

POST COMMISSION MEETING Commission on POST - DoubleTree by Hilton San Diego - Mission Valley; 7450 Hazard Center Drive, San Diego, CA 92108

> February 13, 2020 AGENDA 9:00 AM

CALL TO ORDER AND WELCOME

COMMISSION MEMBERS

Alan Barcelona	Rick Braziel - Vice Chair
Lai Lai Bui	Barry Donelan
Robert Doyle	Joyce Dudley - Chair
Eve Berg	Geoff Long
Ed Medrano - Ex-Officio	John McMahon
Jethroe Moore II	James O'Rourke
Batine Ramirez	Laurie Smith
Walter Vasquez	Vacant - Elected City Official
Vacant - Public Member (Senate Pro Tempore)	Vacant - Public Member (Speaker of the Assembly)

COLOR GUARD AND FLAG SALUTE

The Color Guard will be provided by the San Diego Police Department.

MOMENT OF SILENCE HONORING THE OFFICERS WHO LOST THEIR LIVES IN THE LINE OF DUTY SINCE THE LAST MEETING

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTION OF POST ADVISORY COMMITTEE CHAIR, POST LEGAL COUNSEL, AND THE EXECUTIVE DIRECTOR

Commission Chair will introduce the POST Advisory Committee Chair, POST Legal Counsel, and the Executive Director.

OPENING REMARKS

Chief David Nisleit, San Diego Police Department, will provide Opening Remarks.

PUBLIC COMMENT

Commission Chair will advise the audience of the following:

This is the time on the agenda for public comment. This is time set aside for members of the public to comment on either items on the Commission agenda or issues not on the agenda but pertaining to POST Commission business. Members of the public who wish to speak are asked to limit their remarks to no more than five minutes each. Please be advised the Commission cannot take action on items not on the agenda.

EXECUTIVE DIRECTOR COMMENTS

The Commission Chair will introduce POST Executive Director, Manny Alvarez.

APPROVAL OF ACTION SUMMARY AND MINUTES

A. Approval of the Action Summary and Minutes of the previous Commission meeting.

The following are submitted for Commission approval.

- Action Summary October 24, 2019
- Meeting Minutes October 24, 2019

If the Commission concurs, the appropriate action would be a **MOTION** to approve the Action Summary and Meeting Minutes from the last Commission meeting.

EMERGING TRENDS

CONSENT

- B. Consent Items
 - 1. Report on Course Certification Statistics from 09/01/2019 to 12/31/2019

This item reflects a status report of training courses which have been certified, decertified or modified during the time frame of September 1, 2019 to December 31, 2019. It also reflects the total number of certified courses and presenters of courses.

This report is presented for information only. No action is required.

 Report on POST Reimbursable Agency Entry - Menifee Police Department Menifee Police Department has been approved to enter into the POST Reimbursable Peace Officer Program for its peace officers.

This report is presented for information only. No action is required.

3. Report on POST Reimbursable Agency Entry - Port Of Stockton Police Department The Port of Stockton Police Department has been approved to enter into the POST Reimbursable Peace Officer Program for its peace officers.

This report is presented for information only. No action is required.

4. Report on the Role of the IMPACT Team

At the full Commission meeting held in West Sacramento on October 27, 2016, the Commission chose to disband the Strategic Plan and Organizational subcommittee, and replace it with an emerging issue trends report to be presented at the beginning of each full Commission meeting beginning in February 2017. At the conclusion of the October Commission meeting, POST staff assigned responsibility for identifying and evaluating emerging trends to the existing futures IMPACT Team at POST.

The IMPACT (Investigating Mitigating Progressive And Critical Trends) Team is a group of employees consisting of one bureau chief, and six POST employees from various bureaus. The team was formed in response to the implementation of POST's Strategic Plan and is responsible for evaluating emerging trends in law enforcement, considering the impact of those trends on law enforcement at large, and to POST in particular.

This report is presented for information only. No action is required.

5. Report on Discussion of the Public Safety Dispatcher Basic Course

The Public Safety Dispatchers' Basic Course is the entry-level training requirement for dispatchers employed by agencies participating in POST's public safety dispatcher program, as specified in Commission Regulation 1018. Information on presenters of the POST-certified Public Safety Dispatchers' Basic Course can be found in POST's Catalog of Certified Courses.

The Public Safety Dispatchers' Basic Course has a minimum hourly requirement of 120 hours, which is divided into 14 individual topics, called Learning Domains. The Learning Domains contain the minimum required foundational information for given subjects, which are detailed in the publication Training Specifications for the Public Safety Dispatchers' Basic Course (pdf).

CCR 1018 Public Safety Dispatcher Programs states in part:

Minimum Training Standards for Public Safety Dispatchers:

Every public safety dispatcher shall satisfactorily complete the POST-certified Public Safety Dispatchers' Basic Course as set forth in PAM Section D-1-5 before or within 12 months after the date of appointment, promotion, reclassification, or transfer to a public safety dispatcher position; or possess the Public Safety Dispatcher Certificate.

This report is presented for information only. No action is required.

6. Report on the Use of Force Virtual Reality Course and Use of Force Guidelines

The Commission on Peace Officer Standards and Training (POST) is in the process of purchasing \$5M in new Force Option Virtual Reality Simulators. At least 50, up to 70, training facilities throughout California have been identified to receive a new machine. Additionally, POST is developing a Use of Force Virtual Reality (UOF-VR) Course and Use of Force Guidelines to include requirements for SB 230.

This report is presented for information only. No action is required.

7. Report on Innovative Grant Program

Under the Management Counseling and Projects Bureau and with administrative assistance from the Executive Office, POST initiated the Innovative Grant Program (IGP) Project. POST has partnered with CalOES and contracted with them for technical assistance for Grant Funding Programs so as to have guidance in this venture, which is new to POST. This report is provided as a status update on the second and third round of funding to be released in 2020.

This report is presented for information only. No action is required.

8. Report on POST Compliance with SB 978

The passage of Senate Bill 978 (Penal Code § 13650) requires POST and local law enforcement agencies to conspicuously post on their websites "all current standards, policies, practices, operating procedures, and education and training materials that would otherwise be available to the public" if a request was made pursuant to the California Public Records Act, effective January 1, 2020.

Under this new law, POST is required to publish all presenter course content, unless the material falls within an applicable exemption under the Public Records Act.

Accordingly, in order to comply with public discloser mandates POST developed an open source link on its public website to publish the current expanded course outlines (ECOs) for over 4,000 courses.

This report is presented for information only. No action is required.

9. Report on POST Proposed Regulatory Actions/Status

The Commission has asked for staff to present ongoing reports on the status of regulatory actions once they have been approved by the Commission. This report reflects the progress of such actions as they move through the regulatory process.

This report is presented for information only. No action is required.

10. Report on Legislative Update

Since legislative bills will be submitted after publication of the POST agenda, but before the Commission meeting, a verbal report will be utilized to inform the Commission and the public with regard to the specifics and the impacts of legislation to POST operations.

This is a legislative update with bills of interest for the 2020-21 legislative session that POST is monitoring, some of which may affect POST operations, and/or affect our law enforcement partners.

This report is presented for information only. No action is required.

FINANCE COMMITTEE

C. Financial Report

The Chair of the Finance Committee will report on the results of the Finance Committee meeting held on Wednesday, February 12, 2020, in San Diego, California.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the Finance Committee Report from their meeting on Wednesday, February 12, 2020, in San Diego.

And, if the Commission concurs the appropriate action would be a **ROLL CALL VOTE** by groups of contracts to authorize the Executive Director to renew Law Enforcement Training and Administrative Contracts.

BASIC TRAINING BUREAU

D. Report on Proposed Changes to the Training and Testing Specifications for Peace Officer Basic Courses

As part of an ongoing review of Peace Officer Basic Course content, POST staff and curriculum consultants (academy instructors and other subject matter experts) thoroughly review Learning Domain (LD) content to determine if revisions are necessary. The Training and Testing Specifications and supporting materials for the Learning Domains have been updated to reflect emerging training needs, compliance with legislatively mandated subject matter, changes in the law, or to improve student learning and evaluation.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the proposed changes to the Training and Testing Specifications for Peace Officer Basic Courses.

E. Report on Proposed Removal of the Driving Simulator for the Regular Basic Course

As part of an ongoing review of Peace Officer Basic Course content, POST staff and curriculum consultants (academy instructors and other subject matter experts) thoroughly review Learning Domain (LD) content to determine if revisions are necessary. The Training and Testing Specifications and supporting materials for the Learning Domains have been updated to reflect emerging training needs, compliance with legislatively mandated subject matter, changes in the law, or to improve student learning and evaluation.

There are currently 108 Law Enforcement Driving Simulators (LEDS) distributed to presenters throughout the State. POST currently has a maintenance contract (\$341,357.00) for repair and maintenance of the LEDS. This contract is set to expire in June 2020, and shall not be renewed. Due to the inability to repair/maintain the aging LEDS, several presenters are unable to successfully administer the required learning activity outlined in Learning Domain 19 (Vehicle Operations). The POST Basic Training Bureau is recommending the removal of the required learning activity from the Learning Domain.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the proposed changes to the Training and Testing Specifications for Peace Officer Basic Courses.

EXECUTIVE OFFICE

F. Report on Amendment to Regulation 1015 and Commission Procedure E-2, Maximum Reimbursement Rates

For the 2019-20 budget, POST proposed an increase in agency reimbursement for the basic academy or Regular Basic Course (RBC) from 664 to 800 hours, as well as raising the agency daily reimbursement rate from \$50.00 to \$75.00.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the proposed changes to Regulation 1015, increasing the agency reimbursement rate from \$50.00 to \$75.00 per day, and up to 800 hours, for the RBC.

MANAGEMENT COUNSELING AND PROJECTS BUREAU

G. Report on Document Management Studies

POST staff request Commission approval of the proposed fee structure (see attachment) for recovering costs associated with conducting Management Studies.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the proposed changes to the Document Management Studies.

COMMITTEE REPORTS

H. Sub-Committee

The Sub-Committee Chair will report on the results of the Sub-Committee meeting held on Wednesday, February 12, 2020, in San Diego, California.

If the Commission concurs, the appropriate action would be a **MOTION** to accept the report from the Sub-Committee meeting held on Wednesday, February 12, 2020.

I. Advisory Committee

The Advisory Chair will report on the results of the Advisory Committee meeting held on Wednesday, February 12, 2020, in San Diego, California.

If the Commission concurs, the appropriate action would be a **MOTION** to accept the report from the Advisory Committee meeting held on Wednesday, February 12, 2020.

CORRESPONDENCE

- J. The following correspondence was sent from POST.
 - From POST to:
 - Alex Villanueva, Sheriff, Los Angeles County Sheriff's Office; expressing deep sympathy over the tragic off-duty death of Detective Amber Leist.
 - Peter Decena, Chief of Police, Los Gatos Police Department; expressing deep sympathy over the tragic off-duty death of Officer Munir Edais.

OLD BUSINESS

K. The following items are submitted for discussion.

At the October 2019 Meeting, Commissioner Dudley called for a motion to extend the Advisory Committee Members' terms through February 13, 2020, at which time appointments will be determined and voted on. The motion carried unanimously to extend the Advisory Committee Members' terms through February 2020.

POST Staff requests the Commission provide direction with respect to whether to formally re-appoint the below members.

Terms expiring for several Advisory Committee members. Request consideration for appointment and/or re-appointment to Commission on POST Advisory Committee.

- Letter from Kevin Mizner, California Association of Police Training Officers (CAPTO), requesting Randy Waltz be re-appointed to the POST Advisory Committee as CAPTO's representative. Current term expired September 2019.
- Letter stating the Public Safety Dispatch Advisory Council (PSDAC) requests the Commission re-appoint Jaime Young as PSDAC representative on the POST Advisory Committee. Current term expired October 2019.
- Letter from Elmo Banning, Advisory Committee Public Member, seeking re-appointment to the Advisory Committee as a Public Member. Current term expired October 2019.
- Letter from Alex Bernard, Advisory Committee Public Member, seeking re-appointment to the Advisory Committee as a Public Member. Current term expired October 2019.
- Letter stating the California Coalition of Law Enforcement Association (CCLEA) requests the Commission re-appoint Artin Baron as CCLEA representative on the POST Advisory Committee. Current term expired September 2019.

If the Commission concurs, the appropriate action would be a **MOTION** to re-appoint the above Advisory Committee members.

• Letter from Eduardo Esquivel representing himself and requesting consideration for Appointment as a member of the POST Advisory Committee.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the appointment of Eduardo Esquivel as member of the POST Advisory Committee.

NEW BUSINESS

L. The following items are submitted for New Business discussion.

Appointment of Replacement Representative to the Advisory Committee:

• Request to appoint Deputy Eric Schmidt, Fresno County Sheriff's Office, to the Advisory Committee by the Peace Officers Research Association of California (PORAC) Board of Directors as a replacement representative for Captain Marcelo Blanco.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the appointment of Deputy Eric Schmidt, Fresno County Sheriff's Office.

FUTURE COMMISSION DATES

- M. Upcoming Commission Meetings will be held:
 - June 3-4, 2020 POST, West Sacramento
 - October 21-22, 2020 POST, West Sacramento
 - February 24-25, 2021 TBD, Southern California
 - June 2-3, 2021 POST, West Sacramento
 - October 20-21, 2021 POST, West Sacramento

CLOSED SESSION

N. Closed Executive Session

1) Conference with Legal Counsel - Existing Litigation: Pursuant to Government Code Section 11126(e)(1), the Commission hereby provides public notice that the following pending litigation matters may be considered and acted upon, as necessary and appropriate, in closed session.

a) Jeremy Maurer v. Commission on Peace Officer Standards and Training, Sacramento Superior Court, Case No 34-2018-80002807.

b) Knowledge and Intelligence Professional Programs v. POST, Los Angeles Superior Court, Case No. NC058217, NC053503 and related appeals, Second Appellate District, Case No's B266376 and B278820.

c) Tamara Evans v. POST, Sacramento Superior Court, Case No. 34-2014-00164423; Eastern District of California, Case No. 2:15-cv-01951.

ADJOURNMENT

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AGENDA ITEM REPORT

Title:REPORT ON COURSE CERTIFICATION STATISTICS FROM 09/01/2019 TO
12/31/2019

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT Training Delivery and Compliance Services Bureau		
		REVIEWED BY (PRINT NAME) Ralph Brown	
REPORT DATE 01/02/20	APPROVED BY Manuel Alvarez, J		DATE APPROVED 01/15/19
PURPOSE Information Only		FINANCIAL IN No	ІРАСТ

ISSUE:

This is a status report for courses which have been certified and decertified from September 1, 2019 to December 31, 2019.

BACKGROUND:

This report is submitted to the Commission tri-annually to report the status of certified and decertified courses (see Attachment A).

ANALYSIS:

The following is a summary of Attachment A:

Certified New Presenters: 17

- Decertified Presenters: 7
- New Certified Courses: 218
- Course Modifications: 1355
- Decertified Courses: 395
- Total Active Courses: 4143

Total Active Presenters: 887

RECOMMENDATION:

This report is submitted for information only. No action is required by the Commission.

ATTACHMENT(S):

Name:	Type:	
CourseCertificationStatReport_1_2_2020_(1).pdf	Cover Memo	

NEW PRESENTERS

ARES CONSULTING AND MANAGEMENT, LLC - 1409 CALIFORNIA GANG TASK FORCE - 1415 CALIFORNIA POLICE ACTIVITIES LEAGUE - 1406 CDCR-DIVISION OF JUVENILE JUSTICE - 1407 CHAFFEY COLLEGE - 3250 COMPASSION INSTITUTE - 1416 KAI PARTNERS, INC - 1411 KROC INSTITUTE FOR PEACE AND JUSTICE, USD - 1418 LATINO PEACE OFFICERS' ASSOCIATION - 8820 MENIFEE POLICE DEPARTMENT - 1391 MOUNTAIN VIEW PUBLIC SAFETY FOUNDATION - 1414 RICK WALL CONSULTING AND INVESTIGATIONS - 1417 SACRAMENTO COUNTY DEPUTY SHERIFFS' ASSOCIATION - 1413 SENSEMAKERS LLC - 1412 SOUTHERN CALIFORNIA UNIVERSITY OF HEALTH SCIENCE - 1419 THE AUDIENCE WHISPERER - 1408 UC IRVINE, DIVISION OF CONTINUING EDUCATION - 1405

DECERTIFIED PRESENTERS

ALCOHOL POLICY ADVISORS, LLC - 1322 AMERICAN RED CROSS-AIDS EDUC./EMERGENCY WORKERS - 8520 CA ASSOC. OF LAW ENFORCEMENT BACKGROUND INVEST. - 1324 CA DEPT. OF PUBLIC HEALTH, SAFE & ACTIVE COMMUNI - 1086 CA DOJ - BFS DNA LAB - 1074 REGIONAL HUMAN RIGHTS/FAIR HOUSING COMMISSION/TI - 1041 SRA INTERNATIONAL, INC. - 1263

SUMMARY OF TOTALS

	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL FOR SEP TO DEC	TOTAL YEAR-TO-DATE	TOTAL
PRESENTERS							
CERTIFIED NEW PRESENTERS	7	0	5	5	17	28	
DECERTIFIED PRESENTERS	5	0	1	1	7	7	

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING TRAINING DELIVERY AND COMPLIANCE SERVICE BUREAU COURSE CERT STATS REPORT REPORT FROM 09/01/2019 TO 12/31/2019

COURSES

CERTIFICATION REQUESTS	31	47	54	44	176	257
COURSES CERTIFIED	66	30	75	47	218	300
COURSE MODIFICATIONS APPROVED	222	306	306	521	1355	1849
DECERTIFIED COURSES	359	16	16	4	395	401
INACTIVE COURSES	0	0	0	0	0	0

TOTAL ACTIVE COURSES

TOTAL ACTIVE PRESENTERS

4143

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AGENDA ITEM REPORT

Title:REPORT ON POST REIMBURSABLE AGENCY ENTRY - MENIFEE POLICE
DEPARTMENT

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT Training Delivery and Compliance Services Bureau		
RESEARCHED BY (PRINT NAME) Melanie Dunn		REVIEWED BY (PRINT NAME) Ralph Brown	
REPORT DATE 12/12/2019	APPROVED BY Manuel Alvarez, J		DATE APPROVED 01/15/19
PURPOSE Information Only		FINANCIAL IN	ІРАСТ

ISSUE:

Menifee Police Department has been approved to enter into the POST Reimbursable Peace Officer Program for its peace officers. This item is informational only, and no action is required of the Commission.

BACKGROUND:

The Menifee Police Department has been approved to participate in the POST Reimbursable Program pursuant to Penal Codes 13510(a) and 13522. The agency has agreed to abide by POST Regulations. A letter of intent has been received from Chief Patrick Walsh, as well as a copy of the City of Menifee Resolution.

ANALYSIS:

The agency presently employs three (3) full-time peace officers. All officers have completed the appropriate basic training.

RECOMMENDATION:

The Commission is advised that the Menifee Police Department has been accepted into the POST Reimbursable Program. This is informational only, and no action is required of the Commission.

ATTACHMENT	(\mathbf{S})):	

Na	me:	Type:			
D	Menifee_PD_Letter_of_IntentSignature_copy.pdf	Resolution Letter			
D	2019-Resolution_Establishing_MPD_and_Terminating_Sheriff.pdf	Cover Memo			



cityofmenifee.us

October 16, 2019

Manuel Alvarez, Jr. Executive Director Commission on Peace Officer Standards and Training 860 Stillwater Road, Suite 100 West Sacramento, CA 95605

Dear Mr. Alvarez:

The Menifee City Council has empowered me to seek participation in the Commission on Peace Officer Standards and Training (POST) Reimbursable Program for our peace officers.

Please find enclosed the Resolution 19-806 from Menifee City Council declaring our intent to enter the POST Program.

We are ready for a review to finalize our acceptance. Please call at your earliest convenience.

Sincerely,

Patrick A. Walsh Chief of Police

Bill Zimmerman Mayor Greg August Mayor Pro Tem District 1 Matt Liesemeyer Councilmember District 2 Lesa A. Sobek Councilmember District 3 Dean Deines Councilmember District 4 Armando G. Villa City Manager

RESOLUTION NO. 19-806

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA, ESTABLISHING THE MENIFEE POLICE DEPARTMENT AND PROVIDING DIRECTION CONCERNING THE DELIVERY OF LAW ENFORCEMENT SERVICES

WHEREAS, the City of Menifee ("**City**') has established that the efficient and effective delivery of public safety services is its top priority; and

WHEREAS, as part of a comprehensive and ongoing review of the delivery of all services, and to remedy the systemic inability of the City to control the costs of public safety services through its existing contract with the County of Riverside, in early 2017 the City commenced its examination of alternative service delivery models for police services; and

WHEREAS, the City sought, and continues to seek, public input regarding the establishment of a municipal police department through a series of public meetings and City Council workshops; and

WHEREAS, the City engaged the services of an outside consultant to conduct research and prepare a feasibility study ("Feasibility Study"), and during that process the consultant solicited data, input, and advice from (i) Riverside County Sheriff's Department management, (ii) current and retired police chiefs, (iii) police personnel of all levels, (iv) city managers in cities that currently have municipal police departments, and (v) administrative and finance staff from the City of Menifee; and

WHEREAS, the Feasibility Study, coupled with in-depth analysis by City staff concluded that (i) the City could create a stand-alone police department at a lower estimated cost than would be provided under the current contract with the County of Riverside, and (ii) the City could provide law enforcement services at a level higher than what is currently being received, including officers that would be available in the City on a 24/7 basis; providing for better response times to calls for service, and improved coordination with code enforcement, fire and other City services; and

WHEREAS, the City Council has thoroughly reviewed the Feasibility Study, the staff analysis of the Feasibility Study, and comments received from the public, all related to the comparison between (/) the receipt of law enforcement services under the current contract with the County of Riverside, and (//') the receipt of law enforcement services from an "in-house" municipal police department; and

WHEREAS, on November 7, 2018, the City Council passed Resolution No. 18-739 directing and authorizing formation of a municipal police department for the City, and directing the City Manager to immediately implement that direction, including the recruitment of a Police Chief, the identification and securing of building space for the Menifee Police Department, the acquisition of necessary equipment for the Menifee Police Department, the establishment of other contracts necessary to provide resources for the protection of public safety in the City of Menifee, the identification and establishment of risk management relationships to guard against additional liabilities associated with the operation of the Menifee Police Department, the formation of personnel rules and regulations for the engagement of sworn and unsworn public safety staff of the Menifee Police Department, and the delivery at the appropriate time of a notice of termination of the City's current agreement with the County of Riverside for the provision of law enforcement services;

WHEREAS, Section 4 of Resolution No. 18-739 specifically authorized "the City Manager to deliver a notice of intent to terminate the City's contract for law enforcement services with the County of Riverside; provided that such notice will not be delivered to the County of Riverside until the City Manager has determined that the City will be prepared to provide its own law enforcement services within (12) twelve months following the delivery of the notice."

WHEREAS, it is anticipated that the City will commence providing its own law enforcement services on July 1, 2020.

WHEREAS, to render the Menifee Police Department operational by July 1, 2020, it is necessary and appropriate to declare the establishment of the Menifee Police Department effective as of July 1. 2019, and to grant peace officer authority as outlined in California Penal Code Section 830.1.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Menifee, California as follows:

Section 1. Consistent with Section 4 of Resolution 18-739, the City Council directs the City Manager to, no later than June 30, 2019, to issue a 12-month Notice of Intent to Terminate the Law Enforcement Services Agreement between the County of Riverside and the City of Menifee.

The City Council directs and authorizes the establishment of the Menifee Police Section 2. Department effective July 1, 2019 in accordance with all requirements necessary for certification as a Member Agency with the California Commission on Peace Officer Standards and Training; provided, however, that the Riverside County Sheriff's Department shall remain the provider of law enforcement services to the City of Menifee until July 1, 2020, with the Menifee Police Department established for purposes of set-up and preparation to begin providing law enforcement services to the City of Menifee commencing on July 1, 2020.

Section 3. The City Council directs that all duly appointed sworn peace officers of the Menifee Police Department be granted peace officer authority as outlined in California Penal Code Section 830.1;

PASSED, APPROVED AND ADOPTED this 19th day of June, 2019

Attest:

ah A. Manwaring, City Cler

Approved as to form:

lelching ttornev



STATE OF CALIFORNIA) COUNTY OF RIVERSIDE) ss CITY OF MENIFEE)

I, Sarah A. Manwaring, City Clerk of the City of Menifee, do hereby certify that the foregoing Resolution No. 19-806 was duly adopted by the City Council of the City of Menifee at a meeting thereof held on the 19 day of June, 2019 by the following vote:

Ayes:Deines, Sobek, August, ZimmermanNoes:NoneAbsent:LiesemeyerAbstain:None

Sarah A. Manwaring, City Clerk,

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AGENDA ITEM REPORT

Title: REPORT ON POST REIMBURSABLE AGENCY ENTRY - PORT OF STOCKTON POLICE DEPARTMENT POLICE DEPARTMENT

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT Training Delivery and Compliance Services Bureau		
RESEARCHED BY (PRINT NAME)		REVIEWED BY (PRINT NAME)	
Melanie Dunn		Ralph Brown	
REPORT DATE	APPROVED BY		DATE APPROVED
12/18/2019	Manuel Alvarez, J		12/30/2019
PURPOSE Information Only		FINANCIAL IN	IPACT

ISSUE:

The Port of Stockton Police Department has been approved to enter into the POST Reimbursable Peace Officer Program for its peace officers.

BACKGROUND:

The Port of Stockton Police Department has requested to participate in the POST Reimbursable Program pursuant to Penal Code 13510(1) and 13522. The agency has agreed to abide by POST Regulations. A letter of intent and resolution have been received by Chief Rick Salsedo.

ANALYSIS:

The agency presently employs seventeen (17) full-time peace officers. All officers have completed the appropriate basic training.

RECOMMENDATION:

The Commission is advised that the Port of Stockton Police Department has been accepted into the POST Reimbursable Program. This is informational only, and no action is required of the Commission.

ATTACHMENT(S):

Name:	Туре:
Port_Of_Stockton_REQUEST_TO_PARTICIPATE_IN_POST.PDF	Cover Memo

PORT OF STOCKTON

Phone: (209) 946-0246



Fax: (209) 465-7244

December 18, 2019

Manuel Alvarez Jr. Executive Director CA Commission on Peace Officer Standards and Training 860 Stillwater Road, Suite 100 West Sacramento, CA 95605

STOCKTON PORT DISTRICT REQUEST TO PARTICIPATE IN THE CALIFORNIA PEACE OFFICER STANDARDS AND TRAINING (POST) REIMBURSABLE PROGRAM

The Board of Commissioners for the Stockton Port District has empowered me to seek participation in the Commission on Peace Officer Standards and Training (POST) Reimbursable Program for our peace officers.

The Stockton Port District is a California Special District established under the California Harbors and Navigations Code. Policing for the Stockton Port District is under the primary jurisdiction of the Port's Police Department, as allowed per Sections 6302 and 6304 of the Harbors and Navigation Code and Section 830.1(a) and 830.33 of the California Penal Code.

On December 16, 2019, the Board of Commissioners for the Stockton Port District passed the enclosed Resolution #8152 declaring our intent to enter the POST Reimbursable Program.

POST staff has inspected the background investigations and training of the Stockton Port District sworn personnel and advised we are in compliance with the minimum selection and training standards according to the Penal, Government, and Vehicle Codes and may proceed in the process for POST participation.

I appreciate your time and consideration of this request. Should you have any questions or need additional information, please do not hesitate to contact me at 209-946-0246, or rsalsedo@stocktonport.com

RICK SALSEDO CHIEF OF POLICE

RS:

Enclosures

PORT OF STOCKTON

Phone: (209)946-0246



Fax: (209) 466-5984

CERTIFICATION

I, Melanie Rodriguez, Secretary of the Stockton Port District, do hereby certify that the following is a full, true, and correct copy of <u>Resolution #8152</u> of the Board of Port Commissioners of the Stockton Port District, as passed at a regular meeting held on the 16th day of December 2019, and that said resolution is in full force and effect:

WHEREAS, pursuant to Section 13510 and 13512 of Chapter 1 of Title 4, Part 4 of the Penal Code, the Stockton Port District Police Department will adhere to the standards for recruitment and training established by the California Commission on Peace Officer Standards and Training; now, therefore be it

RESOLVED, that the Board of Port Commissioners of the Stockton Port District does hereby approve of the District's participation in the California Commission on Peace Officer Standards and Training Reimbursable Program; and

RESOLVED FURTHER, that the Commission and its representatives may make such inquires as deemed appropriate by the Commission to ascertain that the Stockton Port District Peace Officer personnel adhere to standards for recruitment and training established by the California Commission on Peace Officer Standards and Training.

Dated this 17th of December 2019

Melanie Rodriguez, Secretary

AGENDA ITEM REPORT

Title: REPORT ON THE ROLE OF THE IMPACT TEAM

REPORT PROFILE

MEETING DATE	BUREAU SUBMITTING THIS REPORT		
2/13/2020	Executive Office		
RESEARCHED BY (PRINT NAME)		REVIEWED BY (PRINT NAME)	
Maria Sandoval		Scott Loggins	
REPORT DATE 01/13/20	APPROVED BY Manuel Alvarez, J		DATE APPROVED 01/26/20
PURPOSE Information Only		FINANCIAL IM No	РАСТ

ISSUE:

Should the Investigating Mitigating Progressive And Critical Trends, IMPACT, Team continue the reporting of emerging trends? Should the reporting be terminated or should another entity, such as the Advisory Committee, assume this role?

BACKGROUND:

At the full Commission meeting held in West Sacramento on October 27, 2016, the Commission chose to disband the Strategic Plan and Organizational subcommittee and, in lieu thereof, require the presentation of an emerging issue trends report beginning as of the next full Commission meeting in February 2017. At the conclusion of the October Commission meeting, POST staff assigned responsibility for identifying and evaluating emerging trends to the IMPACT Team at POST.

The IMPACT Team is a group of employees comprised of a bureau chief and six POST staff from various bureaus. This voluntary team interviews third parties and/or reviews past and current Command College projects to get a sense of emerging issues facing organizations throughout the state. Command College is a 14-month executive development program administered by the Training Program Services Bureau. Command College is specifically designed to prepare law enforcement leaders for the challenges of the future, focusing on:

- Leadership principles needed to influence the future direction of the organization
- Strategies to identify emerging issues and provide a proactive response
- Skills and knowledge necessary to anticipate and prepare for the future

ANALYSIS:

In its current construct, the IMPACT Team interviews third parties and/or reviews Command College "futures portfolios" to ascertain possible emerging trends. The IMPACT Team has limited direct contact and/or connection to the field and are heavily reliant on what students might theorize in papers.

A possible alternative to this approach, would be to assign this task to the Commission's Advisory

Committee. The function of the Advisory Committee by definition is to:

"...perform a key role as part of the Commission's team by providing a two-way communication link between the Commission and organizations that share an interest in the Commission's work. The committee meets prior to each triannual Commission meeting to review and analyze topics the Commission will later address. Advisory Committee members represent associations and organizations within the California law enforcement community, educators, and the public-at-large. Therefore, they provide valuable input on many contemporary and evolving issues in law enforcement, helping the Commission and POST better serve California's peace officers and the citizens they protect. Appointed by the Commission for a term of three-years."

The Advisory Committee is made up of individuals who represent a cross section of California and, by virtue of their everyday dealings, have a "finger on the pulse" and can assess emerging trends.

RECOMMENDATION:

Should the Commission decide to continue a report on emerging trends, staff recommends that the Advisory Committee, which is better suited to provide real time, real world information, be tasked with the responsibility of reporting and presenting such report.

ATTACHMENT(S):		
Name:	Туре:	
No Attachments Available		

💻 Print

AGENDA ITEM REPORT

Title: REPORT ON DISCUSSION OF THE PUBLIC SAFETY DISPATCHER BASIC COURSE

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT		
RESEARCHED BY (PRINT NAME) Maria Sandoval		REVIEWED BY (PRINT NAME)	
REPORT DATE	APPROVED BY		DATE APPROVED
01/21/2020	Manuel Alvarez, Jr.		01/25/20
PURPOSE		FINANCIAL IMPACT	
Information Only		No	

ISSUE:

Should Public Safety Dispatchers receive POST academy training prior to providing dispatching services and accepting emergency calls?

Although in need of updating and providing contemporary information, the existing course provides foundational information to an individual entering the profession.

BACKGROUND:

Regulation 1018 outlines the Public Safety Dispatcher Program which states:

(a) The Commission shall establish a Public Safety Dispatcher Program for the purpose of raising the level of competence of public safety dispatchers having primary responsibility for providing dispatching services for local law enforcement agencies listed in Penal Code section 13510(a).

Public Safety Dispatcher is defined in Regulation 1001. Consistent with that definition, selection and training requirements set forth below apply to all persons employed, full-time or part-time, by the participating agency to duties including receiving emergency calls for law enforcement service and/or the dispatching of law enforcement personnel. The selection and training requirements do not apply to persons employed as peace officers assigned to the above described duties.

Minimum Training Standards for Public Safety Dispatchers:

Every public safety dispatcher shall satisfactorily complete the POST-certified Public Safety Dispatchers' Basic Course as set forth in PAM Section D-1-5 before or within 12 months after the date of appointment, promotion, reclassification, or transfer to a public safety dispatcher position; or possess the Public Safety Dispatcher Certificate.

POST is looking to rebuild the Public Safety Dispatchers' Basic Course Curriculum Content which hasn't been updated since 2011. Currently, the 120-hour course does not include any knowledge tests for the existing Learning Domains. Courses such as de-escalation techniques, handling of the mentally ill, and

victimology/crisis intervention are not part of the current curriculum.

ANALYSIS:

It appears counterintuitive to allow dispatchers to provide emergency services without POST approved standardized training. The 120-hour overhauled Public Safety Dispatchers' Basic Course could include learning domains such as de-escalation techniques, handling of the mentally ill, and victimology/crisis intervention. Inclusion of scenarios and learning activities will also provide a new dispatcher the proper tools to assist in the safety of the community and officers.

RECOMMENDATION:

POST staff is requesting input from the Commission on the topic presented.

ATTACHMENT(S): Name: No Attachments Available

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AGENDA ITEM REPORT

Title: REPORT ON THE USE OF FORCE VIRTUAL REALITY COURSE AND USE OF FORCE GUIDELINES

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT Learning Technology Resources Bureau		
RESEARCHED BY (PRINT NAME)		REVIEWED BY (PRINT NAME)	
Gerald Fernandez		Rosanne Richeal	
REPORT DATE 12/03/2019	APPROVED BY Manuel Alvarez, Jr.		DATE APPROVED 01/21/20
PURPOSE		FINANCIAL IMPACT	
Information Only		Yes	

ISSUE:

This is a report on the purchase of new Force Option Virtual Reality Simulators and the development of a Use of Force Virtual Reality (UOF-VR) Course. The Use of Force Guidelines are in the beginning stages and will be completed by the Management Counseling and Projects Bureau.

BACKGROUND:

On September 12, 2019, Governor Newsom signed into law Senate Bill 230, enacting Penal Code section 13519.10, which mandated the Commission to (A) implement a course or courses of instruction for the regular and periodic training of law enforcement officers in the use of force and (B) develop uniform, minimum guidelines for adoption and promulgation by California law enforcement agencies for use of force.

The guidelines and course of instruction shall stress that the use of force by law enforcement personnel is of important concern to the community and law enforcement, and that law enforcement should safeguard life, dignity, and liberty of all persons, without prejudice to anyone. These guidelines shall be a resource for each agency executive to use in the creation of a use of force policy that the agency is encouraged to adopt and promulgate, and that reflects the needs of the agency, the jurisdiction it serves, and the law.

POST is in the process of purchasing Force Option Virtual Reality Simulators with the one time \$5M allotment for equipment to assist in providing law enforcement training mandated by SB 230.

ANALYSIS:

In January 2020, POST convened a 3-day workshop comprised of subject matter experts (SMEs) from law enforcement agencies, police academies, and members of the public to develop training content as prescribed by the law. The course will leverage Force Option Virtual Reality Simulators to more effectively provide "use of force scenario training including simulations of low-frequency, high-risk situations and calls for service, shoot-or-don't-shoot situations, and real-time force option decision-making," as specified in the law. In February 2020, POST will convene a second workshop to fully develop the training package. These workshops will assist in developing the UOF-VR Course curriculum and create learning environments in the new Force Option Virtual Reality Simulators. Following the development of the course curriculum, additional workshops will be held to create a Train-the-Trainer course, which will be taught to identified presenters

throughout the State.

In October 2019, POST hosted a De-escalation Summit comprised of SMEs in law enforcement, academia, and other essential stakeholder groups, to develop a standardized best-practice de-escalation publication of policies and training information. The publication is due to be completed by June 2020. After completion of the publication, POST will convene a Use of Force Guidelines workshop, again, comprised of SMEs to develop uniform minimum guidelines for adoption and promulgation by California law enforcement agencies. The guidelines will be completed by July 2020 with required policy implementation by California law enforcement agencies on January 1, 2021.

RECOMMENDATION:

This report is submitted for information only. No action is required by the Commission.

ATTACHMENT(S):		
Name:	Туре:	
SB_230_Final.pdf	Cover Memo	

Senate Bill No. 230

CHAPTER 285

An act to add Chapter 17.4 (commencing with Section 7286) to Division 7 of Title 1 of the Government Code, and to add Section 13519.10 to the Penal Code, relating to law enforcement.

[Approved by Governor September 12, 2019. Filed with Secretary of State September 12, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 230, Caballero. Law enforcement: use of deadly force: training: policies.

(1) Existing law requires each law enforcement agency to annually furnish specified information to the Department of Justice regarding the use of force by a peace officer. Existing law requires the Department of Justice, once per year, to update a summary of information contained in the reports received on its internet website. Existing law requires a department or agency that employs peace officers or custodial officers to establish a procedure to investigate complaints by members of the public against those officers.

This bill would, by no later than January 1, 2021, require each law enforcement agency to maintain a policy that provides guidelines on the use of force, utilizing deescalation techniques and other alternatives to force when feasible, specific guidelines for the application of deadly force, and factors for evaluating and reviewing all use of force incidents, among other things. The bill would require each agency to make their use of force policy accessible to the public. By imposing additional duties on local agencies, this bill would create a state-mandated local program.

(2) Existing law establishes the Commission on Peace Officer Standards and Training in the Department of Justice and requires the commission to adopt rules establishing minimum standards regarding the recruitment of peace officers. Existing law requires the commission to develop guidelines and implement courses of instruction regarding racial profiling, domestic violence, hate crimes, vehicle pursuits, and human trafficking, among others.

This bill would require the commission to implement a course or courses of instruction for the regular and periodic training of law enforcement officers in the use of force. The bill would require the commission to develop uniform, minimum guidelines for adoption and promulgation by California law enforcement agencies for the use of force, as specified. The bill would require law enforcement agencies to adopt and promulgate a use of force policy and would state the intent of the Legislature that each law enforcement agency adopt, promulgate, and require regular and periodic training consistent with the agency's policy that complies with the guidelines developed under this bill.

This bill would make findings and declarations regarding the intent of the bill, as it pertains to law enforcement agencies' use of force polices, including that those policies may be introduced in legal proceedings and may be considered as a factor in determining the reasonableness of an officer's actions, but do not impose a legal duty on an officer to act in accordance with the policy.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(4) This bill would also make its provisions operative contingent on the enactment of Assembly Bill 392 of the 2019–20 Regular Session.

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

SECTION 1. The Legislature finds and declares:

(a) The highest priority of California law enforcement is safeguarding the life, dignity, and liberty of all persons, without prejudice to anyone.

(b) Law enforcement officers shall be guided by the principle of reverence for human life in all investigative, enforcement, and other contacts between officers and members of the public. When officers are called upon to detain or arrest a suspect who is uncooperative or actively resisting, may attempt to flee, poses a danger to others, or poses a danger to themselves, they should consider tactics and techniques that may persuade the suspect to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation safely.

(c) Vesting officers with the authority to use necessary force as determined by an objectively reasonable officer and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

(d) The authority to use force is a serious responsibility given to peace officers by the people who expect them to exercise that authority judiciously and with respect for human rights, dignity, and life.

(e) The intent of this act is to establish the minimum standard for policies and reporting procedures regarding California law enforcement agencies' use of force. The purpose of these use of force policies is to provide law enforcement agencies with guidance regarding the use and application of force to ensure such applications are used only to effect arrests or lawful detentions, overcome resistance, or bring a situation under legitimate control.

(f) No policy can anticipate every conceivable situation or exceptional circumstance which officers may face. In all circumstances, officers are expected to exercise sound judgment and critical decisionmaking when using force options.

(g) A law enforcement agency's use of force policies and training may be introduced as evidence in proceedings involving an officer's use of force. The policies and training may be considered as a factor in the totality of circumstances in determining whether the officer acted reasonably, but shall not be considered as imposing a legal duty on the officer to act in accordance with such policies and training.

(h) Every instance in which a firearm is discharged, including exceptional circumstances, shall be reviewed by the department on a case-by-case basis to evaluate all facts and to determine if the incident is within policy and in accordance with training.

SEC. 2. Chapter 17.4 (commencing with Section 7286) is added to Division 7 of Title 1 of the Government Code, to read:

CHAPTER 17.4. LAW ENFORCEMENT USE OF FORCE POLICIES

7286. (a) For the purposes of this section:

(1) "Deadly force" means any use of force that creates a substantial risk of causing death or serious bodily injury. Deadly force includes, but is not limited to, the discharge of a firearm.

(2) "Feasible" means reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

(3) "Law enforcement agency" means any police department, sheriff's department, district attorney, county probation department, transit agency police department, school district police department, the police department of any campus of the University of California, the California State University, or community college, the Department of the California Highway Patrol, the Department of Fish and Wildlife, and the Department of Justice.

(b) Each law enforcement agency shall, by no later than January 1, 2021, maintain a policy that provides a minimum standard on the use of force. Each agency's policy shall include all of the following:

(1) A requirement that officers utilize deescalation techniques, crisis intervention tactics, and other alternatives to force when feasible.

(2) A requirement that an officer may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance.

(3) A requirement that officers report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer.

(4) Clear and specific guidelines regarding situations in which officers may or may not draw a firearm or point a firearm at a person.

(5) A requirement that officers consider their surroundings and potential risks to bystanders, to the extent reasonable under the circumstances, before discharging a firearm.

(6) Procedures for disclosing public records in accordance with Section 832.7.

(7) Procedures for the filing, investigation, and reporting of citizen complaints regarding use of force incidents.

(8) A requirement that an officer intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.

(9) Comprehensive and specific guidelines regarding approved methods and devices available for the application of force.

(10) An explicitly stated requirement that officers carry out duties, including use of force, in a manner that is fair and unbiased.

(11) Comprehensive and specific guidelines for the application of deadly force.

(12) Comprehensive and detailed requirements for prompt internal reporting and notification regarding a use of force incident, including reporting use of force incidents to the Department of Justice in compliance with Section 12525.2.

(13) The role of supervisors in the review of use of force applications.

(14) A requirement that officers promptly provide, if properly trained, or otherwise promptly procure medical assistance for persons injured in a use of force incident, when reasonable and safe to do so.

(15) Training standards and requirements relating to demonstrated knowledge and understanding of the law enforcement agency's use of force policy by officers, investigators, and supervisors.

(16) Training and guidelines regarding vulnerable populations, including, but not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities.

(17) Comprehensive and specific guidelines under which the discharge of a firearm at or from a moving vehicle may or may not be permitted.

(18) Factors for evaluating and reviewing all use of force incidents.

(19) Minimum training and course titles required to meet the objectives in the use of force policy.

(20) A requirement for the regular review and updating of the policy to reflect developing practices and procedures.

(c) Each law enforcement agency shall make their use of force policy adopted pursuant to this section accessible to the public.

(d) This section does not supersede the collective bargaining procedures established pursuant to the Myers-Milias-Brown Act (Chapter 10 (commencing with Section 3500) of Division 4), the Ralph C. Dills Act (Chapter 10.3 (commencing with Section 3512) of Division 4), or the Higher Education Employer-Employee Relations Act (Chapter 12 (commencing with Section 3560) of Division 4).

SEC. 3. Section 13519.10 is added to the Penal Code, immediately following Section 13519.9, to read:

13519.10. (a) (1) The commission shall implement a course or courses of instruction for the regular and periodic training of law enforcement officers in the use of force and shall also develop uniform, minimum guidelines for adoption and promulgation by California law enforcement agencies for use of force. The guidelines and course of instruction shall stress that the use of force by law enforcement personnel is of important concern to the community and law enforcement and that law enforcement should safeguard life, dignity, and liberty of all persons, without prejudice to anyone. These guidelines shall be a resource for each agency executive to use in the creation of the use of force policy that the agency is required to adopt and promulgate pursuant to Section 7286 of the Government Code, and that reflects the needs of the agency, the jurisdiction it serves, and the law.

(2) As used in this section, "law enforcement officer" includes any peace officer of a local police or sheriff's department or the California Highway Patrol, or of any other law enforcement agency authorized by law to use force to effectuate an arrest.

(b) The course or courses of the regular basic course for law enforcement officers and the guidelines shall include all of the following:

- (1) Legal standards for use of force.
- (2) Duty to intercede.
- (3) The use of objectively reasonable force.
- (4) Supervisory responsibilities.
- (5) Use of force review and analysis.
- (6) Guidelines for the use of deadly force.
- (7) State required reporting.

(8) Deescalation and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence.

(9) Implicit and explicit bias and cultural competency.

(10) Skills including deescalation techniques to effectively, safely, and respectfully interact with people with disabilities or behavioral health issues.

(11) Use of force scenario training including simulations of low-frequency, high-risk situations and calls for service, shoot-or-don't-shoot situations, and real-time force option decisionmaking.

(12) Alternatives to the use of deadly force and physical force, so that deescalation tactics and less lethal alternatives are, where reasonably feasible, part of the decisionmaking process leading up to the consideration of deadly force.

(13) Mental health and policing, including bias and stigma.

(14) Using public service, including the rendering of first aid, to provide a positive point of contact between law enforcement officers and community members to increase trust and reduce conflicts.

(c) Law enforcement agencies are encouraged to include, as part of their advanced officer training program, periodic updates and training on use of force. The commission shall assist where possible.

(d) (1) The course or courses of instruction, the learning and performance objectives, the standards for the training, and the guidelines shall be developed by the commission in consultation with appropriate groups and individuals having an interest and expertise in the field on use of force. The groups and individuals shall include, but not be limited to, law enforcement agencies, police academy instructors, subject matter experts, and members of the public.

(2) The commission, in consultation with these groups and individuals, shall review existing training programs to determine the ways in which use of force training may be included as part of ongoing programs.

(e) It is the intent of the Legislature that each law enforcement agency adopt, promulgate, and require regular and periodic training consistent with an agency's specific use of force policy that, at a minimum, complies with the guidelines developed under subdivisions (a) and (b).

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 5. This act shall take effect only if Assembly Bill 392 of the 2019–20 Regular Session is enacted and becomes operative.

AGENDA ITEM REPORT

Title: REPORT ON INNOVATIVE GRANT PROGRAM

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT Management Counseling and Projects Bureau		
RESEARCHED BY (PRINT NAME)		REVIEWED BY (PRINT NAME)	
A. Mendonsa		Scott Loggins	
REPORT DATE 12/06/2019	APPROVED BY Manuel Alvarez, Jr.		DATE APPROVED 01/21/20
PURPOSE		FINANCIAL IMPACT	
Information Only		No	

ISSUE:

This report is informational only. No action is required by the Commission.

BACKGROUND:

Under the Management Counseling and Projects Bureau and with administrative assistance from the Executive Office, POST initiated the Innovative Grant Program (IGP) Project. POST has partnered with CalOES and contracted with them for technical assistance for Grant Funding Programs so as to have guidance in this venture, which is new to POST. This report is provided as a status update on the **second** and **third** round of funding to be released in 2020.

Eligibility:

Grants are restricted to qualified public or private entities and include community-based non-profit organizations (California registered, 501(c)(3) organizations), law enforcement agencies, educational or law enforcement training institutions, and private for-profit organizations.

Available Funding:

A total of five million dollars (\$5,000,000.00) is allocated for grants and administration of the program. Individual applicants may request up to a maximum of two hundred thousand dollars (\$200,000.00). Regardless of the number of project areas, grant recipients shall be awarded no more than two hundred thousand dollars (\$200,000.00) and no less than twenty-five thousand dollars (\$25,000.00) total.

ANALYSIS:

RECOMMENDATION:

This item is for information only. No action is required by the Commission.

ATTACHMENT(S):		
Name:	Туре:	
□ <u>IGP_Update_Jan_2020.pdf</u>	Cover Memo	

IGP Update January 2020

Chronology-

- November 2018- Project initiation
- December 2018- Public meetings and RFP creation
- January-March 2019- First Round RFP launch, scoring, and awards
- June 2019- Grantee workshop for administration and course certification
- September 2019- Second round of funding closed. Programs to start January 1, 2020
 - Received 8 applications, 5 were selected for preliminary award.
 - Total of \$750,622 in additional funding
- December 2019- Third round launched. Programs will start April 1, 2020
- December 2019- Grantee workshop for administration and course certification for First and Second Round recipients
- January 2020- Third round closed.
 - Four applications received from CBOs.

Summary-

- 22 Courses have been certified
 - 647 Officers trained
 - 26 Implicit Bias
 - 391 Use of Force/De-Escalation
 - 16 Cultural Diversity
 - 60 Community Policing
 - 154 Officer Wellness
 - Additional courses are scheduled, and presenters have 30 days to enter rosters, so this number is likely lower than actual officers trained to date
- We have awarded, or intend to award, approx. \$3,879,326.
- To date we have been invoiced for approx. **\$382,424**.

AGENDA ITEM REPORT

Title: REPORT ON POST COMPLIANCE WITH SB 978

REPORT PROFILE

MEETING DATE	BUREAU SUBMITTING THIS REPORT		
2/13/2020	Executive Office		
RESEARCHED BY (PRINT NA) Scott Loggins	ME)	REVIEWED BY (PRINT NAME)	
REPORT DATE 01/21/2020	APPROVED BY Manuel Alvarez, Jr.		DATE APPROVED 01/21/20
PURPOSE		FINANCIAL IMPACT	
Information Only		No	

ISSUE:

The passage of Senate Bill 978 (Penal Code § 13650) requires POST and local law enforcement agencies to conspicuously post on their websites "all current standards, policies, practices, operating procedures, and education and training materials that would otherwise be available to the public" if a request was made pursuant to the California Public Records Act, effective January 1, 2020.

Under this new law, POST is required to publish all presenter course content, unless the material falls within an applicable exemption under the Public Records Act.

Accordingly, in order to comply with public discloser mandates POST developed an open source link on its public website to publish the current expanded course outlines (ECOs) for over 4,000 courses.

This is an informational report to advise the Commission of the work by POST staff to address this new legislative mandate. No action is required by the Commission.

BACKGROUND:

The link to the POST Open Data website is:

https://opendata.post.ca.gov/

ANALYSIS:

RECOMMENDATION:

ATTACHMENT(S):

Name:

Type:

No Attachments Available
Title: REPORT ON POST PROPOSED REGULATORY ACTIONS/STATUS

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBN Executive Office	BUREAU SUBMITTING THIS REPORT Executive Office			
RESEARCHED BY (PRINT NA Katie Strickland	ME)	REVIEWED BY (PRINT NAME) Manuel Alvarez, Jr.			
REPORT DATE 12/06/2019	APPROVED BY Manuel Alvarez, J		DATE APPROVED 01/23/20		
PURPOSE Information Only		FINANCIAL IN No	ІРАСТ		

ISSUE:

Current Regulation packages under review by the Office of Administrative Law:

- Notice of Proposed Regulatory Action Regulations 1005, 1007, and 1008; Training and Testing Specifications for Peace Officer Basic Courses
- Notice of Proposed Regulatory Action Amend Regulation 1055 (g) Requirements for Course Presentation Required Documents to Submit Upon Completion of Presentation
- Notice of Proposed Regulatory Action Amend Minimum Standards for Training Regulation 1005
- Notice of Proposed Regulatory Action Amend Regulation 1055 Requirements for Course Certification
- Notice of Proposed Regulatory Action Amend Regulation 1052 Requirements of Course Certification
- Notice of Proposed Regulatory Action Amend Law Enforcement Code of Ethics Commission Regulation 1013

BACKGROUND:

Regulation packages approved by the Office of Administrative Law since the Commission Meeting held on October 24, 2019:

• Regulation 1052(b)(6) - Requirements for Course Certification

ANALYSIS:

RECOMMENDATION:

<u>ATTACHMENT(S):</u>

Name:		Туре:
No Attachments Ava	ilable	

Title: REPORT ON LEGISLATIVE UPDATE

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT Executive Office				
RESEARCHED BY (PRINT NA Meagan Catafi	ME)	1E) REVIEWED BY (PRINT NAME)			
REPORT DATE 12/17/2019	APPROVED BY Manuel Alvarez, J				
PURPOSE Information Only		FINANCIAL IN No	РАСТ		

ISSUE:

BACKGROUND:

ANALYSIS:

RECOMMENDATION:

ATTACHMENT(S):						
Name:	Туре:					
No Attachments Available						

Title: FINANCIAL REPORT

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT				
RESEARCHED BY (PRINT NA	ME) REVIEWED BY (PRINT NAME)				
REPORT DATE 12/06/2019	APPROVED BY	Ι	DATE APPROVED		
PURPOSE Decision Requested		FINANCIAL IN No	ІРАСТ		

ISSUE:

BACKGROUND:

ANALYSIS:

RECOMMENDATION:

ATTACHMENT(S): Name:

No Attachments Available

Type:

Title:REPORT ON PROPOSED CHANGES TO THE TRAINING AND TESTING
SPECIFICATIONS FOR PEACE OFFICER BASIC COURSES

REPORT PROFILE

MEETING DATE 2/13/2020		BUREAU SUBMITTING THIS REPORT Basic Training Bureau			
RESEARCHED BY (PRINT NA Cheryl Smith	ME)	REVIEWED BY (PRINT NAME) Jim Grottkau			
REPORT DATE 12/05/2019	APPROVED BY Manuel Alvarez, J		DATE APPROVED 12/30/2019		
PURPOSE Decision Requested		FINANCIAL IN	ІРАСТ		

ISSUE:

Should the Commission approve, subject to the Notice of Proposed Regulatory Action process, the proposed Training and Testing Specifications for Peace Officer Basic Courses, as specified in this report?

BACKGROUND:

As part of an ongoing review of the Regular Basic Course content, POST staff and curriculum consultants review Learning Domain content to determine the currency and job task relevancy. This process is facilitated by POST and attended by subject matter experts, academy directors, and coordinators. Some of the more significant outcomes of these workshops are recommendations for updating and enhancing the basic courses. The Training and Testing Specifications were updated to include Penal Code section 13519.41 which mandates the Commission to develop and implement a course of training regarding sexual orientation and gender identity minority groups in this state; to include specified topics, including the terminology used to identify and describe sexual orientation and gender identity minorities.

ANALYSIS:

Learning Domains have been updated to reflect emerging training needs, compliance with legislatively mandated subject matter, changes in the law, or to improve student learning and evaluation.

The proposed changes affect the following Learning Domains:

• LD 42, Cultural Diversity/Discrimination (Attachment A)

The Training and Testing Specifications were updated to include the terminology used to identify and describe sexual orientation and gender identity and how to create an inclusive workplace within law enforcement for sexual orientation and gender identity minorities.

RECOMMENDATION:

Staff recommends the Commission approve the revisions to the Training and Testing Specifications as amended pursuant to the rule-making process and approval from the Office of Administrative Law. If no one

requests a public hearing, the amendments will become effective October 1, 2020.

ATTACHMENT(S):						
Name:	Type:					
LD_42_TTS_v1.pdf	Cover Memo					

TRAINING AND TESTING SPECIFICATIONS FOR LEARNING DOMAIN #42 CULTURAL DIVERSITY/DISCRIMINATION

July 1, 2012 October 1, 2019

LEARNING NEED

Peace officers need to recognize and respect the complexities of cultural diversity to develop skills necessary for identifying and responding to California's changing communities.

LEARNING OBJECTIVES

- A. Define the terms:
 - 1. Culture
 - 2. Cultural diversity
- B. Describe personal, professional, and organizational benefits of valuing diversity within the community and law enforcement organizations
- C. Explain the historical and current cultural composition of California

LEARNING NEED

Peace officers need to become aware of stereotyping that could lead to prejudicial viewpoints and unlawful acts of discrimination.

- A. Define the term stereotype
- B. Discuss the dangers of relying on stereotypes to form judgments or to determine actions

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		Other Basic Courses									
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X			X		Х	Х					
Х			Х		Х	Х					

- C. Define the term prejudice
- D. Define the term discrimination
- E. Define the term racial profiling, including the:
 - 1. Conceptual definition
 - 2. Legal definition
- F. Discuss the legal considerations peace officers should take into account related to racial profiling, including:
 - 1. California Penal Code Section 13519.4
 - 2. Fourth Amendment
 - 3. Fourteenth Amendment
 - 4. Current case law
 - 5. Criminal profiling vs. racial profiling
- G. Discuss the impact of racial profiling on the:
 - 1. Individual citizens
 - 2. Community
 - 3. Officer
 - 4. Criminal justice system
- H. Discuss landmark events in the evolution of civil and human rights
- I. Define key indices peace officers should recognize and respect that make up evolving culture among a community
- J. Discuss the obligations of peace officers in preventing, reporting, and responding to discriminatory or biased practices by fellow officers

		Other	Basic	Cours	ses	
RBC	832	III	II	Ι	SIBC	Requal
Х			Х		X	Х
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
V			v		V	v
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<u>X</u>			X		X	X
<u>X</u>			X		<u>X</u>	<u>X</u>

	Other Basic Courses			ses			
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RBC	832	шп		Ι	SIBC	Requal
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X			Х		Х	Х
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X			X		Х	Х
Х			Х		Х	Х
X			Х		X	Х
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Х			Х		Х	Х

LEARNING OBJECTIVES

- A. State the legal definition of a hate crime based on the Penal Code
- B. Classify the crime and the elements required to arrest for:
 - 1. Desecrating religious symbols
 - 2. Interfering with religious freedom
 - 3. Terrorizing another
 - 4. Interfering with an individual's civil rights
- C. Explain the legal rights and remedies available to victims of hate crimes based on federal law and Civil Code
- D. Describe the impact of hate crimes on victims, the victims' families, and the community
- E. Discuss the indicators of hate crimes
- F. Explain considerations when investigating and documenting incidents involving possible hate crimes

VI. LEARNING NEED

Peace officers need to have an understanding of what constitutes sexual harassment, how to respond to sexual harassment in the workplace, and the legal remedies available through the sexual harassment complaint process.

LEARNING OBJECTIVES

A. State the legal definition of sexual harassment

		Other Basic Courses							
RBC	832	Ш	II	Ι	SIBC	Requal			
X			Х		Х	Х			
X X X X X X			X X X X X X		X X X X X X	X X X X X			
Х			Х		Х	Х			
X			Х		Х	Х			
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Х			Х		Х	Х			
X			X		Х	Х			
X			Х		X	Х			

- B. Discuss the federal and state laws dealing with sexual harassment to include:
 - 1. Title VII
 - 2. Government Code Section 12940 et. seq.
 - 3. Concept of Quid Pro Quo
 - 4. Concept of hostile work environment
 - 5. Current case law
- C. Explain the legal remedies available to a victim of sexual harassment
- D. Describe behaviors that constitute sexual harassment, including:
 - 1. Verbal
 - 2. Physical
 - 3. Visual
 - 4. Written material
 - 5. Sexual favors
 - 6. Threats
 - 7. Hostile work environment
 - 8. Force
- E. Explain the mandated sexual harassment complaint process guidelines
- F. State the protections that exist to prevent retaliation against anyone submitting a sexual harassment complaint
- G. Describe the methods for responding to sexually offensive or unwanted behavior

VII. REQUIRED TESTS

None

RBC	832	III	SIBC	Requal		
Х			X		Х	
V			V		v	
Х			Х		Х	
Х			Х		Х	
X			X		Х	
Х			X		Х	
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X X			X X		X X	
х			X		Х	

VIII. REQUIRED LEARNING ACTIVITIES

- A. Given a diagnostic instrument, questionnaire, personal inventory or equivalent method, students will participate in a learning activity that requires self-assessment to determine their own level of cultural sensitivity and experience in interrelating with cultural groups.
 - 1. The learning activity should provide the student with an opportunity to determine their current level of experience in dealing with cultural groups
 - 2. The learning activity should also serve as a starting point for an instructor-facilitated classroom discussion and/or small group discussions which address perceptions, experiences, fears, and stereotypes concerning contact with cultural groups

Discussion may include, but is not limited to cultural stereotypes, ethno phobia, homophobia, xenophobia, sexual orientation and gender identity bias, and media impact on cultural perceptions

B. Given a minimum of three POST-developed video re-enactments depicting law enforcement contacts with cultural groups, or an equivalent number of simulations, scenarios or video representations provided by the presenter, the student will participate in an instructor-led discussion evaluating the appropriateness and professional quality of the contact.

Among the issues which must be addressed are:

- 1. Any positive or negative behaviors demonstrated by contacting officers
- 2. The apparent perception of the cultural group regarding the contact
- 3. Presence or absence of cultural stereotyping
- 4. The level of cultural understanding demonstrated by the officers
- 5. The legality of the contact and subsequent actions of the contacting officers
- 6. The professional, personal, and organizational impact of the contact, either positive or negative
- 7. Cultural group history, customs, religious conventions, core values, or other perceptions material to the contact

Presentation of the video re-enactments, simulations, or scenarios may be done collectively or may be interspersed throughout the instructional block at the discretion of the instructor.

		Other Basic Courses							
RBC	832	III	II	Ι	SIBC	Requal			
Х			Х		Х				
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Х			Х		Х				
X X X X			X X X X		X X X X				
Х			X		Х	Х			
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			
Х			Х		Х	Х			

- C. Given a minimum of four POST-developed video re-enactments depicting possible sexual harassment, or an equivalent number of simulations, scenarios, or video representations provided by the presenter, the student will participate in a facilitated discussion which addresses the following:
 - 1. Any behaviors which are illegal, as defined by federal or state sexual harassment laws
 - 2. Professional, personal, and organizational impacts of the incident
 - 3. Legal and administrative consequences of the behaviors observed
 - 4. Whether or not state sexual harassment reporting guidelines apply to the situation

D. Given a minimum of two POST-developed video re-enactments or written descriptions of possible hate crimes, or an equivalent material provided by the presenter, the student will participate in a facilitated discussion which addresses the following:

- 1. Whether or not the incident constituted a hate crime under the law
- 2. Impact of the incident on victims, their families and the community
- 3. Effectiveness of the law enforcement response
- 4. Legal rights of, and remedies available to the victim(s)

E. The student will participate in a series of learning activities from the POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources. At a minimum, each activity or combination of activities must address the following topics:

- 1. The impact racial profiling may have had on them as individuals or their community
- 2. Concerns the students may have as to how racial profiling will affect them in the field
- 3. Clarification of the myths and realities of racial profiling
- 4. The concept of individualized suspicion as it pertains to probable cause
- 5. How the history of the community can affect the way they view law enforcement today
- 6. Law enforcement's obligation to various cultures within the community
- 7. What law enforcement must do to increase trust with the community
- 8. Law enforcement's obligation to respond to and report incidents of discriminatory or biased practices by fellow officers
- 9. The importance of applying leadership during contacts with persons from diverse cultures as it pertains to profiling, ethics and community policing
- F. Given three POST-develop video re-enactments depicting possible racial profiling, students will participate

		Other	es				
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in a facilitated discussion and/or small group discussion which addresses the following:

- 1. Application of the 4th and 14th Amendments and current case law
- 2. Consensual contacts as it pertains to racial profiling
- 3. Importance of articulable characteristics or behaviors to develop probable cause.

HX. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on cultural diversity/sexual harassment/hate crimes.

X. ORIGINATION DATE

January 1, 2001

REVISION DATE

January 1, 2004	July 1, 2010
January 1, 2006	July 1, 2011
January 19, 2007	July 1, 2012
July 1, 2008	October 1, 2019

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AGENDA ITEM REPORT

Title:REPORT ON PROPOSED REMOVAL OF THE DRIVING SIMULATOR FOR THE
REGULAR BASIC COURSE

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT Basic Training Bureau				
RESEARCHED BY (PRINT NA Steve Harding	ME)	REVIEWED BY (PRINT NAME) Jim Grottkau			
REPORT DATE 12/16/2019	APPROVED BY Manuel Alvarez, J		DATE APPROVED 01/21/20		
PURPOSE Decision Requested		FINANCIAL IN No	ІРАСТ		

ISSUE:

Should the Commission approve the removal of the Law Enforcement Driving Simulator learning activity, subject to the Notice of Proposed Regulatory Action process, the proposed Training and Testing Specifications for Peace Officer Basic Courses, as specified in this report?

BACKGROUND:

As part of an ongoing review of the Regular Basic Course content, POST staff and curriculum consultants review Learning Domain content to determine the currency and job task relevancy. This process is facilitated by POST and attended by subject matter experts, academy directors, and coordinators. Some of the more significant outcomes of these workshops are recommendations for updating and enhancing the basic courses.

There are currently 108 Law Enforcement Driving Simulators (LEDS) distributed to presenters throughout the State. POST currently has a maintenance contract (\$341,357.00) for repair and maintenance of the LEDS. This contract is set to expire in June 2020, and shall not be renewed. Numerous presenters have LEDS which are inoperable, thereby preventing them from administering the required learning activity as outlined in Learning Domain 19 (Vehicle Operations).

In 2011, 108 Law Enforcement Driving Simulators were purchased by POST and distributed throughout the State. In February 2013, a learning activity was added to Learning Domain 19 (Vehicle Operations) requiring the use of the Law Enforcement Driving Simulators (LEDS). The learning activity requires students to participate in the use of a LEDS and after acclimation, participate in at least two (2) different emergency responses and two (2) different pursuits. The intent of the added learning activity was to increase training and reduce traffic accidents.

ANALYSIS:

Due to the inability to maintain the aging Law Enforcement Driving Simulators. Several presenters are unable to successfully administer the required learning activity outlined in Learning Domain 19 (Vehicle Operations).

POST Basic Training personnel, academy instructors and subject matter experts, have seen an increase in students entering the Regular Basic Course with less driving experience. In 2019, POST Basic Training

Bureau conducted a study that found Vehicle Operations had the third highest failure rate in the Regular Basic Course, behind Scenario and Firearms testing. The removal of the LEDS required learning activity from Learning Domain 19 (Vehicle Operations), will allow more time for behind the wheel training. POST anticipates the additional behind the wheel training will increase the success rates in Vehicle Operations testing.

Learning Domains have been updated to reflect emerging training needs, compliance with legislatively mandated subject matter, changes in the law, or to improve student learning and evaluation.

The proposed changes affect the following Learning Domains:

• LD 19, Vehicle Operations (Attachment A)

The Training and Testing Specifications were updated to remove the required learning activity involving the Law Enforcement Driving Simulator.

RECOMMENDATION:

Staff recommends the Commission approve the revisions to the Training and Testing Specifications as amended, pursuant to the rule-making process and approval from the Office of Administrative Law. If no one requests a public hearing, the amendments will become effective October 1, 2020.

Between now and October 1, 2020, staff also seeks a moratorium on LD 19 (Vehicle Operations) learning activity requiring the use of the Law Enforcement Driving Simulators (LEDS).

ATTACHMENT(S):					
Name:	Туре:				
D <u>LD19_(1).pdf</u>	Cover Memo				

TRAINING AND TESTING SPECIFICATIONS FOR LEARNING DOMAIN #19 VEHICLE OPERATIONS

February 1, 2017October 1, 2020

Other Basic Courses RBC Requal 832 Ш Π SIBC Ι I. Х

LEARNING NEED

Peace officers need to know the importance of defensive driving principles and techniques in order to develop safe driving habits.

- A. Determine a safe distance when following another vehicle
- B. Identify the effect of speed on a driver's peripheral vision
- C. Discuss how perception and reaction time affects a vehicle's total stopping distance
- D. Demonstrate appropriate actions to prevent intersection collisions
- E. Recognize potential hazards of freeway driving and appropriate actions to prevent collisions
- F. Demonstrate appropriate actions to prevent collisions when operating a vehicle in reverse
- G. Demonstrate the importance and proper use of safety belts in a law enforcement vehicle
- H. Identify psychological and physiological factors that may have an effect on a peace officer's driving
- I. Identify hazards of various road conditions

		Other Basic Courses								
RBC	832	ш	Π	Ι	SIBC	Requal				
X		Х		Х	Х					
X		X		Х	Х					
Х		Х		Х						
X		Х		Х		Х				
X X		X X		X X		X X				
X		Х		Х						
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X		Х		Х						

- J. Discuss the components of a vehicle inspection
- K. Demonstrate proper techniques for recognizing and coping with distractions while operating a law enforcement vehicle

LEARNING NEED

II.

Peace officers must recognize that emergency response (Code 3) driving demands a thorough understanding of the associated liability and safety issues.

- A. Identify the objectives of emergency response driving
- B. Recognize the statute(s) governing peace officers when operating law enforcement vehicles in the line of duty
 - 1. Rules of the road
 - 2. Liability
- C. Explain the importance of agency-specific policies and guidelines regarding emergency response driving
- D. Identify the statutory responsibilities of non-law enforcement vehicle drivers when driving in the presence of emergency vehicles operated under emergency response conditions
- E. Demonstrate the use of emergency warning devices available on law enforcement vehicles
- F. Identify factors that can limit the effectiveness of a vehicle's emergency warning devices
- G. Demonstrate the use of communication equipment

		Other					
RBC	832	ш	Π	Ι	SIBC	Requal	
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							III.
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X		Х		Х		Х	
							IV.
X		X		Х	Х		
Х				Х	Х		
Х		Х		Х	Х		

- H. Identify the effects of siren syndrome
- I. Recognize guidelines for entering an intersection when driving under emergency response conditions

LEARNING NEED

All peace officers who operate law enforcement emergency vehicles must recognize that even though the purpose of pursuit driving is the apprehension of a suspect who is using a vehicle to flee, the vehicle pursuit is never more important than the safety of peace officers and the public.

LEARNING OBJECTIVES

- A. Discuss the requirements of Penal Code Section 13519.8
- B. Discuss the requirements of Vehicle Code Section 17004.7

IV. LEARNING NEED

Peace officers must be proficient in the operation of the vehicle and know the dynamic forces at work. Proper steering control, throttle control, speed judgment, and brake use enhances driving expertise.

- A. Distinguish between longitudinal and lateral weight transfer
- B. Demonstrate the ability to mitigate the effects of spring loading
- C. Demonstrate proper techniques for two-handed shuffle steering

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X		Х		Х	Х	
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X		X		X	X	
X		X		Х	Х	
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X				Х	X	

- D. Demonstrate proper throttle control
- E. Demonstrate proper roadway position and the three essential reference points of a turning maneuver
- F. Explain the primary effects speed has on a vehicle in a turning maneuver
- G. Demonstrate proper braking methods
- H. Distinguish between and describe the causes of the following types of vehicle skids:
 - 1. Understeer skid
 - 2. Oversteer skid
 - 3. Locked-wheel skid
 - 4. Acceleration skid
 - 5. Centrifugal skid
- I. Identify the causes and contributing factors of vehicle hydroplaning

V. REQUIRED TESTS

VEHICLE OPERATIONS SAFETY

All vehicle operations exercise testing must be conducted under written academy/presenter safety procedures and or protocols established in accordance with the POST safety guidelines. Students are required to comply with every aspect of presenter safety procedures and or protocols during vehicle operations training and testing.

A. An **exercise test** that requires the student drive a law enforcement vehicle not equipped with Electronic Stability Control (ESC) and demonstrate the ability to control the vehicle during understeer and oversteer conditions or drive a law enforcement vehicle equipped with ESC and demonstrate the ability to control the vehicle during understeer conditions.

The student will demonstrate competency in the following performance dimensions:

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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		
Х				Х		

- 1. Safety
- 2. Situational Awareness
- 3. Braking Technique(s)
- 4. Steering Technique(s)
- 5. Throttle Control
- 6. Control of Weight Transfer
- 7. Skid Control
- 8. Rate of Performance
- 9. Fluency of Performance
- 10. Level of Response

Presenters must use the POST-developed Vehicle Operations Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

B. An **exercise test** that requires the student to drive a law enforcement vehicle and demonstrate the ability to safely drive and control the vehicle while operating under emergency response (Code 3) conditions to include interacting with an interference vehicle driven by a qualified Driver Training Instructor (as defined in Regulation 1070).

The student will demonstrate competency in the following performance dimensions:

- 1. Safety
- 2. Situational Awareness
- 3. Braking Technique(s)
- 4. Steering Technique(s)
- 5. Throttle Control
- 6. Roadway Positioning
- 7. Operating Associated Equipment
- 8. Rate of Performance
- 9. Fluency of Performance
- 10. Level of Performance

Presenters must use the POST-developed Vehicle Operations Competency Exercise Test Form or a

RBC	832	ш	П	Ι	SIBC	Requal
Х				Х		
X				Х		
X X				X X		
X X				X X		
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X				Х		

presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

C. An **exercise test** that requires the student to drive a law enforcement vehicle and demonstrate the ability to safely drive and control the vehicle while operating under vehicle pursuit situations to include interacting with an interference vehicle driven by a qualified Driver Training Instructor (as defined in Regulation 1070).

The student will demonstrate competency in the following performance dimensions:

- 1. Safety
- 2. Situational Awareness
- 3. Braking Technique(s)
- 4. Steering Technique(s)
- 5. Throttle Control
- 6. Roadway Positioning
- 7. Operating Associated Equipment
- 8. Rate of Performance
- 9. Level of Performance
- 10. Fluency of Performance

Presenters must use the POST-developed Vehicle Operations Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

D. An exercise test that requires the student to drive a law enforcement vehicle and successfully demonstrate in four out of five attempts the collision avoidance exercise as described in the Emergency Vehicle Operations Course Instructor Manual. The test will include a light indicator for lane selection and a minimum of 35 mph entry speed in dry surface conditions and a minimum of 30 mph entry speed in wet surface conditions. If the light indicator malfunctions, an alternate visual indicator shall be utilized.

The student will demonstrate competency in the following performance dimensions:

1. Safety

RBC	832	III	II	Ι	SIBC	Requal
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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	
Х		Х		Х	Х	

- 2. Situational Awareness
- 3. Braking Technique(s)
- 4. Steering Technique(s)
- 5. Throttle Control

Presenters must use the POST-developed Vehicle Operations Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

E. An exercise test that requires the student to drive a law enforcement vehicle and demonstrate a series of slow speed precision driving maneuvers. The slow speed precision driving maneuvers must include at least three (3) tested maneuvers contained in the Emergency Vehicle Operations Course Instructor Manual. The instructor manual slow speed maneuvers are listed as follows:

Turn around	Angled driveway
Off set lane	"Y" driveway
Steering Course (forward and reverse)	Vehicle Control
"T" Driveway	Parallel parking
Bootleg Turn	

The student will demonstrate competency in the following performance dimensions:

- 1. Safety
- 2. Situational Awareness
- 3. Braking Techniques(s)
- 4. Steering Technique(s)
- 5. Throttle Control
- 6. Speed Judgment
- 7. Vehicle Placement
- 8. Backing
- 9. Tactical Seatbelt Removal (TSR)
- 10. Rate of Performance
- 11. Fluency of Performance

Presenters must use the POST-developed Vehicle Operations Competency Exercise Test Form or a

	RBC	832	III	Π	Ι	SIBC	Requal
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	X				X		
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	Х				Х		

presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

F. An **exercise test** that requires a student to drive a law enforcement vehicle during which the student must reach a speed of at least 65 mph prior to entering a turn of sufficient radius to require a minimum 30 mph deceleration. This exercise test may be tested concurrently with emergency response or pursuit tests.

The student will demonstrate competency in the following performance dimensions:

- 1. Safety
- 2. Situational Awareness
- 3. Braking Techniques(s)
- 4. Steering Technique(s)
- 5. Throttle Control
- 6. Speed Judgment
- 7. Roadway Positioning
- 8. Fluency of Performance
- 9. Level of Response

Presenters must use the POST-developed Vehicle Operations Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

VI. REQUIRED LEARNING ACTIVITIES

- A. The student will participate in a learning activity that requires the student to participate in the use of a
 Law Enforcement Driving Simulator (LEDS) and after acclimation participate in at least two (2) different
 emergency responses and two (2) different pursuits.
- **B**<u>A</u>. The student will participate in a learning activity that requires the student to brake suddenly and engage the Anti-lock Braking System (ABS)
- **CB**. The student will participate in a learning activity that requires the student to drive a law enforcement vehicle during the hours of darkness (as defined in Vehicle Code Section 280) utilizing headlights. The activity must include emergency response and/or pursuit.

		Other Basic Courses						
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- **D**C. The student will participate in a learning activity that requires the student to drive a law enforcement vehicle, during which the student will demonstrate the ability to accurately steer and control the vehicle under high performance cornering conditions, including but not limited to:
 - 1. Safety
 - 2. Situational Awareness
 - 3. Braking Technique(s)
 - 4. Steering Technique(s)
 - 5. Throttle Control
 - 6. Speed Judgment
 - 7. Roadway Positioning
 - 8. Control of Weight Transfer

ED. The student will participate in one or more learning activities from the POST-developed Instructor's Guide to *Learning Activities for Leadership, Ethics and Community Policing (December* 2005) or other comparable sources regarding vehicle operations. At a minimum, each activity, or combination of activities must address the following topics:

- 1. Use of critical thinking and decision making to balance the apprehension of violators against the obligation to drive safely, tactically and responsibly
- 2. Effects of personal attitudes on emergency or pursuit driving and the interests of public safety
- 3. Community expectations that officers should be exemplary drivers
- 4. Accountability as it relates to officer actions during vehicle operation
- 5. Universal concepts of *Penal Code Section 13519.8* and *Vehicle Code Section 17004.7*

VII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on vehicle operations. This instruction is designed to satisfy the requirements for law enforcement high-speed vehicle pursuit training as required in Penal Code Section 13519.8.

VIII. ORIGINATION DATE

January 1, 2001

	Other B	her Basic Courses					
RBC	832	ш	п	Ι	SIBC	Requal	
							IX.

REVISION DATE

January 1, 2002January 1, 2006January 1, 2012October 1,2020January 1, 2004July 1, 2008August 1, 2013September 15, 2004July 1, 2009February 1, 2016July 1, 2005July 1, 2011February 1, 2017

Title:REPORT ON AMENDMENT TO REGULATION 1015 AND COMMISSION
PROCEDURE E-2, MAXIMUM REIMBURSEMENT RATES

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT Executive Office		
RESEARCHED BY (PRINT NA Maria Sandoval	ME)	REVIEWED BY	Y (PRINT NAME)
REPORT DATE 12/13/2019 APPROVED BY Manuel Alvarez, J			DATE APPROVED 01/25/20
PURPOSE Decision Requested		FINANCIAL IN Yes	ЛРАСТ

ISSUE:

Should the Commission approve an increase to the agency reimbursement rate from \$50.00 to \$75.00 per day, and up to 800 hours, for the Regular Basic Course (RBC)?

BACKGROUND:

On July 1, 1994, POST established 664 hours as the minimum number of hours to cover required curriculum for the RBC. A reimbursement rate of \$50.00 per day for agency sponsored trainees up to 664 hours was also implemented at that time.

For the proposed budget for FY 2019-20, POST submitted a Budget Change Proposal (BCP), which among other things, proposed an increase for local assistance/agency reimbursement for the RBC at a rate of \$75.00 per day, up to 800 hours. The BCP indicated that under this proposal, RBC reimbursement could result in expenditures of no more than \$7.5M. The BCP was approved and the FY 2019-20 budget was ultimately enacted.

ANALYSIS:

The cost of living index has increased over the years. The agency reimbursement rates for the RBC have not been adjusted since 1994, nor have the number of reimbursable training hours changed since that time. As a point of reference, the lowest number of training hours currently offered by a POST academy is 720 hours, with the highest academy at 1240 hours.

The current maximum reimbursement stands at \$4,150.00 per recruit (664 hours / 8 hours per day X \$50.00 = \$4,150.00). If approved by the Commission and the Office of Administrative Law, the new maximum reimbursement would be \$7,500.00 per recruit (800 hours / 8 hours per day X \$75.00 = \$7,500.00).

An increase of \$25.00 for a total of \$75.00 per day, and for up to 800 hours of training, will be more reflective of the training costs for the RBC. It will increase a rate which has not been adjusted for 25 years.

RECOMMENDATION:

POST staff recommends an increase in the local reimbursement rate for the RBC from \$50.00 to \$75.00 per day, and for up to 800 training hours.

ATTACHMENT(S):				
Name:	Type:			
Text_of_Proposed_Regulatory_Action_1015.pdf	Cover Memo			

(d) Reimbursement Rates.

(1) Maximum reimbursement rates.

(B) The maximum amounts reimbursed for approved expense categories are approved by the Commission.

The maximum amounts reimbursed for approved expense categories are the following:

Expense	Reimbursement Rate		
Back-Fill Reimbursement	100% actual salary cost at overtime rate: time and one-half		
Basic Course Subsistence	\$50.00 per day <u>\$75.00 per day</u>		
Commuter Lunch	\$8.00 per day		
Subsistence allowance - by location where expense occurred			
 All counties not shown below 	\$128.00 per day		
Alameda County	\$189.00 per day		
 Los Angeles County 	\$156.00 per day		
 San Diego County 	\$156.00 per day		
 San Francisco County 	\$189.00 per day		
 San Mateo County 	\$189.00 per day		
Santa Clara County	\$189.00 per day		
Travel	Go to: http://www.calhr.ca.gov/ employees/Pages/travel- personal-vehicle.aspx		
	for current mileage rate		
Tuition	100%		

(2) Courses with maximum reimbursement limitations

(A) Subsistence, commuter lunch, and travel allowances will not be reimbursed for more than the maximum number of weeks (based on a minimum hourly requirement of 40 hours) authorized for the following courses:

	Weeks/Hours
Regular Basic Course (Standard Format)	16.6 / 664 <u>800</u>
Regular Basic Course (Modular Format, Intensive Presentation Only)	
Module III	3.2 /128
Module II	4.4 /176
Module I	9 /360
Specialized Investigators' Basic Course	14.8 / 591
District Attorney Investigator Transition Course	1 / 40
Coroners' Death Investigation Course	2 / 80
Public Safety Dispatchers' Basic Course	3 / 120

Supervisory Course	2 / 80
Advanced Officer Course	1 / 40
Executive Development Course	2 / 80
Management Course	2.6 / 104
Management, Supervisory, Executive Seminars	1 / 40

(3) Rates established annually or more frequently as determined by Commission. The Commission may annually, or more frequently as requested, and pursuant to the Administrative Procedure Act, establish the reimbursement rates for the categories of expenses approved for the reimbursement plans.

(4) Notification of reimbursement rates.

The Commission shall notify agencies participating in the POST Reimbursable Program and/or POST-approved training presenters of the modification of reimbursement rates within 60 days.

Title: REPORT ON DOCUMENT MANAGEMENT STUDIES

REPORT PROFILE

MEETING DATE 2/13/2020		IITTING THIS I nseling and Project	
RESEARCHED BY (PRINT NAME)		REVIEWED BY (PRINT NAME)	
M. Devlin and H. Hernandez		Maria Sandoval	
REPORT DATE 11/25/2019 APPROVED BY Manuel Alvarez, J			DATE APPROVED 01/21/20
PURPOSE		FINANCIAL IMPACT	
Decision Requested		No	

ISSUE:

POST staff seek approval to resubmit the following package to the Office of Administrative Law (OAL), as the OAL time constraints were not met. This is due to the package being rejected by OAL 4-6 times over the course of a year.

BACKGROUND:

Penal Code section 13513, signed into law in 1968, states, "The Commission shall provide counseling services to police agencies when requested." Regulation 1016, approved by the Commission the same year, defined POST's role by including, "POST shall not charge for studies conducted by POST staff."

POST conducts a great number of studies annually for agencies. The costs associated with studies varies greatly depending on type and depth. For example, a Property and Evidence study may take a POST Law Enforcement Consultant (LEC) 120 hours of time to travel, research and draft a report. In addition to the 120 hours for a Property and Evidence study, additional POST staff members are used to proof and approve the final the report.

In 1968, there were 332 agencies in the POST program, compared to 630 agencies as of 2018. While the number of agencies POST supports has continued to increase, POST's budget and staffing have not been proportionally increased to meet the current demand for this specific service, requiring a change to current practices in order to continue providing support to all agencies.

ANALYSIS:

POST provides a variety of studies for participating agencies, and all studies are currently provided gratis. Studies are agency-specific, and at times require an inordinate amount of staff time and travel. Private companies often charge high fees for similar services. For example, Property and Evidence study fees charged by a private corporation can run between \$10,000 - \$25,000. Other studies range between \$45,000 - \$200,000 depending upon the complexity of the study and the parameters set by the requesting agency. Due to budgetary and personnel constraints, POST thus desires to recoup part of its administrative costs for

conducting studies.

POST proposes to receive reimbursement for actual time spent by the staff member on the project (straight hourly rate of pay for the staff member), plus an 8% indirect fee to compensate for administrative expenditures (POST will absorb travel and per diem costs incurred by staff).

Should the Commission approve these changes, staff will prepare the Office of Administrative Law (OAL) package and allow for public comment. Should POST receive no public comments which require a change to the proposed language, the changes will be submitted to OAL for review without having to return to the next Commission meeting. Should any changes be required as a result of the public comment period or feedback from OAL, staff will return with the modified language to the Commission meeting in June 2020 for approval.

RECOMMENDATION:

Staff recommends the Commission approve the recommended changes to Regulation 1016 and charge fees as outlined in the attachment.

ATTACHMENT(S):				
Name:	Type:			
D <u>Proposed_Text.Final.docx</u>	Cover Memo			

11 CCR § 1016

§ 1016. Services Provided by the Commission on Peace Officer Standards and Training (POST)

Counseling services are provided only to a local jurisdiction and only upon request for the purpose of improving its administration, management, and operations. Aid may also be given to such agencies in implementing recommended procedures or practices. See PAM Section G.

(a) Management Counseling

(1) In accordance with Penal Code section 13513, upon the request of a local jurisdiction, the Commission on Peace Officer Standards and Training (POST) shall provide a counseling service to such local jurisdiction for the purpose of improving the administration, management or operations of a police agency and may aid such jurisdiction in implementing improved practices and techniques. Management counseling services shall be provided only to local law enforcement agencies.

(b) Services Provided

(1) Upon request, POST may provide the following types of counseling service:

(A) Preliminary evaluation
 (B) Special Study
 (C) General Study
 (D) Selected Counseling
 (E) Implementation Assistance

(c) Preliminary Evaluation

(1) A preliminary evaluation is conducted by a POST consultant(s) who determine and make recommendations as to the extent and scope of the counseling services proposed.

(d) Special Study

(1) A special study includes appropriate analysis of a single or limited number of functions within a local law enforcement department, such as an analysis and written report with recommendations covering one or more of the following:

(A) Organization

 (B) Direction and Control
 (C) Operations (patrol, traffic, investigations)
 (D) Administration (personnel, training, research and development, community relations, crime prevention)
 (E) Services (communications, records, warrants, property/evidence control jail, civil and bailiff)

(e) General Study

(1) A general study includes review and appropriate analysis of the administration, operation and service provided by a local law enforcement department and a written report of the analysis with recommendations. All requests for general studies are subject to approval by POST staff.

(f) Selected Counseling

(1) Selected counseling consists of formal or informal discussions or conferences between administrators of a department and POST staff in order to provide advice. The counseling may be provided with or without preparation of a formal report. High priority for this service will normally be assigned to meet the special or emergency needs of a law enforcement agency. Selected counseling services may be provided to requesting agencies at no cost.

(g) Implementation Assistance

(1) Implementation assistance is designed to provide staff assistance in carrying out recommendations provided in POST studies or management counseling services. This service may include review of preliminary planning, identifying resource materials needed, actual field testing of systems designed, as well as onsite study of existing systems by key personnel for field management training.

(h) Consultants Assigned

(1) POST consultants are assigned to conduct studies and provide implementation assistance. POST may elect to utilize the services of qualified special consultants who are contracted with POST to complete such studies.

(i) Requests for Service

- (1) Counseling services must be requested electronically to POST. In addition to the chief law enforcement officer, requests must be approved by the city manager/administrator or mayor of a municipality, if required by the jurisdiction.
- (2) As a matter of standard practice, POST will not conduct any requested study(ies) where there is or are active state, local, or federal investigation pending.

(j) <u>Costs</u>

(1) POST shall charge a fee to conduct general or special studies. Reimbursement to POST for actual time spent by a Law Enforcement Consultant (LEC) on the project will cover face-to-face meeting time at the agency, research, and document preparation, and will not include travel time. The cost will be charged at the current straight hourly rate of pay of a Law Enforcement Consultant's current wage, plus 8 percent of the cost to compensate for administrative expenditures.
- (2) Upon payment of the study fee by the requestor(s), the completed study and its recommendations shall be released to the requestor(s).
- (3) For situations that may arise where POST determines there will be a financial hardship to a requesting agency, and a general or special study is necessary due to exigent or critical circumstances, the Executive Director or his/her designee may waive any or all charges in order to assist the requesting agency and provide POST study services. The waiving of charges will be considered only in rare circumstances, and on a case-by-case basis.

(k) Special Consultants

(1) If part-time special consultants are required, costs will be charged at the current straight hourly rate of pay of a Law Enforcement Consultant's current wage, plus 8 percent of the cost to compensate for administrative expenditures.

(I) Assistance Available

(1) Staff follow-up assistance is available regarding the implementation of a study or counseling recommendations and to evaluate a department's efforts of implementation.

Note: Authority cited: Section 13506, Penal Code. Reference: Sections 13503 and 13513, Penal Code.

HISTORY

- 1. Amendment filed 2-10-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 7).
- 2. Amendment filed 6-15-83; effective thirtieth day thereafter (Register 83, No. 25).
- 3. Change without regulatory effect amending section filed 12-9-2015 pursuant to section 100, title 1, California Code of Regulations (Register 2015, No. 50).

This database is current through 12/6/19 Register 2019, No. 49

Print

AGENDA ITEM REPORT

Title: **SUB-COMMITTEE**

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT		
RESEARCHED BY (PRINT NAME)		REVIEWED BY (PRINT NAME)	
REPORT DATE 12/06/2019	APPROVED BY	7	DATE APPROVED
PURPOSE Decision Requested		FINANCIAL IMPACT No	

ISSUE:

BACKGROUND:

ANALYSIS:

RECOMMENDATION:

ATTACHMENT(S): Name:

No Attachments Available

Type:

AGENDA ITEM REPORT

Title: **ADVISORY COMMITTEE**

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT		
RESEARCHED BY (PRINT NAME)		REVIEWED BY (PRINT NAME)	
REPORT DATE 12/06/2019	APPROVED BY	Ι	DATE APPROVED
PURPOSE Decision Requested		FINANCIAL IN No	ІРАСТ

ISSUE:

BACKGROUND:

ANALYSIS:

RECOMMENDATION:

ATTACHMENT(S): Name:

No Attachments Available

Type:

Print

AGENDA ITEM REPORT

Title: THE FOLLOWING CORRESPONDENCE WAS SENT FROM POST.

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT		
RESEARCHED BY (PRINT NAME)		REVIEWED BY (PRINT NAME)	
REPORT DATE 01/28/2020	APPROVED BY	Ι	DATE APPROVED
PURPOSE		FINANCIAL IMPACT No	

ISSUE:

BACKGROUND:

ANALYSIS:

RECOMMENDATION:

ATTACHMENT(S):		
Name:	Type:	
D <u>Feb_2020_Correspondence.pdf</u>	Cover Memo	



GAVIN NEWSOM GOVERNOR

XAVIER BECERRA ATTORNEY GENERAL

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

January 15, 2020

Alex Villanueva, Sheriff Los Angeles County Sheriff's Office 211 W Temple St. Los Angeles, CA 90012

Dear Sheriff Villanueva:

On behalf of the California Commission on Peace Officer Standards and Training (POST), and POST staff, please accept our deepest sympathy and condolences upon the tragic death of Detective Amber Leist.

In these troubling times of law enforcement scrutiny, the health and well-being of our officers is crucial. All who have ever worn the badge feel your loss. Our communities share your pain. Ultimately, society feels the tremor of the tragic death of one who commits their life to holding the thin line between peace and chaos, for standing for something good.

I never met Detective Leist. However, I know she stood the line between right and wrong, darkness and light. She faced challenges and danger. She gave order to chaos and hope to despair. She was quick to defend and frequently chose action over caution.

She railed against injustice. I know she stood in loyalty and faced conflict shoulder-to-shoulder with her brothers and sisters and proudly committed to being a small part of a greater cause.

Her absence will forever be a void in the lives that she touched. We commit ourselves to the eternal memory and honor of her life.

It is with great sadness in our hearts that we offer our support to you and your department at this tragic time.

Sincerely,

MANUEL ÁLVAREZ, J Executive Director

MA:kn



GAVIN NEWSOM GOVERNOR

XAVIER BECERRA ATTORNEY GENERAL

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

January 28, 2020

Peter Decena, Chief of Police Los Gatos Police Department 110 E Main Street Los Gatos, CA 95030

Dear Chief Decena:

On behalf of the California Commission on Peace Officer Standards and Training (POST), and POST staff, please accept our deepest sympathy and condolences upon the tragic off-duty death of Officer Munir Edais.

In these troubling times of law enforcement scrutiny, the health and well being of our officers is crucial. All who have ever worn the badge feel your loss. Our communities share your pain. Ultimately, society feels the tremor of the tragic death of one who commits their life to holding the thin line between peace and chaos, for standing for something good.

I never met Officer Edais. However, I know he stood the line between right and wrong, darkness and light. He faced challenges and danger. He gave order to chaos and hope to despair. He was quick to defend and frequently chose action over caution.

He railed against injustice. I know he stood in loyalty and faced conflict shoulder-to-shoulder with his brothers and sisters and proudly committed to being a small part of a greater cause.

His absence will forever be a void in the lives that he touched. We commit ourselves to the eternal memory and honor of his life.

It is with great sadness in our hearts that we offer our support to you and your department at this tragic time.

Sincerely,

MANUEL ALVAREZ. Jr.

Executive Director

MA:kn

Print

AGENDA ITEM REPORT

Title: THE FOLLOWING ITEMS ARE SUBMITTED FOR DISCUSSION.

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT		
RESEARCHED BY (PRINT NAME)		REVIEWED BY (PRINT NAME)	
REPORT DATE 12/06/2019	APPROVED BY Manuel Alvarez, Jr.		DATE APPROVED 01/25/20
		FINANCIAL IMPACT No	

ISSUE:

BACKGROUND:

ANALYSIS:

RECOMMENDATION:

ATTACHMENT(S):		
Name:	Туре:	
E <u>Feb_2020_Old_Business.pdf</u>	Cover Memo	

Fernandez, Elena@POST

From:	Loggins, Scott@POST
Sent:	Wednesday, May 15, 2019 1:01 PM
To:	Fernandez, Elena@POST
Cc:	Alvarez, Manny@POST; Sandoval, Maria@POST
Subject:	FW: CAPTO - Advisory Board

Another item to be put on the October Commission Meeting Agenda.

-----Original Message-----From: Kevin Mizner <kevinm@cos.edu> Sent: Wednesday, May 15, 2019 12:57 PM To: Loggins, Scott@POST <Scott.Loggins@post.ca.gov> Subject: CAPTO - Advisory Board

Good afternoon Scott,

Hope all is going well. Glad to see you are working at such a significant level at POST. I am doing well in my position as Chief at the college. I am also involved with CAPTO, and have the privilege to nominate Randy Waltz for the POST Advisory Committee. He has served well and we support him strongly for another term.

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Thanks much,

Kevin Mizner CAPTO

Sent from my iPhone

IMPORTANT NOTICE: This e-mail message is intended to be received only by persons entitled to receive the confidential information it may contain. E-mail messages to clients of the College of the Sequoias may contain information that is confidential and legally privileged. Please do not read, copy, forward, or store this message unless you are an intended recipient of it. If you have received this message in error, please forward it to the sender and delete it completely from your computer system.

From: Jaime Young <Jaimeyoung@IVICP911.com> Sent: Friday, August 30, 2019 9:56 AM To: Loggins, Scott@POST <Scott.Loggins@post.ca.gov> Cc: Tomek, Virginia@POST <Virginia.Tomek@post.ca.gov> Subject: Request for appointment of new term to POST Commission - Advisory Committee

Mr. Loggins,

The Public Safety Dispatch Advisory Council (PSDAC) has been made aware that the appointment term of the PSDAC representative to the POST Commission Advisory Committee expires this year. The members of PSDAC request the commission to re-appoint Ms. Jaime Young to that position for the upcoming term.

1 .

Please accept this request on behalf of the members of the PSDAC, and provide me with any guestions/concerns you may have.

Sincerely, Jaime D. Young, PSDAC Representative POST Commission Advisory Committee

Cc: Virginia Tomek, Retired Annuitant, POST Dispatch Program

Jaime D. Young Communications Consultant

Mission Critical Partners, LLC San Francisco Bay Area

Belmont Office: 650.769.6301

Cell: 650.477.8397 JaimeYoung@MissionCriticalPartners.com

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May 10, 2019

nech stidies

Commissioner Joyce Dudley C/O Manuel Alvarez Jr. Executive Director Commission on POST 860 Stillwater Road, Suite 100 West Sacramento, CA 95605

Commissioner Dudley,

I have served as a Public Member on the Advisory Committee since October 2010. It has been a pleasure working with all the dedicated individuals from the Commission, POST staff and the Advisory Committee. Recommendations made to the Commission by the Advisory Committee require the attention of every seated member and a commitment to researching important items brought forth by the law enforcement community we serve. I have strived to fulfill that responsibility the past nine years and would be honored to serve another term.

Please consider my request for reappointment to the Advisory Committee as a Public Member.

Respectfully,

200 Canning

Elmo Banning Advisory Committee Public Member

Alex Bernard

RESTIOLA

May 10, 2019

Commissioner Joyce Dudley, Chair Commission on Peace Officer Standards and Training c/o Executive Office 860 Stillwater Road, Suite 100 West Sacramento, CA 95605

Dear Commissioner Dudley,

I respectfully request to be reappointed as a Public Member to the POST Advisory Committee. My current appointment ends in October, 2019. I served as the PORAC representative on the Advisory Committee 2000-2004. I have served as one of the public members from 2007 to the present. I have enjoyed serving on the POST Advisory Committee, and I have a desire to continue to serve the Commission and the law enforcement community.

Sincerely,

Alex Bernard



CALIFORNIA COALITION OF LAW ENFORCEMENT ASSOCIATIONS

PROUDLY REPRESENTING OVER 150,000 PEACE OFFICERS 1308 WEST EIGHTH STREET – LOS ANGELES, CA 90017 (213) 251-4554

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CRAIG LALLY President

RUDY PEREZ Vice President

JACK SCHAEFFER Secretary

RODOLFO BOJORQUEZ Treasurer

September 11, 2019

Joyce Dudley POST Commission Chair 860 Stillwater Road #100 West Sacramento, CA 95605

Dear Commissioner Dudley,

The California Coalition of Law Enforcement Association (CCLEA) respectfully requests that Orange County Supervising Deputy Coroner, Artin Baron be re-appointed as the CCLEA representative on the POST Advisory Committee.

If I may be of further assistance, please do not hesitate to contact me at (661) 714-2634.

Sincerely,

Dhan

CRAIG D. LALLY President

CDL:hi

Dear Commission,

I am writing this letter to express my interest in being nominated for the Public Member Position or for the Advisory Board Position. At the early age of 10 years old my dream was to become a police officer. I attended the San Joaquin Delta College where I received my AA Degree in Criminal Justice with one goal in mind, which it was to one day be part of the Criminal Justice system. I volunteered at the Department of Corrections in their Parole Division in Stockton, CA while I was attending school. Upon graduation, I furthered my education by attending the Peace officer Academy at the San Joaquin Delta College, and in 2007 I graduated the academy and received my POST Certificate. I also received my Bachelor's degree in Criminal Justice from California State University Stanislaus in 2013.

I am currently holding two jobs, the first job is in the Military Army National Guard and I have been enlisted since 2012. My second job is with Safeway Distribution as a semi truck driver. I am mainly interested in becoming a member of this commission because I feel I can bring a number of ideas that can help create awareness and can also assist the system finding solutions to some issues I have seen and encountered during the hiring process. I sincerely believe I can make a difference with the ideas I have were I can help improve the hiring process for all current and future applicants.

I believe in working together as a team to make things better for the public. I also believe some standards need to be set across the board for all law enforcement agencies in their hiring process. These standards could be a guideline to give a fair opportunity to many applicants who are seeking a path to join and succeed in the Criminal Justice System. I hope you select me and invite me to be a member of this Board. I consider myself a very dedicated individual; I can assure you I will go above and beyond to help this Commission make improvements now and in the future. I look forward to receiving your response.

Respectfully,

2/23/19

Eduardo Esquivel



POST

GAVIN NEWSOM GOVERNOR

XAVIER BECERRA ATTORNEY GENERAL

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

September 24, 2019

Mr. Eduardo Esquivel 2933 S. B Street Stockton, CA 95206

Dear Mr. Esquivel,

The California Commission on Peace Officer Standards and Training (POST) is in receipt of your letter dated September 7, 2019 and received at POST on September 23, 2019. Your letter requested consideration for a position on the Commission as a "Public" or "Advisory" member.

California Penal Code 13500 dictates the make-up of the members of the California Commission on POST. Commission members are appointed by the Governor for the State of California. Therefore, should you desire appointment to the Commission, you should contact the Governor's Office for the State of California.

On the other hand, POST Advisory Committee members are appointed by the sitting Commissioners. Your request for an Advisory Committee position will be forwarded to the Commission. Additionally, your request for consideration will be included on the Commission meeting agenda for the next meeting which will take place at 09:30 a.m. on Thursday, October 24, 2019. The Commission meeting is open to the public and will be held at POST, 860 Stillwater Road, Suite 100, West Sacramento, California, 95605.

Please feel free to contact Mr. Scott Loggins, POST Assistant Executive Director, at telephone number (916)227-3909, with any questions you may have.

Respectfully,

mAlist

MANUEL ALVAREZ, JR. Executive Director

MA:am

AGENDA ITEM REPORT

Title: THE FOLLOWING ITEMS ARE SUBMITTED FOR NEW BUSINESS DISCUSSION.

REPORT PROFILE

MEETING DATE 2/13/2020	BUREAU SUBMITTING THIS REPORT		
RESEARCHED BY (PRINT NAME)		REVIEWED BY (PRINT NAME)	
REPORT DATE 12/06/2019	APPROVED BY	ľ	DATE APPROVED
PURPOSE		FINANCIAL IMPACT No	

ISSUE:

BACKGROUND:

ANALYSIS:

RECOMMENDATION:

ATTACHMENT(S):	
Name:	Туре:
<u>New_BizAdvisory_Eric_Schmidt.pdf</u>	Cover Memo

January 29, 2020

Commissioner Joyce Dudley Commission on POST 860 Stillwater Road, Suite 100 West Sacramento, CA 95605

Re: The Appointment of Eric Schmidt to the POST Advisory Committee

Dear Commissioner Dudley:

I would like to advise the Commission that as of March 1, 2020, the Peace Officers Research Association of California (PORAC) is proud to recommend, Fresno County Sheriff's Deputy Eric Schmidt for the appointment to the California Commission on Peace Officers Standards and Training (POST) Advisory Committee.

PORAC has long been a leader in fighting to enhance public safety, uphold professional training standards, and to protect the rights of peace officers. We are confident Deputy Schmidt will continue to provide a consummate dedication to establishing the highest of training standards for California peace officers.

With that said, we would also like to thank Upland Police Captain Marcelo Blanco for his commitment and service on the advisory board. We are extremely grateful for his years of service on the Advisory board.

We look forward to Deputy Schmidt's appointment and working with him on future standards and training issues.

Very Truly Yours, BOARD OF DIRECTORS Peace Officers Research Association of California

Brian R. Marvel President

Brian R. Marvel President Damon Kurtz Vice President Timothy Davis Treasurer Randy Beintema Secretary

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4010 Truxel Road • Sacramento, CA 95834-3725 • (916) 928-3777 • FAX (916) 928-3760 • (800) 937-6722