

CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

TRAINING SPECIFICATIONS  
FOR THE  
DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE

October 1, 2022

Specifications are compiled and issued by the  
California Commission on Peace Officer Standards and Training



## **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

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# **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

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## DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE

### Learning Domains and Course Hours

Learning Domain	Domain Description	Minimum Hours
# 70	Role and Authority of the District Attorney Investigator	6
# 73	Concepts of Evidence, Search and Seizure	4
# 76	Trial Preparation and DA Specific Investigations	6
# 78	Child Abduction Investigation	2
# 81	Crimes Committed by Public Officials/Officers	4
# 84	Officer Involved Incident Investigations	4
# 86	Investigator Safety/Threat Assessment	4
# 88	Professionalism and Ethics	2
# 94	Legal Update and Emerging Issues	4
	Minimum Instructional Hours	36
	Administrative Time	2
	Presenter-developed Comprehensive Review & Testing	2
	Total Minimum Required Hours	40



## **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

### **SPECIFICATIONS FOR LEARNING DOMAIN #70 ROLE AND AUTHORITY OF THE DISTRICT ATTORNEY INVESTIGATOR**

October 1, 2022

#### **I. LEARNING NEED**

Students need to understand the role and authority of the District Attorney Investigator.

#### **II. LEARNING OBJECTIVES**

- A. Identify constitutional and statutory authority and mandates, including:
  - 1. State Constitution
  - 2. Government Code
  - 3. Penal Code
  - 4. Business and Profession Code
  - 5. Family Code
  - 6. Civil Code
  - 7. Election Code
  - 8. Case law
  - 9. Subpoena power and additional authorities
  - 10. California Code of Regulations
- B. Discuss the history and authority of the District Attorney Investigator
- C. Discuss the role and duties/functions of the District Attorney Investigator, including:
  - 1. Pre/post complaint investigation
  - 2. District Attorney Investigator vs. general law enforcement function
  - 3. “Investigating” a case and “making” a case for criminal purposes
  - 4. Role of the prosecutor (i.e. not having the prosecutor become a witness in their own case)
  - 5. Role of the victim advocate (i.e. dangers of taking statements from victims)
  - 6. Changing roles and responsibilities of a DA Investigator based on goals and objectives of elected leadership
- D. Identify the working relationships with:
  - 1. District Attorney/Legal staff



## **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

- A. Support staff
  - B. Victim Witness
  - C. Paralegal
- 2. Law enforcement community
- 3. Legal community
- 4. General public
- E. Understand pardons/ Certificates of Rehabilitation [PC 1203.4(a)]
- F. Discuss the court processes, motions, grand jury
- G. Discuss the investigator's role in court processes including:
  - 1. Charging
  - 2. Defendant's appearance in court (i.e.: out of county, out of custody, security issues, extradition, etc.)
  - 3. Preliminary hearing (including Proposition 115)
  - 4. Superior court arraignment
  - 5. Pre-trial motions including:
    - a. Bail
    - b. Discovery
    - c. Motions in Liminé
  - 6. Disposition without trial
  - 7. Trial
  - 8. Post-trial motions
  - 9. Death penalty phase trial
  - 10. Jury verdict impeachment
  - 11. Post-sentence motions
  - 12. Lifer hearings
  - 13. Responsibilities when sitting as investigating officer
- H. Recall the role and authority of Grand Juries, including:
  - 1. Tactical considerations
    - a. Oversight role
    - b. Investigative vs. indictment



## **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

2. Selection process/composition
    - a. Background investigations
  3. Confidentiality
  4. Subpoenas/Subpoena Duces Tecum (SDT)
  5. Indictments
- I. Differentiate between adult criminal system and juvenile court law
  - J. Discuss the juvenile process
  - K. Discuss the options available to a District Attorney Investigator for access to juvenile records
  - L. Recognize the prosecutor's considerations in filing decisions and conducting trials
  - M. Discuss major case management techniques
    1. Voluminous evidence issues
    2. Multiple victims/defendants/jurisdiction
  - N. Recognize organizational systems (i.e.: Bates stamping of document, scanning, Optical Character Recognition (OCR), software, etc.)
  - O. Recognize the crime elements of insurance fraud, including:
    1. Auto
    2. Workers' Compensation
    3. Health Care
  - P. Recognize the crime elements of real estate fraud
  - Q. Discuss Environmental Crimes (e.g. chemicals, waters, and wildlife)
  - R. Discuss Consumer Fraud/Protection
  - S. Discuss OSHA and Industrial Deaths
  - T. Identify the legal aspects and investigative techniques of identity theft.
- III. REQUIRED TESTS
- The presenter-developed comprehensive test will include items from this domain.
- IV. REQUIRED LEARNING ACTIVITIES
- The student will participate in learning activities that address contemporary or emerging issues relevant to the role and authority of a District Attorney Investigator.
- V. HOURLY REQUIREMENTS



## **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

Students shall be provided with a minimum of **6** hours instruction on the role and authority of the District Attorney Investigator.

VI. ORINATION DATE

January 1, 2002

VII. REVISION DATE

October 1, 2022



# **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

## **SPECIFICATIONS FOR LEARNING DOMAIN #73 CONCEPTS OF EVIDENCE, SEARCH AND SEIZURE**

October 1, 2022

### **I. LEARNING NEED**

Students need to understand concepts of search and seizure and the admissibility of evidence.

### **II. LEARNING OBJECTIVES**

- A. Discuss how the California Evidence Code applies in the following:
  - 1. Corroboration
  - 2. Impeachment
  - 3. Admissibility of rebuttal evidence
  - 4. Prior statements/testimony
  - 5. Privileges/in camera hearings
  - 6. Hearsay and exceptions
  - 7. 1538 Evidence Code- Prior identification by witnesses
  - 8. 353 Evidence Code
  - 9. Co-Defendant Statements (e.g., Aranda)
  - 10. 402 (Evidence Code) Hearing
  - 11. Admissibility of prior conduct (Evidence Code 1101 et al.)
- B. Describe the types, appropriate uses, and affidavit construction of search and arrest warrants, including legal aspects of service and return, for the following:
  - 1. Contingency Warrants
  - 2. Surreptitious Entry Warrants
  - 3. Sealed
  - 4. Steagald
  - 5. Skelton
  - 6. Telephonic search warrants
  - 7. Electronic Privacy Communications Act
  - 8. Telephone records searches



## **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

9. Pen registers
10. Special Masters
11. Extensions of time
12. Ramey Warrants
13. Unlawful Flight to Avoid Prosecution (UFAP)
14. Extradition
15. Rendition
16. Out of county warrant arrest (PC 821)
17. Body attachments
18. Wire tap
19. Electronic tracking devices
20. Digital evidence
21. Search warrant templates (distribution of electronic exemplars)

C. Discuss current legal issues involving search and seizure laws concerning the following:

1. Consent
2. Vehicles
3. Persons
4. Buildings
5. Containers

D. Identify legal aspects of physical evidence, including:

1. Chain of custody and authentication
2. Biological evidence
3. Handwriting exemplars and directed writings
4. Release and/or other disposition of evidence

### **III. REQUIRED TESTS**

The presenter-developed comprehensive test will include items from this domain.

### **IV. REQUIRED LEARNING ACTIVITIES**

None

### **V. HOURLY REQUIREMENTS**



## **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

Students shall be provided with a minimum of **4 hours** instruction on concepts of evidence, search, and seizure.

VI. ORIGINATION DATE

January 1, 2002

VII. REVISION DATE

October 1, 2022



# **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

## **SPECIFICATIONS FOR LEARNING DOMAIN #76 TRIAL PREPARATION AND DA SPECIFIC INVESTIGATIONS**

October 1, 2022

### **I. LEARNING NEED**

Students need to understand the techniques of trial/case preparation and support.

### **II. LEARNING OBJECTIVES**

- A. Analyze case file reports to determine deficiencies and weaknesses
- B. Identify discovery issues
  - 1. Information subject to discovery
  - 2. Brady material
  - 3. Timeliness and tracking of discovery
- C. Identify procedures for obtaining and/or preparing exhibits or demonstrations of evidence, including:
  - 1. Demonstrative exhibits/models
  - 2. Photographs and video (including aerial)
  - 3. Audio/visual/digital
    - a. Editing
    - b. Filtering
  - 4. Diagrams
  - 5. Maps
  - 6. Computer generated exhibits (i.e., PowerPoint, LCD projectors, Trial Director computer program)
  - 7. Jury considerations (i.e., comprehension and attention span)
  - 8. Disposition of evidence and exhibits after trial
  - 9. Jail calls
- D. Discuss the tactical role of the DA investigator during trial, including:
  - 1. Investigating officer
  - 2. Jury selection
  - 3. Trial strategy



## **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

4. Unanticipated problems:
  - a. Interviews
  - b. Backgrounds
  - c. Equipment/videos
  - d. Physical evidence
  - e. Missing witnesses
  - f. Victim/witness security
- E. List the information and services available from the following sources:
  1. DMV off-line services
  2. Law Enforcement Intelligence Unit (LEIU)
  3. DOJ off-line services
  4. CDC Law Enforcement Automated Data Service (LEADS)
  5. FBI Law Enforcement Online (LEO)
  6. Violent Criminal Apprehension Program (ViCAP)
  7. Internet
  8. On-line public records databases (e.g., ChoicePoint, LexisNexis, West Law, Accurint, TLO)
  9. Megan's Law
  10. APBnet (Law Enforcement Alert System formerly TRAK/Critical Reach)
  11. Social media
  12. State Threat Assessment System
  13. Nationwide Fusion Center Network
  14. Western States Information Network (WSIN)
  15. Los Angeles Regional Criminal Information Clearinghouse (LA CLEAR)
  16. COPLINK
  17. Records Management System (RMS)/Computer Aided Dispatch (CAD)
  18. Telephone and wireless carrier resources ((e.g. Hemisphere and Neustar)
  19. Cal Detail Records
  20. CLETS, NCIC, NLETS, and other state and national databases
  21. National Insurance Crime Bureau (NICB)



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22. License plate reader databases (e.g. National Vehicle Location Service (NVLS))

23. Cal ID/Live Scan

24. Cal Photo/Booking photos

F. Discuss issues related to the management of informants including:

1. “Jailhouse informants”
2. Non-custodial defendants/informants
3. Juvenile informants

G. Discuss examples of legal and practical issues in dealing with victims/witnesses, to include:

1. Identification, location, and subpoenaing
  - a. Out of county witness
    - (1) Out of State
      - (a) Uniform Witness Act
    - (2) In State (over 150 miles and out of county)
  - b. Witness from foreign countries
    - (1) Formal
    - (2) Informal
    - (3) U-Visa
2. Due diligence
3. Background checks
4. Reluctant/uncooperative victims/witnesses (e.g., bond and warrant, PC 878 et seq., and PC 1332, CCP 1993, and CCP 1988)
5. Victim/witness unit liaison
6. Witness expenses and fees
7. In-custody witnesses, including logistics
8. Americans with Disabilities Act (ADA) considerations
9. Methods of subpoena service
  - a. Personal service
  - b. Service by mail
  - c. Service of juveniles



## **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

- d. E-mail (not valid subpoena service)
- 10. Warrants for witnesses
- H. Discuss the California Witness Relocation Assistance Program (CalWRAP)
  - 1. Program overview
  - 2. Program eligibility
  - 3. Reimbursable expenses
  - 4. Program procedures
    - a. Application process
    - b. Witness agreement
    - c. Amendment process
    - d. Status update
    - e. Case closure
    - f. Identity change
  - 5. Audit considerations
  - 6. Witness termination or refusal
- I. Recognize methods for selecting expert witness, including:
  - 1. Financial considerations
  - 2. Transcripts on prior testimony
- J. Identify elements of a conditional witness examination (PC 1335 - 1362), including:
  - 1. Video recordings
  - 2. Legal restrictions
- III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.
- IV. REQUIRED LEARNING ACTIVITIES

Given a simulated case study or equivalent material provided by the presenter, the student will participate in one or more learning activities that address the review, strategies, analysis, and tactical role of an investigator in trial preparation.
- V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **6** hours instruction on trial preparation and DA specific investigations.
- VI. ORIGINATION DATE



## **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

January 1, 2002

### **VII. REVISION DATE**

October 1, 2022



# DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #78 CHILD ABDUCTION INVESTIGATION

October 1, 2022

### I. LEARNING NEED

Students need to understand the legal aspects and civil liabilities related to child abduction investigations.

### II. LEARNING OBJECTIVES

- A. Identify civil mandates and laws
- B. Identify civil and criminal remedies
- C. Describe recovery and placement of children
- D. Identify international abductions
- E. Discuss treaties
  - 1. Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)
  - 2. Hague Convention on the International Aspects of Child Abduction
- F. Recognize potential civil liabilities for investigators
- G. Write a Good Cause Report
  - 1. Visitation Denials

### III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

### IV. REQUIRED LEARNING ACTIVITIES

Students shall participate in a small group exercise to write a Good Cause Report to include the reason(s) why a parent/guardian is not following a court order.

### V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** instruction on child abduction investigations.

### VI. ORIGINATION DATE

January 1, 2002

### VII. REVISION DATE

October 1, 2022



# **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

## **FOR LEARNING DOMAIN #81 CRIMES COMMITTED BY PUBLIC OFFICIALS/OFFICERS**

October 1, 2022

### **I. LEARNING NEED**

Students need to understand the legal aspects and investigative techniques of crimes committed by public officials and public officers.

### **II. LEARNING OBJECTIVES**

- A. Recognize the legal aspects and investigative techniques for misconduct by public officials, public employees, candidates, and campaign workers, including:
  - 1. Political Reform Act
  - 2. Theft of public funds
  - 3. Bribery
  - 4. Conflict of interest
  - 5. Brown Act violations
  - 6. Government records crimes
  - 7. Residency
- B. Recognize the legal aspects and investigative techniques for crimes against the judicial process, including:
  - 1. Perjury
  - 2. Subornation of perjury
  - 3. Falsification of evidence
  - 4. Obstruction of justice
  - 5. Jury tampering
- C. Identify other important considerations
  - 1. Polling places/election violations
  - 2. Confidentiality issues
  - 3. Managing media scrutiny
  - 4. Inter-agency coordination (Fair Political Practices Commission (FPPC), FBI, etc.)

### **III. REQUIRED TESTS**

The presenter-developed comprehensive test will include items from this domain.



## DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE

### IV. REQUIRED LEARNING ACTIVITIES

The student will participate in one or more learning activities that will identify actions to be taken during an investigation of crimes committed by public officials. At a minimum, the activity or combination of activities must address:

1. Initial steps or techniques
2. Evaluating possible violations
3. Establishing the elements of the crime(s)
4. Reporting findings

### V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** instruction on crimes committed by public officials.

### VI. ORIGINATION DATE

January 1, 2002

### VII. REVISION DATE

October 1, 2022



# DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #84

### OFFICER INVOLVED INCIDENT INVESTIGATIONS

October 1, 2022

#### I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques used in the investigation of officer-involved incidents.

#### II. LEARNING OBJECTIVES

- A. Identify the role of the District Attorney Investigator in the investigation of officer-involved fatal incidents, including:
  - 1. Custodial deaths
  - 2. Department policy/countywide protocol
  - 3. Interview techniques
  - 4. Body Worn Cameras
- B. Identify the role of the District Attorney Investigator in the investigation of officer-involved use of excessive force (non-fatal) incidents
- C. Identify the role of the District Attorney Investigator in the investigation of Crimes Against Peace Officers (CAPOS), including:
  - 1. Fatal incidents
  - 2. Non-fatal incidents
- D. Identify conflict situations when a DA Investigator is involved in a critical incident resulting in an investigation

#### III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

#### IV. REQUIRED LEARNING ACTIVITIES

None

#### V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** instruction on officer-involved incidents.

#### VI. ORIGINATION DATE

January 1, 2002

#### VII. REVISION DATE



## **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

October 1, 2022



# **DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE**

## **SPECIFICATIONS FOR LEARNING DOMAIN #86 INVESTIGATOR SAFETY/THREAT ASSESSMENT**

October 1, 2022

### **I. LEARNING NEED**

Students need to understand the safety considerations and threat assessments applicable to DA Investigators.

### **II. LEARNING OBJECTIVES**

#### **A. Describe safety techniques specific to DA investigators, including:**

1. Uniformed/plainclothes officers
2. Identification issues
  - a. High-risk crime responses (e.g. burglary, robbery, etc.)
  - b. Tactical vs. plainclothes
3. Arrest situations
4. Court process (e.g., warrants, subpoenas, etc.)
5. Search warrant service considerations
  - a. Planning
6. Prisoner Transportation
  - a. Restraint devices
  - b. Removal orders
7. Active shooters
8. Anti-government extremist groups (e.g., Antifa, Sovereign Citizens)
9. Personal and family safety considerations
10. “Will to survive”
11. Force options
  - a. Agency’s force options and policies
  - b. Equipment options based on operational needs

#### **B. Discuss threat assessment considerations**

1. Threats against District Attorney employees
2. Dignitary protection
3. Security Assessments



## DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE

### III. REQUIRED TESTS

None

### IV. REQUIRED LEARNING ACTIVITIES

None

### V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** instruction on investigator safety.

### VI. ORIGINATION DATE

January 1, 2002

### VII. REVISION DATE

October 1, 2022



# DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #88 PROFESSIONALISM AND ETHICS

October 1, 2022

### I. LEARNING NEED

Students need to know an investigator's professional, ethical, and legal responsibilities.

### II. LEARNING OBJECTIVES

- A. Discuss the duties and obligations of a peace officer as described in the *Law Enforcement Code of Ethics*
- B. Discuss the obligations imposed on District Attorney Investigators by the California State Bar Rules of Professional Conduct
- C. Explain potential consequences of unethical and unprofessional conduct
- D. Explain why a peace officer (investigator) should respond to unethical and unprofessional conduct by another officer
- E. Discuss responses to unethical and unprofessional conduct
- F. Discuss news media, including:
  - a. Agency policy regarding use of the Public Information Officer (PIO)
  - b. Speaking to the press and what to say
  - c. Legal and ethical considerations applicable to the release of information (Rules of Professional Conduct, Government Code, and other applicable statutes)

### III. REQUIRED TESTS

None

### IV. REQUIRED-LEARNING ACTIVITIES

The student will participate in one or more learning activities that demonstrate the ability to critique unethical or unprofessional conduct by an investigator or an attorney. At a minimum, each activity must include a discussion of the consequences of the conduct.

### V. HOURLY REQUIREMENTS

The students shall be provided with a minimum of **2 hours** instruction on ethics and professionalism.

### VI. ORIGINATION DATE

January 1, 2002

### VII. REVISION DATE

October 1, 2022



# DISTRICT ATTORNEY INVESTIGATOR TRANSITION COURSE

## SPECIFICATIONS FOR LEARNING DOMAIN #94

### LEGAL UPDATE AND EMERGING ISSUES

October 1, 2022

#### I. LEARNING NEED

Students need to understand the impact of the current laws, emerging issues, and court decisions as they relate to the District Attorney Investigator's duties.

#### II. LEARNING OBJECTIVES

- A. Understand the impact of recent statutory changes
  - 1. Changes with regard to recent state law (e.g. AB109, Marsy's Law)
- B. Understand the impact of recent case law, including:
  - 1. Interview and interrogation update (e.g. polygraph, voice stress analysis)
  - 2. Brady update
  - 3. Discovery update
  - 4. Use of line ups (live, photo, sequential, etc.)
  - 5. Recent changes in law(s) related to technology
  - 6. Search and seizure update
- C. Emerging Issues
- D. Emerging Technologies
- E. Other relevant updates

#### III. REQUIRED TESTS

None

#### IV. REQUIRED LEARNING ACTIVITIES

None

#### V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** instruction on legal update.

#### VI. ORIGINATION DATE

March 14, 2013

#### VII. REVISION DATE

October 1, 2022