimedia systems are installed, and an attestation that the locations are regularly used for in-service training, and the multimedia systems are dedicated to the delivery of training programs.

(c) Reimbursement Restrictions

- (1) Costs associated with installing or maintaining a multimedia system are not reimbursable.
- (2) Reimbursement for the purchase of a multimedia system is limited to one multimedia system with the following exception:
 - (A) Participating agencies that have multiple locations where agency personnel regularly convene for in-service training, may apply and be reimbursed for one multimedia system for each location. Written approval from POST is required prior to an agency purchasing multiple multimedia systems.
 - (B) Written requests for approval of multiple systems shall be sent to the Commission on POST, Training Program Services Bureau. Within 14 days of receiving the request, POST will inform the applicant if any additional information or clarification is necessary. A written notification of approval or disapproval shall be mailed within 45 days from the date of the receipt of the request.
- (3) Invoices must indicate the place of purchase and may have a date of purchase prior to the effective date of this regulation.

(d) Reimbursement Rates

- (1) The rates of reimbursement shall be determined by the Commission. These rates may not cover actual costs.
- (2) Notwithstanding the provisions of these regulations, reimbursement will not be paid unless the Commission has concluded that sufficient funds are available for that purpose.

(e) Purchase Not Required

Nothing in this section shall be construed to require eligible agencies to purchase and claim reimbursement for a multimedia system.

ARTICLE 3

REGULATORY PROCEDURES

1051. Course Certification Program.

- (a) The Commission administers the Course Certification Program to provide needed and quality training to law enforcement personnel. ~~The Commission may certify courses.~~ "Certification" References to a course being "POST-certified" means that the Commission has approved presentation of the course in accordance with Regulations 1052-1055, and eligible jurisdictions may be reimbursed by POST in accordance with Regulation 1015.

1052. Requirements for Course Certification

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

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

(b) In addition to the factors specified in Regulation 1052(a), each request for certification of a Regular Basic Course presented by an academy [as defined in Commission Procedure D-1-3(a)(5)] shall be evaluated in accordance with the following factors:

(1) Each academy shall designate an academy director whose qualifications, based upon education, experience, and training shall include a demonstrated ability to manage an academy.

(A) Academy management responsibilities shall include:

1. Integrating and sequencing instruction;
2. Managing instructional methods, testing, and remediation;
3. Hiring, assigning, and evaluating performance of the instructor(s), coordinator(s), training officer(s), and staff;
4. Coordinating, budgeting, and controlling academy resources; and
5. Maintaining academy discipline.

(2) Each academy shall designate an academy coordinator whose qualifications, based upon knowledge, experience, and training, shall include a demonstrated ability to coordinate the instruction and management of the Regular Basic Course instructional system.

(A) Regular Basic Course instructional system coordination responsibilities shall include:

1. Developing sequenced instructional schedules;
2. Overseeing and evaluating instructional, technological, testing, and remediation methods;
3. Participating in the hiring process of instructor(s), training officer(s) and staff, and making recommendations for their selection and assignment; and
4. Evaluating instructor(s') and training officer(s') performance.

(3) Each academy shall be supervised at all times by an academy director or coordinator when instruction is being conducted.

- (4) Each college academy shall institute an advisory committee of law enforcement officials to assist in providing logistical support and validation of the training.
- (c) Only those courses for which there is an identifiable and unmet need shall be certified.
- (d) Courses for which POST has established curriculum requirements must comply with those requirements. (See Regulation 1081)
- (e) Training presented in conjunction with association meetings or conferences may be certified subject to the requirements set forth in Regulations 1051-10558, along with the following conditions:
 - (1) Training shall not be certified as POST reimbursable.
 - (2) Training presented by an association or in conjunction with an association meeting or conference shall not be certified if attendance is restricted to association members.
- (f) The Commission shall only endorse or co-sponsor courses, seminars or conferences when POST has assisted in planning the event, developing the subject matter or program, and selecting instructors or speakers.
- (g) No course shall be certified which restricts attendance to a single agency, unless the purpose of the course is to improve that agency and attendance by ~~non-members~~ non-agency personnel would jeopardize the success of the course.
- (h) The presenter of a POST-certified course shall review all audio-visual training materials prior to use in the classroom. The review of audio-visual training material shall emphasize the avoidance of materials which depict situations, tactics, and procedures that could lead a trainee to take inappropriate actions on the job. The review shall also include careful examination of depictions of law enforcement work to assure consistency with existing law and accepted practices. (For reference see "POST Guidelines for Reviewing Audio-Visual Training Materials").
 - (1) For the purposes of this regulation, "audio-visual training materials" are defined as: audio tapes, videotapes, films, slides, and other similar media. Classroom hand-out materials are not included.
 - (2) Regulation 1052(gh) shall be effective July 14, 1993 and shall apply to all audio-visual training materials being considered for use in POST-certified courses commencing after that date. The regulation shall apply to materials previously used by the course presenters only as they are considered for re-use in POST-certified courses.
 - (3) Audio-visual materials cataloged on the "POST-Approved Media List," maintained by the Commission on Peace Officer Standards and Training, need not be subjected to the review process described in this section.
 - (4) Publicly available broadcast material pertinent to current training topics need not be subjected to the review process described in this section.

1053. Course Certification Request and Review Process.

- (a) Course Certification Request. Any person or organization desiring to have a course certified shall first telephonically contact a POST Training Delivery consultant for an evaluation of the factors described in Regulation 1052 (a). If the evaluation is favorable prepare and submit a complete course certification request file package shall be submitted to POST. Submission of the following forms and related materials shall constitute a complete file certification package:

- (1) Course Certification Request Form (POST 2-103 rev. 7/92)
- (2) Instructor Resume(s)
- (3) Course Budget (POST 2-106 rev. 7/93), if the proposed course will require a tuition ~~or is being presented by an agency presenter seeking reimbursement for training presentation costs.~~ (Reference Regulation 1054. Requirements for Course Budget)
- (4) Expanded Course Outline which minimally includes subject topics to the third level of detail sufficiently to indicate technical information in the subject areas
- (5) Hourly distribution schedule indicating, by day of the week, the instructors and topics scheduled during each course hour. (Example formats are available from POST)
- (6) Student Safety policies and procedures for courses that include manipulative skills training, a copy of the presenter's policies and procedures concerning student safety. (Reference POST Guidelines for Student Safety in Certified Courses). The policies and procedures must minimally address:
 - (A) Rules of Safety and Conduct,
 - (B) Reporting and Handling Injuries,
 - (C) Ratios of Instructional Staff to Students, and
 - (D) The Presenter's Commitment to Adhere to the POST-Approved Expanded Course Outline. ~~(See "POST Guidelines for Student Safety in Certified Courses.")~~

(b) Course Certification Review.

- (1) Within 14 calendar days of receipt of a course certification request file, the Commission shall review the documents included in the file and notify the requestor, in writing, that the file is either complete or incomplete. In event the file is incomplete, the Commission shall inform the requestor of the document(s) which must be submitted before further action will be taken to consider certification of the course.
- (2) The Commission shall review each complete course certification request file and base its decision on evaluation of those factors enumerated in Regulation 1052. Within 60 calendar days of receipt of a complete file, the requestor shall be notified, in writing, of the Commission's decision to approve or disapprove certification of the course.
- (3) Any requestor not satisfied with a certification action may submit an appeal to the Commission in accordance with Regulation 1058.

1054. Requirements for Course Budget.

The following requirements tuition and budget requirements and limits are to be used in completing the Course Certification Request (POST 2-103) and Course Budget (POST 2-106) by a course coordinators presenting or planning to present either a 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 per presentation 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 \$90 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 training, the maximum of \$90 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, presenter development costs may be negotiated with POST 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 costs may be requested 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 \$55 per 8 hours of instruction but may not exceed \$440 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, 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 \$15 to \$25. Rates that exceed \$15 per hour must be supported by written justification that substantiates the higher cost of the coordinator.

- (d) Clerical Support. Actual hourly rates for clerical support may be allowed up to \$15 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	24 hours
25 to 40	40 hours
Over 40 hours	100 hours

- (e) Printing/Reproduction. ~~The actual expenses cost~~ for printing or reproduction of brochures and handouts may be allowed. Requests for reproduction expenses costs shall not exceed 9 cents per page. Student workbooks are not considered handouts.
- (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. Films, videotapes, and 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 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 prorated 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 20% 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)].~~

1055. Requirements for Course Presentation.

- (a) **Term of Certification:** Course certification shall be made on a fiscal year basis, subject to annual review. A course shall be certified for a specific number of presentations during a fiscal year. It shall be subject to the restrictions or stipulations specified by POST.
- (b) **Certification Non-Transferable:** A course that has been certified is valid for presentation only by the presenter receiving the certification and is not transferable to another presenter.
- (c) **Publicity:** A certified course, if publicized, must use the exact title as certified by POST. No course may be publicized prior to course certification. The POST certification number shall be shown on all materials being publicized. Presenters shall clearly indicate on any course announcements, brochures, bulletins, or publications that POST has certified the individual course offering.
- (d) **Changes to Course or Course Budget:** A course, once certified under the conditions specified in the Course Certification Request, shall not be changed or modified without prior POST approval. ~~Changes in subventions from outside sources received to support courses for which training presentation reimbursement has been approved shall be reported in writing to POST within 30 days of the change.~~
- (e) **Course Announcements:** A Course Announcement (POST 2-110 Rev. 8/89) shall be submitted to POST for each proposed course presentation. The Course Announcement must be submitted to POST at least 30 calendar days prior to the presentation of the course. An hourly distribution schedule must be attached to each Course Announcement. A course control number, issued by POST upon approval of the presentation, must be used when making references pertaining to a particular course offering.
- (f) **Limitations on Course Enrollments.** The Commission shall designate the maximum number of students that may attend each course during a fiscal year.
- (g) ~~Concurrent Sessions. In those instances where two presentations of the same certified course are scheduled to run concurrently, two Course Announcement forms must be submitted. In the comments section of each Course Announcement, a remark shall be made to the effect that the presentation is one of two presentations of the same course being conducted concurrently.~~
- (h) **Modification Procedures:** If, subsequent to the Commission having approved a Course Announcement, the course coordinator becomes aware of the need to make any changes related to presentation of the course, such as dates of presentation, scheduled times, location, or hours of presentation, the Commission must be notified and contacted to approve such changes prior to the presentation.
- (i) **Cheating:** Students who cheat. Cheating as defined in Commission Regulation 1001(h), shall be prohibited subject to discipline and possible dismissal in the following entry-level, mandated training courses: the Arrest & Firearms Course [Commission Regulation (C.R.) 1081(a)(1)]; Aviation Security Course [C.R. 1081(a)(2)]; Reserve Peace Officer training courses, Modules A, B, and C and D [C.R. 1081(a)(11)]; the School Peace Officer Course [C.R. 1081(a)(20)]; and all basic training courses (Commission Procedure D-1-1). ~~Any student who engages in cheating shall be subject to discipline up to and including dismissal from the course in which he/she is enrolled.~~
- (j) **Required Documents to be Submitted Upon Completion of Presentation:** A completed Course Roster (POST 2-111, Rev. 7/96) shall be prepared and submitted to the Commission after completion of each certified course presentation. The following documents shall accompany each Course Roster:
 - (1) A Course Evaluation Instrument (POST 2-245 Rev. 9/81) completed by each trainee,
 - (2) POST Course Evaluation Control Sheet (Scantron Form No. F-374-POST Rev. 1/94),
 - (3) Any Training Reimbursement Requests (POST 2-273 Rev. 8/93) that are provided to the presenter by trainees, and
 - (4) A written statement from the course coordinator explaining how successful completion was accomplished when a trainee is reported as completing the course, but has missed more than five

percent of the certified hours of the Regular Basic Course (or modules of any of its formats) or ten percent of the certified hours of any other POST-certified course.

All documents must be submitted to the Commission no later than 10 calendar days following the ending date of the presentation. Subsequent to submission of these documents, the coordinator shall contact the Commission about needed corrections.

- (k) ~~Expanded Course Outlines~~ Retention of Certification Documents: For any POST-certified course, ~~lesson plans/expanded course outlines~~ a current copy of the documents required by Regulation 1053(a) must be kept on file at the presenter's facility for inspection by POST.

1056. Annual Recertification.

Each certified course is reviewed prior to the beginning of a new fiscal year. Every presenter shall receive a Course Certification Report from POST for each certified course (excluding telecourses and interactive videodisc training courses which are automatically recertified). These reports shall be reviewed and signed by the agency training coordinator and returned to POST to ensure certification for the proceeding fiscal year. The A POST review shall include evaluation of the continuing need for the course, currency of curriculum, and adherence to requirements for course certification (See Regulation 1052) and course presentation (See Regulation 1055).

1057. Decertification.

Courses may be decertified by action of the Commission when:

- (a) There is no longer a demonstrated need for the course; or
- (b) There is failure to comply with the requirements set forth in Regulation 1052-1055; or
- (ac) There are other causes warranting decertification as determined by the Commission.

1058. Appeals Process.

- (a) Any course certification/decertification decision may be appealed to the POST Executive Director. The appeal, and all documentation the appellant believes supports the appeal, must be submitted in writing to the Executive Director within 30 calendar days of the date of the certification/ decertification notice.

Within 30 calendar days of the receipt of the appeal, the Executive Director shall respond to the appellant in writing with a decision and associated reasons upon which the decision is based.

- (b) The Executive Director's decision may be appealed to the Commission. The appeal, and all documentation the individual believes supports the appeal, must be submitted in writing to the Commission within 30 calendar days of the date of the Executive Director's decision.

Appeals received at least 45 calendar days prior to the next scheduled Commission meeting will be heard at that meeting. Appeals received with less than 45 calendar days remaining prior to the next scheduled Commission meeting will be heard at a subsequent meeting. The Commission shall notify the appellant

of the date, time, and location of the hearing within 10 calendar days of the receipt of the appeal to the Commission. The appellant or appellant's designated representative(s) shall have the right to present evidence at the hearing.

The Executive Director shall notify the appellant in writing of the Commission's decision within 10 calendar days following the conclusion of the hearing.

1080. PC 832, Arrest and Firearms Course Examination and Requalification Requirements.

(a) PC 832 Course Examination(s) Requirement for Students: The examination requirements described in sections 1080 (a) and (b) are for stand-alone PC832 courses only. There are examination requirements for PC 832 when the training is part of a larger POST-certified course, however, those requirements are within the training specifications of the larger course. Pursuant to section 832(a) of the Penal Code, individuals who receive PC 832, Arrest and/or Firearms training as a stand-alone POST-certified course or as part of a larger POST-certified course shall demonstrate satisfactory completion of the training by passage of a POST-developed or POST-approved examination(s) or examinations, pursuant to Penal Code section 832. Training is presented as two components and individuals may select to attend either Arrest Procedures, Firearms, or both. Passage of a written examination shall be required for the cognitive (knowledge) curriculum; passage of two performance examinations shall be required for the noncognitive (skills) curriculum. This regulation does not apply to individuals who satisfactorily complete the POST Regular Basic Course. Only those presenters designated by POST shall be authorized to administer the PC-832 Requalification Examination.

(+b) Examination Procedures Requirements for Administering PC 832 Exams In Stand-Alone Courses:

- (A1) All examinations required by subsection 1080(a) shall be administered immediately following the conclusion of the required PC 832 instruction. ~~(F)~~ The Commission may waive the requirement that all original examinations be administered immediately following the conclusion of training in those instances where the training is certified retroactively and the examinations were not administered as part of the training.
- ~~(42)~~ ~~POST-Approved Examinations:~~ The use of alternatives to the POST-developed examinations is subject to approval by POST. Course presenters seeking POST approval to use alternative examinations shall present evidence that the alternative tests were developed in accordance with recognized professional standards, and that alternative examinations are equivalent to the POST-developed examinations with respect to curriculum validity and test reliability. Evidence of tests score equating is required. Applications for approval of alternative examinations will be processed within seven days from receipt of original request.
- ~~(E3)~~ ~~Administration and scoring of all examinations shall be delegated to~~ Only qualified course presenters who have received training in the administration of the examinations and who agree to abide by the terms of a formal POST test security agreement; may administer and score examinations. All examinations shall be administered and scored in accordance with POST-specified procedures and passing scores.
- ~~(B4)~~ All examinations shall be scored pass/fail.
- ~~(25)~~ ~~Examination Results:~~ The examination results shall be provided to each examinee by the course presenter within five working days of the date of each examination.
- ~~(36)~~ ~~Retesting:~~ Individuals failing the written examination shall be permitted one retest and shall be permitted reasonable time to prepare for the retest. Retests shall be administered by the course presenter within 90 days of the date of the original examination. In order to continue to pursue satisfaction of course requirements, individuals who fail to achieve a passing scores upon retesting for Arrest Procedures of either the written or skills examination shall be required to repeat the related Arrest Procedures training; and individuals who fail to achieve a passing score upon retesting for Firearms shall be required to repeat Firearms training. Individuals who repeat the related training shall be considered as new students for testing purposes.

(bc) PC 832, Arrest and Firearms Course Requalification Requirements and Exemptions:

(1) Three-year Rule: Requalification of PC832 is required before exercising peace officer powers when:

- (A) Any individual who does not become employed as a peace officer within three years of successfully completing PC 832 training, or

(B) An individual, subsequent to completing PC 832 training, who has a three-year-or-longer break in service as a peace officer, subsequent to successfully completing PC-832 training, must requalify to exercise the powers of a peace officer.

Only service in a peace officer position for which PC832 training is required by law maintains the currency of an individual's PC832 certification. The three-year period begins on the date the course was completed, or the individual's last date of service in the peace officer position.

(2) Exemptions to the Three-Year Rule: (A) An individual who meets any of the following criteria listed below, as specified in Penal Code section 832(e)(2), is exempt from the PC 832 Course Requalification Requirements [Regulation 1080 (c) (1)]:

(A)¹: Is returning to a management level law enforcement position at the second level of supervision or higher.

(B)²: Has successfully completed the Basic Course Requalification Process as provided for in Commission Regulation 1008.

(C)³: Has maintained proficiency by teaching the course described in PC 832 (a).

1. Required curriculum for the PC832 course is comprised of two separate modules - Arrest Procedures and Firearms. Accordingly, Under this provision an individual may seek exemption under this provision for the either module, Arrest Procedures module only, or the Firearms module only, or both modules the entire PC832 course (both Arrest Procedures and Firearms.

2. For the purpose of granting an exemption on the basis of teaching experience, "maintained proficiency" shall be defined as having taught the entire module(s) for which an exemption is being sought. Additionally, exemptions shall be granted only for recent teaching experience that was gained within three years of the exemption request.

(D)⁴: Has been employed continuously, with no more than a 60-day break in service between law enforcement employers, in another state or with a federal agency as a peace officer.

(3)(B) Documentation of Exemption: Written documentation determined by the department head as satisfying any of the exemptions listed in 1080 (bc) (2) (A)-(D) above shall minimally be retained by the employing agency for at least the duration of the individual's employment with the department. This retention period is recommended so that the employing agency can provide supporting documentation of the exemption, if it is requested during a POST inspection.

~~(3) The presenter shall maintain, as a matter of record, all documents submitted by an individual who participates in the PC 832 Requalification Examination.~~

(d) Regualification Options: Regualification may be accomplished by one of two methods as follows:

(1) Repeating and satisfactorily completing PC 832 training as a stand-alone course or completing within a larger POST-certified course which includes PC 832 training, e.g.i.e., the Regular Basic Course, Part 1 of the Level III Module, Regular Basic Course Modular Format; Reserve Training Module D, Specialized Investigators' Basic Course, Basic Course Requalification Course [for eligibility refer to 1008 (b) and Procedure D-10], or

(2) Demonstrating continued mastery of PC 832 training material by passing the examinations enumerated in POST Regulation 1080 (a). This can be accomplished through the completion of the PC 832 Requalification Examination Process [for eligibility refer to 1080(e)], or the Basic Course Requalification Process described in 1008 (b) and D-10. This subsection, 1080 (b), does not apply to individuals who qualify for an exemption as specified in Penal Code 832 (c)(2) and described in

1080 (b)(2):

(B~~e~~) Eligibility to be Tested for PC832 Requalification Examination Process: Only individuals who have previously completed POST-certified PC 832 training, as a stand-alone course or within a larger POST-certified course as defined specified in 1080(bd)(1), are eligible to participate in the PC 832 Requalification Examination Process. ~~Presenters shall verify all documents, [1080(d)(1)(B)], submitted by applicants.~~

(1) Individuals seeking to be tested shall receive written notification from the presenter regarding eligibility to be tested within 30 days of receipt by the presenter of all documentation required per in subsections 1080(f)(1)(A)-(C) (A*) above below.

(2)~~t~~: Individuals receiving notification that they are ineligible to be tested shall be given an explanation for ineligibility of why they are ineligible. An individual may submit a new request with the additional documentation, which will be processed according to subsection 1080 (B) ~~above~~ (f) (1) below. POST shall have final approval or disapproval of the eligibility of any individual seeking admission to any part of the testing process. All applicable examination fees will be returned, with the notification, to those individuals who are determined, either by the presenter or by POST, to be ineligible for testing.

(~~t~~) PC 832 Requalification Examination Process Procedures: ~~The requalification examination process shall be the same as stated in 1080(a)-(a)(3) above.~~

(A~~1~~) Application: ~~An individual seeking to testing requalify PC 832 training through the examination process shall submit a written request to a POST-approved PC 832 Requalification Examination Presenter; a written request that includes:~~

(A)~~t~~: The individual's full name, mailing address, daytime phone number, and social security number;

(B)~~t~~: A copy of the individual's PC 832 Course completion certificate or other verifiable documentation showing prior successful completion of a PC 832 Course. This documentation shall include the individual's name, the name of the presenting institution ~~presenter where the training was completed,~~ the number of hours completed, and the ending date of the training;

(C)~~t~~: A certified check or money order payable to the presenter (see F~~2~~ below for fees);

(D)~~t~~: A criminal history clearance from the Department of Justice.*

*All requests to test for the firearms component from applicants who are not sponsored by a local or other law enforcement agency, or who are not peace officers employed by a state or local agency, department or district, shall include a criminal history clearance in compliance with PC 13511.5 prior to admission to firearms testing. No firearms testing shall be administered to any applicant prior to receipt of the Department of Justice criminal history clearance form. The criminal history clearance need not be redone where there has been a lapse of less than 180 days since the last clearance.

(2F) Examination Fees: The presenter shall charge fees for all examinations administered. The appropriate fees shall be determined by the Commission and shall not exceed actual test administration costs.

Applicable examination fees follow:

Written exam.	Arrest	\$100-
Performance exams.	Firearms	\$150*
	Arrest	\$100*

Arrest Procedures:

Written exam \$100*
Performance exam \$100*

Firearms:

Performance exam \$150*

- * No charge for immediate retesting.
Failure to appear for testing or retesting shall result in forfeiture of all applicable examination fees and loss of eligibility to be tested.

~~(C) Administration of Examinations:~~

~~(3) Requirements for Administering the Recertification Exam: Individuals eligible to be admitted to the examination process shall: The Recertification Exam shall be administered by a POST-approved presenter as described in 1080(b)(2)-(4) and as follows:~~

- ~~(A) All recertification applicants shall be tested at a POST-approved location within 90 days of notification of eligibility to take the recertification exam.~~
- ~~(B) At least 30 days in advance of the test, eligible recertification applicants shall be notified as to the specific date, time and location of testing at least 30 days in advance of the test.~~
- ~~(C) Individuals desiring to be tested after failure to appear for a scheduled recertification exam must reestablish eligibility to be tested by completing the requirements described in Regulation 1080 (b) (1) (A)-(D). 2-Failure to appear for testing or retesting shall result in forfeiture of all applicable examination fees and loss of eligibility to be tested.~~
- ~~3. All examinations shall be administered by presenters who have been approved by POST [see subsection 1080 (a) (1) (C)].~~
- ~~4.(D) All examination results shall be mailed to POST by the examination administrator, postmarked within five working days of the date of testing.~~
- ~~(E) Notification Procedures: The presenter shall notify all examinees in writing as to examination results, postmarked within five working days of recertification examination completion. The presenter shall also issue a completion certificate within five working days showing that the individual successfully completed the PC 832 Recertification Examination.~~
- ~~(F) The presenter shall maintain, as a matter of record, all documents submitted by an individual who participates in the PC 832 Recertification Examination.~~

(4E) Recertification Examination Retesting: One recertification exam retest shall be permitted for any test failed, contingent upon advance payment* of any applicable examination fees [see (F42), below above]. Such retesting must occur within 90 days of the recertification examination. For firearms and arrest performance examinations, individuals will have the option of either retesting immediately or scheduling a retest within 90 days.

(A) Individuals who fail to achieve a passing score upon recertification exam retesting, or who fail to appear for recertification exam retesting, shall be required to successfully complete the appropriate PC 832 training (i.e., Arrest Procedures, Firearms, or both) in order to meet the PC 832 Course recertification requirements of Penal Code Section 832(e).

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Physical Fitness Minimum Qualification Research Project		Meeting Date July 20, 2000
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>[Signature]</i>	Researched By Paula Burnette
Executive Director Approval <i>[Signature]</i>	Date of Approval 6/28/00	Date of Report June 20, 2000
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 a contract for services of a Special Consultant (Management Fellow) to research and identify strategies to implement a physical fitness minimum qualification in support of strategic plan objective A5: Minimum Qualifications for Entering Basic Academies?

BACKGROUND

The current POST strategic plan calls for increasing selection standards in the area of physical abilities. At the present time POST has no guidelines or standards in the area of pre-academy screening of physical abilities.

P.C. 13510(b) obliges POST "... to conduct research concerning job-related educational standards, and job-related selection standards to include vision, hearing, physical ability, and emotional stability. Job-related standards which are supported by this research shall be adopted by the Commission prior to January 1, 1985...". In the area of physical ability, POST developed the Work Sample Test Battery (WSTB) as an agility test that is administered after a twelve week physical conditioning program. The test has been validated by a follow-up validation study and the job tasks that the test measures have been validated by a job task analysis (1,2).

1. Physical Abilities Test Follow-up Validation Study, 1993
2. Entry-Level Uniformed Patrol Officer Job Analysis: Task Analysis, 1998

ANALYSIS

Most agree that law enforcement officers need to be physically fit. However, because there is no consensus on what a physical fitness test should measure, there is no uniform standard for measuring physical fitness.

POST has not evaluated pre-existing (off-the-shelf) tests that are currently available to assess physical fitness. Also, there is debate about whether measuring speed, endurance, and strength or whether measuring job-related tasks provide the best measurement of physical fitness. Inherent in the dilemma is the use of standards based on age and gender.

In addition to the questions regarding physical fitness assessment, there are issues of legality and defensibility that POST staff typically considers. Some academies use the WSTB with a lower cut score as a selection test (prior to entry into the academy). If the WSTB is administered pre-academy, then, according the federal Uniform Guidelines on Employee Selection Procedures, the test cannot be used to measure any Knowledge, Skill or Ability that is acquired in a training program. This has implications for the testing of such tasks as scaling a wall or fence, and dragging an incapacitated person. If we train students to do these tasks in the academy, and the pre-academy selection test directly assesses performance of these tasks and the test shows adverse impact, then we could be in

violation of Title VII. If we chose this route, the setting of the cut score would be critical to an unbiased test. An alternative to using the WSTB as an entry standard would be to develop a battery of generic tests of fundamental physical ability. This type of test would measure the fundamental physical abilities of applicants, and is typically comprised of events such as a 1.5-mile run, push-ups, and sit-ups. If properly developed and validated, a test like this would be defensible to select people for academy training in the area of physical fitness by determining the readiness of applicants to enter the academy physical conditioning program and pass the WSTB.

The work to be done in accomplishing this project requires expertise in two distinct testing areas, test development of a valid and defensible standard and physical fitness testing per se. The management fellow would evaluate current and available physical fitness assessment procedures as to whether the tests are accepted as valid measures of job-related fitness areas, such as: aerobic power, muscular strength, muscular endurance, flexibility etc. (construct validity). POST staff would then design a pilot program to test the effectiveness of a proposed standard. Effectiveness being measured by whether the proposed standard can predict who can perform the core physical tasks of the job (i.e., successful completion of the POST Work Sample Test Battery [criterion validity]).

The management fellow would work in conjunction with a POST Personnel Selection Consultant to: 1. Research and review existing law enforcement physical ability selection tests, 2. Research and review physical fitness theory on strength and endurance tests vs. job-related task tests, 3. Research and review current court cases involving physical fitness testing for the law enforcement selection process, 4. Identify strategies to implement a physical fitness minimum qualification, 5. Recommend a physical fitness minimum qualification.

The management fellow should be a Regular Basic Course instructor in physical fitness, defensive tactics, and/or use of force. A degree in Exercise Physiology is desirable. The fellow should understand the health related and motor skill components of fitness, pre-screening and medical requirements, and assessment tests.

RECOMMENDATION

Authorize the Executive Director to contract with a local law enforcement agency for a special consultant (Management Fellow) to study physical fitness issues for a period not to exceed one year and at a cost not to exceed \$130,000 for salary and benefits. Additional expenditures for meetings and workshops are anticipated at \$45,000.

peace officer applicants) through discussions with POST staff, screening psychologists and other relevant professionals. Unlike other leading personality testing experts, Dr. Ones is not affiliated with a specific test or assessment device (although she maintains massive data bases on virtually all of the commonly used measures); therefore there are no conflict of interest concerns with her involvement in an advisory capacity to POST.

Dr. Gerald Sumprer serves as a senior psychologist for the State Personnel Board (SPB), a position he's held for over 12 years. He has also conducted psychological screening examinations for a vast array of local law enforcement agencies throughout the State. With over 24 years of experience in psychological assessment, Dr. Sumprer is held in the highest regard by colleagues and law enforcement personnel alike. In the context of this project, Dr. Sumprer will assist in creating an RFP that directly addresses the important substantive and practical issues facing pre-employment psychological screening. He will also assist in evaluating the resultant proposals, the selection of contractors, and in a variety of other project functions, such as performing extensive literature searches on available tests and inventories, assisting in the conduct of SME panels, and creating draft manual chapters. His direct, extensive experience as a clinical psychologist will complement the assistance provided by Dr. Ones (an industrial/organizational psychologist). Dr. Sumprer's assistance to POST will be secured via an interagency agreement with the SPB.

RECOMMENDATION

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to create a sole source agreement for the services of Dr. Deniz Ones to assist in the implementation of Strategic Plan items A.8.I and A.8.II, at a cost not to exceed \$47,000, and enter into an interagency agreement with the State Personnel Board for the services of Gerald Sumprer at a cost not to exceed \$67,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Backfill Reimbursement for Public Safety Dispatchers and Dispatch Supervisors		Meeting Date July 20, 2000
Bureau Training Delivery & Compliance	Reviewed By Dick Reed	Researched By Lupe de la Garza
Executive Director Approval <i>Seameth J. O'Brien</i>	Date of Approval 6/27/00	Date of Report June 27, 2000
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, subject to the public hearing process, approve an amendment to Regulation 1015 to authorize backfill reimbursement for Public Safety Dispatcher and Dispatch Supervisor training?

BACKGROUND

Backfill or replacement reimbursement provides 100% of the overtime cost of training and the travel time associated with training that is incurred by agencies whenever peace officers attend selected, approved training programs. The reimbursement is intended to: (a) increase participation in selected training that is focused on critical skills, officer safety, and high liability topics; and (2) permit an agency to maintain the staffing necessary for officer and community safety and services while officers are in training.

The Backfill Reimbursement program began in May 1998. During FY 1998/99, approximately \$764,500 was reimbursed. Staff estimates that approximately \$3 Million will be reimbursed in this fiscal year (FY 1999/00).

Commission Regulation 1015(e) authorizes backfill reimbursement but limits eligibility for reimbursement to peace officers.

ANALYSIS

Records for FY 1997/98 indicate that approximately 2,344 dispatchers attended approximately 2,497 hours of reimbursable training (1.6 hours/dispatcher). On July 1, 2000, Public Safety Dispatchers and Dispatch Supervisors will be required to satisfy the 24-hour Continuing Professional Training (CPT) requirement. Approximately 6,900 dispatchers and dispatch supervisors are affected by this new requirement. To date, in-service training programs for these personnel have been limited. In addition, it is generally agreed that staffing in dispatch centers is limited and, as a result, opportunities for in-service training are also restricted.

It is unlikely that all dispatchers and supervisors will be able to receive training in the first year of the new CPT requirement. Limits on staffing and the availability of training courses will restrict participation. The new CPT requirement will encourage greater participation in training. If, however, every dispatcher and dispatch supervisor (6,900) attended 12 hours of training during FY 2000/01, approximately 82,800 hours of training would be involved. A more conservative estimate is that approximately 3,000 dispatchers and supervisors will attend some training during the first year of the CPT requirement. Only those training courses that focus specifically on the dispatch role in field operations will be approved for backfill reimbursement. This reimbursement will provide the impetus and bolster their ability to satisfy the CPT requirement. Assuming that 3000 dispatchers and supervisors each attend 8 hours of backfill approved training, approximately 24,000 hours may be reimbursable at the overtime rate. The average hourly salary for dispatchers is approximately \$14.50; \$21.75 at the overtime rate. Accordingly, backfill reimbursement for dispatchers and dispatch supervisors during FY 2000/01 is estimated to be approximately \$525,000.

The Commission, at the October 1999 meeting, approved the addition of public safety dispatchers and dispatch supervisors and appropriate training courses to the backfill reimbursement program. This action recognized the critical role of dispatchers in providing community service and ensuring the safety of officers in the field. Dispatchers are included in the annual, statewide training needs assessment and staff have developed plans to expand the scope of training courses that are specifically directed at the dispatch function and role.

Commission Regulation 1015(e), enacted in 1999, does not authorize backfill reimbursement for the dispatcher and dispatch supervisor positions. The regulation must now be amended to provide the authority for this reimbursement. Staff proposes to amend Regulation 1015(e), as follows:

1015

(e) Backfill (replacement)/Days off Reimbursement

- (1) The Commission will reimburse any eligible agency, Section 13523 Penal Code, for the agency's expense of paying salary at the overtime rate: (1) to a peace officer ~~employee~~, who replaces another peace officer ~~employee~~ for his/her attendance ~~of~~ at selected POST-certified training, or (2) to a peace officer who is assigned to training on his/her days off, or (3) to a public safety dispatcher, or dispatch supervisor who replaces another public safety dispatcher, or dispatch supervisor for his/her attendance at selected POST-certified training, or (4) to a public safety dispatcher, or dispatch supervisor who is assigned to training on his/her days off.
- (2) Reimbursement claims may be made only for attendance at POST-certified training courses identified by the Commission. Training courses that qualify for reimbursement are restricted to: (a) courses developed and presented with Federal funds allocated by Federal law, STOP violence against women, ~~and~~ (b) courses designed to address high-priority, in-service training needs of entry-level peace officers, and (c) courses designed

to address high-priority, in-service training needs of public safety dispatchers, and dispatch supervisors. As such courses are certified, there will be a notation of eligibility for reimbursement.

RECOMMENDATION

If the Commission concurs, schedule a public hearing for the October 2000 meeting to amend Regulation 1015 to authorize backfill reimbursement for Public Safety Dispatchers and Dispatch Supervisors.

Commission on Peace Officer standards and Training

NOTICE OF PROPOSED REGULATORY ACTION: AMEND REGULATION 1015 TO ALLOW REIMBURSEMENT FOR PUBLIC SAFETY DISPATCHER TRAINING

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), Section 13506 (authority for the Commission on POST to adopt regulations), and 13520 of Penal Code (powers to appropriation of funds to local cities, counties and districts), and in order to interpret, implement, and make specific Section 13503(e) of Penal Code (powers to develop and implement programs to increase the effectiveness of law enforcement) , proposes to adopt, amend or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations.

INFORMATIVE DIGEST

Regulation Section 1015 (e) provides for reimbursement to participating agencies for overtime incurred to replace an officer assigned to training.

The Commission is proposing to amend Regulation 1015 to allow reimbursement for Public Safety Dispatchers and Dispatch Supervisors who are assigned to training on days off or on overtime basis. Dispatchers training on days off or on overtime enable the law enforcement agency to maintain full strength in its service to the public, while meeting its training obligations. Effective July 1,2000, Public Safety Dispatchers are required to complete 24 hours of training every two years to comply with the Continual Professional Training requirement.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on _____. Written comments should be directed to Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training , 1601 Alhambra Blvd., Sacramento CA95816-7083.

ADOPTION OF PROPOSED REGULATIONS

Following the public comment period, the Commission may adopt the proposal substantially as set fourth without further notice or may modify the proposal if such modifications remain significantly related to the text as described in the information digest. If the Commission makes changes to the language before adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before the date of adoption to all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date of which the revised text is made available.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract Request for Analysis and Design of CD-ROM Course on Driver Training		Meeting Date July 20, 2000
Bureau Training Program Services	Reviewed By Ray Bray	Researched By Dennis Aronson
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <i>6/28/00</i>	Date of Report June 26, 2000
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 enter into a contract with San Diego State University and KPBS to perform an analysis of needs and training requirements and develop a high-level design for a CD-ROM driver training course for California law enforcement?

BACKGROUND

In 1990, POST contracted to have an interactive videodisc (IVD) course on driver training developed, which was distributed to the field in 1993. That course has provided several insights about the process for creating interactive multimedia training, including the need for thorough analysis and quality design decisions before beginning development. Much of the IVD course is outdated, and the technology has progressed so greatly that it would not be practical to convert the existing course from IVD to CD-ROM format.

The need for refresher driver training is one of the reasons the Commission established regional skills training centers that include driving simulators. The simulators can give students practice in judgement and decision-making in situations that are too dangerous for behind-the-wheel training. Similarly, an interactive multimedia program on CD-ROM can provide training in judgement and decision-making in many areas that do not require the features unique to the simulators. Also, a CD-ROM course would be an effective way for officers to learn cognitive material prior to taking training on the simulators or behind the wheel.

A million dollars for developing multimedia training in the perishable skills area was included in the budget change proposal for F/Y 2000-2001 and approved by the Commission at its meeting in October 1999. Developing a CD-ROM on driver training was a major project envisioned for the use of these funds.

ANALYSIS

Experience has shown the importance of performing solid front-end analysis in order to design and ultimately develop multimedia courseware that will meet the agencies' needs. Proper analysis can also ensure that the funds later spent for development will be used effectively as a result of being able to focus on critical learning needs.

The work to be performed in the proposed contract includes meeting with subject-matter experts, officers who would be taking the course, and other stakeholders in order to determine the needs, goals and objectives for the course, and the types of interactions that will facilitate learning. Another part of the analysis would consist of studying existing driver training curricula for basic and refresher training (including training presented in the driving simulators) and other driver training programs. It is important that the CD-ROM course be consistent with other courses, especially the driving simulator courses, and satisfy needs that can not be met using these other delivery systems.

The cost of the analysis/design project would not exceed \$70,000 and should be completed within six months following the signing of the contract. After completing the analysis and design work, it would be possible to determine what the proposed course would cost to develop; staff would then prepare a report with recommendations for the Commission. It is anticipated that the development of the course would involve a considerable sum of money. Performing the initial analysis and high-level design work first will help ensure that the course that is ultimately developed will meet the needs of the target audience and be an effective use of POST funds.

At its meeting in January 2000, the Commission authorized contracting with San Diego State University and KPBS to manage some multimedia courseware development. Working in partnership with POST LTRC staff, KPBS would manage the project with oversight by POST.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with San Diego State University and KPBS to perform an analysis and develop a high-level design for a CD-ROM driver training course for California law enforcement. The total amount of the contract would not exceed \$70,000; the term would be six months.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract Request Concerning Regional Skills Training Centers		Meeting Date August 23, 2000
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Forrest Billington
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <i>8-7-00</i>	Date of Report August 1, 2000
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 (1) the purchase of driver training and force options simulators for four agencies to establish new Regional Skills Training Centers, (2) the modification and/or upgrade of equipment at six existing skill centers, and (3) the purchase of additional training equipment for all 22 centers and (4) contract with several agencies to provide instructor training for simulator courses?

BACKGROUND

In 1991 and 1992, San Bernardino County Sheriff's Department, Los Angeles County Sheriff's Department, and San Jose Police Department were funded by POST to purchase the first driving simulators, followed in 1997 by Contra Costa (Los Medanos College), Siskiyou County Sheriff's Department, Redding Police Department, Sacramento Police Department, Ray Simon Criminal Justice Training Center, and Los Angeles Police Department. West Covina Police Department funded their own system.

At the January 1999 meeting, the Commission approved funding of specified technology equipment for the establishment and development of seventeen Regional Skills Training Centers, including those mentioned above plus Santa Rosa College, Alameda County Sheriff's Department, Sacramento County Sheriff's Department (mobile force options simulator), Fresno Police Department, Orange County Sheriff's Department, Alan Hancock College, Riverside County Sheriff's Department, and San Diego County Sheriff's Department.

At the April 2000 meeting, the Commission approved adding a Regional Skills Training Center to the South Bay Regional Training Consortium in Santa Clara County. A budget change proposal (BCP) was submitted for the 2000/2001 fiscal year, and approximately \$6.5 million was allocated for continual implementation and expansion of the centers and also to address the perishable skills refresher training for in-service officers. That BCP was approved and budgeted for this fiscal year.

ANALYSIS

1. Add four new Regional Skills Training Centers

Part of this BCP provided for the purchase of new driving and force options simulators to implement an in-service training program. Four sites have been identified for establishing new Regional Skills Training Centers: Ventura County Sheriff's Department, San Francisco Police Department, Kern County Sheriff's Department and College of the Redwoods in Eureka. These sites are recommended because they represent geographical areas not now currently served by a skills center. It has been POST's objective in establishing these skills centers to have them located within one hour's driving time of most officers. The cost of simulators for each of the first three sites is \$500,000.00, totaling \$1,500,000.00. The fourth site, College of the Redwoods, will not have driving simulators, because of the limited number of officers in the area to be served, and will cost only \$100,000.00. The total for these four sites is \$1,600,000.00.

A fifth site is needed in the west/south part of LA County to serve over 2000 sworn officers that must travel a significant distance to an existing site. POST staff is currently evaluating possible sites for that center. A possibility for that area is a mobile system, which would be operated by LASD. LASD has also committed one of its existing mobile Use of Force systems to accompany a mobile Driving Simulator if POST were to approve that plan. Several other South Bay and West L.A. County agencies have also expressed an interest, and are being considered.

2. Modify/upgrade equipment at six existing centers

There is a need to modify and/or upgrade six existing Regional Skills Training Centers to meet the training commitments. At the Contra Costa (Los Medanos College) Center, four of the current eight simulators should be replaced. The Los Angeles Police Department and Sacramento Police Department have original AMOS I driving simulators, which should be upgraded with new systems at \$400,000.00 each. A force options simulator at \$100,000.00 is needed for Butte College, which currently has only driving simulators. Santa Rosa College has requested \$350,000.00 for a trailer and truck to install their driver simulators in to service remote agencies in their area. Santa Rosa will also provide driving simulator classes to College of the Redwood students. These modifications and upgrades total \$1,650,000.00.

3. Add training equipment at all 22 centers

It is recommended that certain driver training and arrest and control equipment be provided to each of the Regional Skills Training Centers. The BCP allocated funds to provide the following for each center: a skid car for EVOC training, life-like mannequins, gym mats, batons, handcuffs, simulated weapons, etc., for arrest and control training, and an LCD projector and laptop computer for presentations in all classes, including tactical communications. Each of the 22 Regional Skills Training Centers would receive \$103,358.00 for the necessary equipment. The total cost for these additions is \$2,273,892.00.

4. Contract with certain training centers to provide instructor training simulators

As the development of the 22 Regional Skills Training Centers progresses, it is necessary to continually train instructors to deliver the simulator courses. Presently, instructor training is being delivered at West Covina Police Department, San Jose Police Department, and Contra Costa Criminal Justice Training Center (Los Medanos College). To more efficiently deliver courses it is recommended that POST enter into contracts with the following presenters to deliver these courses:

1. West Covina P.D., Force Options Instructor Course, Driving Simulator Instructor Course, 8 presentations @ \$4,000.00, total \$64,000.00;

2. San Jose PD, Force Options Instructor Course, 8 presentations @\$4,000.00, total \$32,000.00;
3. Los Medanos College, Driving Simulator Instructor Course, 8 presentations @\$4,000.00, total \$32,000.00, Grand Total \$128,000.00.

The grand total for all of the expenditures is \$5,651,892.00.

RECOMMENDATION

The recommendation is to accept the report and authorize the Executive Director to enter into contracts with the respective organizations for the following expenditures, totaling \$5,651,892.00.

1. Add four new Regional Skills Centers (Ventura County Sheriff's Department, College of the Redwoods - Eureka, San Francisco Police Department, and Kern County Sheriff's Department). \$1,600,000.00
2. Upgrade or modify equipment at six existing Regional Skills Training Centers (Contra Costa, Los Angeles Police Department, Sacramento Police Department, Los Angeles County Sheriff's Department, Butte College, and Santa Rosa College). \$1,650,000.00
3. Add to each of the 22 Regional Skills Training Centers a skid car, LCD projector and laptop computer, life-like mannequins, gym mats, batons, handcuffs, simulated weapons, and related training equipment. \$2,273,892.00
4. Contract with West Covina PD, San Jose PD and Contra Costa Training Center (Los Medanos College) to provide driving simulators and force options simulator instructor courses. \$128,000.00

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Production of Driving Simulator Scenarios		Meeting Date July 20, 2000
Bureau Training Program Services	Reviewed By <i>Ray A. Bray</i>	Researched By Forrest Billington
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <i>8-7-00</i>	Date of Report May 17, 2000
Purpose <input 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 enter into a contract with the San Bernardino County Sheriff's Department to develop scenarios for use in driving simulators used by POST's Regional Skill Centers?

BACKGROUND

For the past several years, the Commission has contracted with agencies that have driving simulators to hire instructors to develop scenarios for use by the Regional Skills Centers in California that present this training. In the near future there will be 22 of these centers. The scenarios, which require specialized expertise to create, are critical to the success of the program. To date, more than 100 scenarios have been developed.

ANALYSIS

There is a need to have "fresh" scenarios, especially for officers who may be taking simulator training a second time. Also, with the addition of updated driving simulators that have new features (for example, freeway ramps, rural areas), new scenarios will be required. In order to enhance the scenario development process, the San Bernardino County Sheriff's Department will provide two scenario developers to work on the project. Total costs for scenario development will not exceed \$33,000.00.

RECOMMENDATION

It is recommended that the Executive Director be authorized to contract with the San Bernardino County Sheriff's Department for \$33,000.00 for fiscal year 2000/2001 to develop driving simulator scenarios.

N. Request For Production of Driving Simulator Scenarios

For the past several years, the Commission has contracted with agencies that have driving simulators to hire instructors to develop scenarios for use by the Regional Skills Centers in California that present this training. The scenarios, which require specialized expertise to create, are critical to the success of the program. To date, more than 100 scenarios have been developed.

There is a need to have "fresh" scenarios, especially for officers who may be taking simulator training a second time. Also, with the addition of updated driving simulators that have new features (for example, freeway ramps, rural areas), new scenarios will be required. In order to enhance the scenarios development process, the San Bernardino County Sheriff's Department will provide two scenario developers to work on the project. The contract will be with the San Bernardino County Sheriff's Department for \$33,000.00 to provide these services. Total costs for scenario development will not exceed \$33,000.00.

If the Commission concurs, the recommendation is to authorize the Executive Director to contract with the San Bernardino County Sheriff's Department for \$33,000.00 for fiscal year 2000/2001 to develop driving simulator scenarios. (ROLL CALL VOTE)

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contracts to Distribute Driving Simulator Scenarios		Meeting Date July 20, 2000
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Gene Rhodes
Executive Director Approval <i>Samuel J. O'Brien</i>	Date of Approval 6-8-00	Date of Report May 30, 2000
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 enter into marketing agreements with FAAC, Inc. and with I-SIM, Inc. to distribute, on a non-exclusive basis, scenarios developed by POST for the those companies' driving simulators?

BACKGROUND

At its April 2000 meeting, the Commission approved the renewal of the marketing agreement with Doron Precision Systems, Inc. to provide, on a non-exclusive basis, 70 scenarios to each site outside of California that purchases its simulators. In addition to the scenarios, each customer also receives a copy of the instructor guide developed by POST. The scenarios and instructor guide are provided free of charge to agencies in California purchasing the simulators. For each sale outside of the state, the agreement specifies that POST receive a \$2,500 royalty payment, paid on a quarterly basis. To date, POST has received \$45,000 in royalty payments.

ANALYSIS

Until recently, Doron was the only manufacturer of driving simulators that met POST's specifications. Recently, two other companies, FAAC, Inc. and I-SIM, have also met the specifications and have sold driving simulators to California law enforcement agencies. These companies' simulators also use scenarios developed by POST, and the companies are interested in having marketing agreements with POST in order to provide the scenarios to customers outside California.

RECOMMENDATION

Authorize the Executive Director to enter into agreements with FAAC, Inc. and with I-SIM, Inc. to market, on a non-exclusive basis, 70 POST driving simulator scenarios and instructor guide through June 30, 2002, and to provide POST a \$2,500 royalty payment for each out-of-state sale.

MEMORANDUM

To : POST Commissioners

Date: June 28, 2000



Woody Williams, Chair
Professional Certificate Review Committee

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

Subject: **REPORT OF PROFESSIONAL CERTIFICATE REVIEW COMMITTEE**

At the January 2000 meeting, the Commission conducted a public hearing related to the rescission of a portion of Regulation 1011(b), pertaining to the cancellation of the POST Basic Certificate. As a result of the public testimony and discussion among the members, the Commission directed the creation of a broad-based committee to study the issue of the cancellation of the POST certificate. The committee was directed to provide the Commission with its recommendation(s) concerning the issue when it completed the study. Chairman TerBorch appointed Woody Williams, Advisory Committee, to chair the committee.

The Professional Certificate Review Committee consists of fifteen members who represent law enforcement organizations and associations, the POST Advisory Committee, and the law enforcement community at-large. A roster of the Committee is Attachment A.

The Committee met in April and June 2000, to review Commission Regulation 1011(b) and consider the broader issue of the cancellation of the POST Basic Certificate. At the conclusion of the meeting on June 1, 2000, in Sacramento, the Committee unanimously agreed to present two recommendations to the Commission:

1. Amend Regulation 1011(b) by adopting the language proposed by the Committee. The final draft of the language for Regulation 1011(b) is Attachment B; and
2. Adopt a Support position on AB 2449 as amended on May 15, 2000.

The Committee appreciates this opportunity to serve the Commission for the improvement of law enforcement in California.

PROFESSIONAL CERTIFICATE PROGRAM REVIEW
ROSTER**Organizations**

1. CPOA Steve Campbell, Chief - Port Hueneme Police Department
2. CPCA William F. Brown, Chief - Lompoc Police Department
3. CSSA Charles Byrd, Sheriff - Siskiyou County Sheriff's Department
4. LAPPL Cliff Ruff, Director
5. ALADS Roy Burns, President
6. COPS John Holcomb, Captain - Cathedral City Police Department
7. PORAC Clancy Faria, President
8. CDAAThomas J. Orloff, First Vice President - Alameda County District Attorney's Office

Individuals1. Advisory Committee

- a. Alex Bernard, Sergeant - Ontario International Airport Police Department
- b. Phil Del Campo, Ph.D.
- c. Woody Williams
- d. Al Waters, Captain - San Francisco Police Department

1. At Large

- a. Bill Lansdowne, Chief - San Jose Police Department
- b. Lou Blanas, Sheriff-Marshal - Sacramento County Sheriff's Department
- c. Steve Craig, Director of Security - California State Lottery

1. Resource

- a. Vince Scally, Deputy Attorney General - Attorney General's Office

Regulation 1011(b)

Final Draft
Approved and Recommended
June 1, 2000

The recommendation of the Committee is to amend Regulation 1011(b)(1) and (b)(2), as follows:

Regulation 1011(b) Professional certificates shall remain the property of the Commission. ~~Certificates shall be denied or canceled when:~~

- (1) Certificates shall be denied or canceled when a peace officer has been adjudged guilty of a felony or has been disqualified for any other reason described in Government Code Section 1029(a)(1) through (a)(6); or
- (2) Certificates may be denied or canceled when the person is adjudged guilty of a felony which constitutes moral turpitude which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or (b)(3), and ~~which constitutes~~ involves either unlawful sexual behavior with a juvenile or a non-consenting adult, assault under color of authority, dishonesty, theft, or narcotic offense; or

Regulation 1011(b) Professional certificates shall remain the property of the Commission.

- (3) Certificates shall be denied or canceled when a peace officer has been adjudged guilty of a felony or has been disqualified for any other reason described in Government Code Section 1029(a)(1) through (a)(6); or
- (4) Certificates may be denied or canceled when the person is adjudged guilty of a felony which constitutes moral turpitude which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or (b)(3), and which involves either unlawful sexual behavior with a juvenile or a non-consenting adult, assault under color of authority, dishonesty, theft, or narcotic offense; or