# State of California Office of Administrative Law

In re: NOT Commission on Peace Officer Standards and WIT Training

Regulatory Action:

Title 11, California Code of Regulations

Adopt sections: Amend sections: 1005, 1007, 1008, 1059 Repeal sections: NOTICE OF APPROVAL OF CHANGES WITHOUT REGULATORY EFFECT

California Code of Regulations, Title 1, Section 100

OAL Matter Number: 2023-1212-01

OAL Matter Type: Nonsubstantive (N)

This action by the Commission on Peace Officer Standards and Training amends training and testing specifications for Learning Domains 10, 22, and 28, which are incorporated by reference, to reorder regulatory provisions and revise terminology as changes with regulatory effect.

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, title 1, section 100.

Date: January 25, 2024

Nicole C. Carrillo Senior Attorney

For: Kenneth J. Pogue Director

Original: Manuel Alvarez, Jr., Executive Director Copy: Brandon Kiely

# APPROVED TEXT OF CHANGES WITHOUT REGULATORY EFFECT

Amend Commission Regulations 1005, 1007, 1008 and 1059 *Training and Testing Specifications for Peace Officer Basic Courses* – Learning Domain 10 – Sex Crimes, Learning Domain 22 – Vehicle Pullovers, and Learning Domain 28 – Traffic Enforcement

# 1005. Minimum Standards for Training. (Refer to Commission Regulation 1007 and Commission Procedure H for *Reserve Peace Officer* Training Standards).

- (a) Minimum Entry-Level Training Standards (Required)
  - (1) Basic Course Requirement

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The document, *Training and Testing Specifications for Peace Officer Basic Courses*, adopted effective January 1, 2001, and amended effective October 1, 2001, January 1, 2002, July 1, 2002, January 1, 2003, January 1, 2004, August 15, 2004, September 15, 2004, July 1, 2005, January 1, 2006, January 19, 2007, July 1, 2007, August 8, 2007, January 1, 2008, July 1, 2008, January 1, 2009, July 1, 2009, January 1, 2010, July 1, 2010, July 1, 2011, January 1, 2012, July 1, 2012, January 1, 2013, August 1, 2013, February 1, 2014, August 1, 2015, February 1, 2016, August 1, 2016, February 1, 2017, February 15, 2017, August 1, 2017, July 1, 2018, April 1, 2020, July 1, 2020, October 1, 2020, December 1, 2021, April 1, 2022, and October 1, 2023, and January 25, 2024, is herein incorporated by reference.

. . . . .

NOTE: Authority cited: Sections 832.1, 832.3, 832.6, 13503, 13506, 13510, 13510.3, 13510.5, 13515.26 and 13519.8, Penal Code. Reference: Sections 830.33, 832, 832.1, 832.3, 832.6, 835a, 13503, 13506, 13510, 13510.3, 13510.5, 13511, 13513, 13514, 13515.29, 13515.295, 13516, 13517, 13519.8, 13519.10, 13520 and 13523, Penal Code.

# 1007. Reserve Officer Minimum Training Standards.

(a) All persons appointed as a reserve peace officer who do not already possess a Basic Certificate issued by the Commission are required to obtain a Proof of Eligibility (POE).

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The document, *Training and Testing Specifications for Peace Officer Basic Courses*, adopted effective January 1, 2001, and amended effective October 1, 2001, January 1, 2002, July 1, 2002, January 1, 2003, January 1, 2004, August 15, 2004, September 15, 2004, July 1, 2005, January 1, 2006, January 19, 2007, July 1, 2007, August 8, 2007, January 1, 2008, July 1, 2008, January 1, 2009, July 1, 2010, July 1, 2011, January 1, 2012, July 1, 2012, January 1, 2013, August 1, 2013, February 1, 2014, August 1, 2014, August 1, 2015, February 1, 2016, August 1, 2016, February 1, 2020, October 1, 2020, July 1, 2020, July 1, 2020, October 1, 2020,

# APPROVED TEXT OF CHANGES WITHOUT REGULATORY EFFECT

Amend Commission Regulations 1005, 1007, 1008 and 1059 *Training and Testing Specifications for Peace Officer Basic Courses* – Learning Domain 10 – Sex Crimes, Learning Domain 22 – Vehicle Pullovers, and Learning Domain 28 – Traffic Enforcement

December 1, 2021, April 1, 2022, and October 1, 2023, and January 25, 2024, is herein incorporated by reference.

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NOTE: Authority cited: Sections 832.3, 832.6, 13503, 13506, 13510, 13510.1 and 13515.26, Penal Code. Reference: Sections 832.2, 832.3, 832.6, 835a, 13503, 13506, 13510, 13510.1, 13510.5, 13512 and 13519.10, Penal Code; Section 48412, Education Code; and Section 1031(d), Government Code.

# 1008. Basic Course Requalification Requirements.

(a) Purpose of Requalification.

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The document, *Training and Testing Specifications for Peace Officer Basic Courses*, adopted effective January 1, 2001 and amended effective October 1, 2001, January 1, 2002, April 26, 2002, September 15, 2004, July 1, 2005, January 1, 2006, July 1, 2007, August 8, 2007, January 1, 2008, July 1, 2008, January 1, 2009, July 1, 2009, January 1, 2010, July 1, 2010, July 1, 2011, January 1, 2012, July 1, 2012, January 1, 2013, August 1, 2013, February 1, 2014, August 1, 2014, August 1, 2015, February 1, 2016, August 1, 2016, February 1, 2017, February 15, 2017, August 1, 2017, July 1, 2018, April 1, 2020, July 1, 2020, October 1, 2020, December 1, 2021, April 1, 2022, and October 1, 2023, and January 25, 2024, is herein incorporated by reference.

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NOTE: Authority cited: Sections 832.3, 13503, 13506, 13510 and 13515.26, Penal Code. Reference: Sections 832.3, 835a, 13505, 13506, 13510, 13510.5, 13511 and 13519.10, Penal Code.

# 1059. Requirements for Basic Course Certification.

(a) Instructor-Led Basic Course Training

. . . . .

The document, *Training and Testing Specifications for Peace Officer Basic Courses*, adopted effective January 1, 2001, and amended effective October 1, 2001, January 1, 2002, July 1, 2002, January 1, 2003, January 1, 2004, August 15, 2004, September 15, 2004, July 1, 2005, January 1, 2006, January 19, 2007, July 1, 2007, August 8, 2007, January 1, 2008, July 1, 2008, January 1, 2009, July 1, 2009, January 1, 2010, July 1, 2010, July 1, 2011, January 1, 2012, July 1, 2012, January 1, 2013, August 1, 2013, February 1, 2014, August 1, 2014, August 1, 2015, February 1, 2016, August 1, 2016,

# APPROVED TEXT OF CHANGES WITHOUT REGULATORY EFFECT

Amend Commission Regulations 1005, 1007, 1008 and 1059 *Training and Testing Specifications for Peace Officer Basic Courses* – Learning Domain 10 – Sex Crimes, Learning Domain 22 – Vehicle Pullovers, and Learning Domain 28 – Traffic Enforcement

February 1, 2017, February 15, 2017, August 1, 2017, July 1, 2018, April 1, 2020, July 1, 2020, October 2020, and April 1, 2022, October 1, 2023, and January 25, 2024, is herein incorporated by reference.

. . . . .

NOTE: Authority cited: Sections 13503 and 13506, Penal Code. Reference: Section 13503(e), Penal Code.

#### TRAINING AND TESTING SPECIFICATIONS FOR LEARNING DOMAIN #10 SEX CRIMES

		Other	Basic	Cours	es		
RBC	832	III	II	Ι	SIBC	Requal	
							I.
X				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 X X	wit
Λ				Λ	Λ	Λ	-
X				X	X	X	-
							II.
v				v	v		
Х				Х	Х		

April 1, 2022January 25, 2024

#### LEARNING NEED

Arrest and successful prosecution depend on the development of probable cause. Peace officers must know the elements required to arrest for sex crimes, and to correctly categorize these crimes as misdemeanors and felonies.

LEARNING OBJECTIVES

1.

2.

3. 4.

5.

7.

A. Recognize the crime elements required to arrest for:

#### Rape

- Sodomy Assault with intent to commit rape and other crimes specified in Penal Code section 220
- Oral Copulation Indecent exposure
- Penetration with a foreign object Oral copulation
- Assault with intent to commit rape and other crimes specified in Penal Code section 220 Penetration

#### rith a foreign object 6

- Sexual battery Sodomy
- Indecent exposure Sexual battery
- B. Recognize the crime classification as a misdemeanor or felony

#### LEARNING NEED

The manner in which peace officers interact with the victim of a sex crime may influence the quality of information the victim is willing to provide. A positive contact will affect the victim beneficially; a negative contact will adversely impact the victim.

# LEARNING OBJECTIVES

A. Give examples of assessing a victim's physical state in order to make them as comfortable as possible, and secure the necessary medical attention

		Other	Basic	Cours	es		
RBC	832	ш	II	Ι	SIBC	Requal	
X				Х	Х		
X				X	Х		
							III.
X				X	Х	Х	
X				Х	Х	Х	
Х				Х	Х	Х	
Х				Х	Х	Х	
X				Х	Х	Х	
X				Х	Х	X	
							IV.

- B. Describe common emotional and physical reactions victims experience and the pressures associated with reporting a sex crime
- C. Describe a peace officer's own emotional and attitudinal reactions to sex crimes

# LEARNING NEED

To complete a thorough investigation, peace officers must be sensitive to the fact that sexual assaults pose unique problems because of the emotional state of the victim, and the complexity of the investigative procedures.

# LEARNING OBJECTIVES

- A. Discuss factors that set a positive tone for the victim interview
- B. Select questions to be asked during the victim interview
- C. Identify the purpose of a medical/legal exam
- D. Explain victim's rights
- E. Discuss the types of evidence to be collected from the crime scene, victim and suspect
- F. Describe the services available to sexual assault victims

# LEARNING NEED

Penal Code Section 290 is intended to allow law enforcement agencies to track the whereabouts of known sex offenders.

# LEARNING OBJECTIVES

		Other					
RBC	832	ш	II	I	SIBC	Requal	
X				X	Х	Х	
X				Х	Х	Х	
							V.
X							
X							
					Х		
					Х		-
				X			
						X	
							VI
X				Х		Х	
X X X X X X X				X X X X X X X		X X X X X X X	

- A. Identify the requirements for sex offender registration under Penal Code Section 290
- B. Recognize violations of Penal Code Section 290

#### REQUIRED TESTS

- A. The POST-Constructed Comprehensive RBC Test 2.
- B. The POST-Constructed Comprehensive RBC Test 3.
- C. The POST-Constructed Comprehensive SIBC Test 2.
- D. The POST-Constructed Comprehensive SIBC Test 3.
- E. The POST-Constructed Comprehensive Module I Test.
- F. The POST-Constructed Comprehensive Requalification Test.

# VI. REQUIRED LEARNING ACTIVITIES

A. A learning activity which requires the student to perform the tasks while conducting a preliminary investigation of a sexual assault. At a minimum, the learning activity must address the student's ability to:

- 1. Apply laws related to sex crimes
- 2. Maintain an objective attitude toward the investigation of sex crimes
- 3. Understand the behavioral, emotional or physical reaction of the sex crime victim
- 4. Prioritize and perform investigative tasks
- 5. Conduct a comprehensive interview with the victim
- 6. Interrogate the suspect and obtain a confession

		Other	es				
RBC	832	Ш	Π	Ι	SIBC	Requal	
X				Х		Х	
							VII.
4				4	4	4	
							VIII
							IX.

# 7. Collect evidence from the suspect

# HOURLY REQUIREMENTS

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

VIII. ORIGINATION DATE

January 1, 2001

# IX. REVISION DATE

October 1, 2001 January 1, 2002 January 1, 2004 September 15, 2004

January 1, 2006	April 1, 2022	
January 19, 2007	January 25, 2024	
July 1, 2008		
February 15, 2017		

#### TRAINING AND TESTING SPECIFICATIONS FOR LEARNING DOMAIN #22 VEHICLE PULLOVERS

RBC		Othe	r Basic	Cours	ses	<b>D</b> 1	
	832	III	II	I	SIBC	Requal	
							I.
X			X	X			
X X			X X	X X			
Х			Х	Х			
Х			Х	Х			
Х			Х	Х			
							II
Х			X	X		Х	
X X			X X	X X		X X	
Х			Х	Х		Х	

#### April 1, 2022 January 25, 2024

#### LEARNING NEED

Peace officers must recognize the inherent risks involved when conducting a vehicle pullover in order to take the appropriate precautions necessary to ensure their own safety as well as the safety of others.

# LEARNING OBJECTIVES

- A. Describe the three basic categories of vehicle pullovers, to include:
  - 1. Traffic enforcement pullover
  - 2. Investigative pullover
  - 3. High-risk pullover
- B. Describe the inherent risks to officer safety that are associated with conducting a vehicle pullover
- C. Demonstrate appropriate actions officers can take to maintain their own safety and the safety of others while conducting a vehicle pullover

#### LEARNING NEED

Peace officers must understand the techniques for conducting tactically sound vehicle pullovers

#### LEARNING OBJECTIVES

- A. Demonstrate safety techniques when initiating a vehicle pullover, including:
  - 1. Selecting an appropriate location
    - a. Safety factors (e.g., out of the flow of traffic)
    - b. Visibility to passing traffic

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

- c. Avoidance of potentially hostile environments
- d. Lighting/illumination
- e. Possible escape routes
- f. Availability of cover and concealment
- 2. Communicating with dispatch
- 3. Getting the attention of the driver of the target vehicle
  - a. Lights (e.g., emergency lights, headlights, spotlights)
  - b. Hand gestures
  - c. Horn/audible devices
  - d. Siren
  - e. Maintaining appropriate distance from target vehicle prior to initiating the pullover
- B. Demonstrate appropriate actions for the safe and tactical placement of the patrol unit
- C. Apply appropriate procedures for exiting the patrol unit
- D. Demonstrate appropriate safety precautions patrol officers should take when approaching a target vehicle on foot
- E. Distinguish between the advantages and disadvantages of a driver side approach, a passenger side approach and a non-approach to a target vehicle
- F. Demonstrate appropriate positioning for patrol officers when making face to face contact with the driver of a target vehicle
- G. Demonstrate the process for conducting a vehicle stop driver contact, to include:
  - 1. Greeting
  - 2. Identifying self and department
  - 3. <u>Explaining the reason for the stop Requesting driver's license, registration, proof of insurance</u>
  - 4. <u>Requesting driver's license, registration, proof of insurance Explaining the reason for the stop</u>
  - 5. Making a decision to warn, cite or arrest
  - 6. Closing, appropriate to decision

		Othe	r Basic	ses			
RBC	832	Ш	II	I	SIBC	Requal	
Х			Х	Х		Х	
X				X		Х	
							III
Х			Х	Х		Х	
Х			Х	Х		Х	
Х			X	X		Х	
Х				Х		X	
X X				X X		X X	
X X X				X X X X		X X X X	
X				Λ		X	IV.

- H. Demonstrate appropriate procedures and communication techniques for directing the driver and occupants out of a target vehicle
- I. Apply appropriate procedures for checking the validity and authenticity of a driver's license or other form of personal identification

#### LEARNING NEED

Peace officers must recognize situations involving high levels of risk in order to apply appropriate tactical actions during a vehicle pullover.

#### LEARNING OBJECTIVES

- A. Demonstrate officer safety precautions that should be taken during any high-risk vehicle pullover
- B. Discuss appropriate actions for cover officers who are called to assist the primary officer during a highrisk vehicle pullover
- C. Demonstrate tactics for conducting a safe and effective high-risk vehicle pullover
- D. Discuss officer safety considerations when searching the target vehicle, including:
  - 1. Use of available cover officer(s)
  - 2. Types of objects sought and likely locations
  - 3. Potential hazards (e.g., needles, edged weapons, etc.)
  - 4. A systematic search process
    - a. Interior
    - b. Exterior

#### IV. LEARNING NEED

Peace officers must make appropriate safety and tactical adjustments when conducting pullovers involving vehicles other than passenger cars and pickup trucks.

		Othe	ses				
RBC	832	ш	II	I	SIBC	Requal	
X			Х	Х			
X X X			X X X	X X X			
							V.
X				Х			
x				Х			
X				Х			
x				х			
X X				X X			
Х				X			
							VI.
X			Х	X			

#### LEARNING OBJECTIVES

- A. Explain appropriate safety and tactical considerations when conducting vehicle pullovers involving:
  - 1. Vans, campers, and motor homes
  - 2. Motorcycles
  - 3. Buses and semi-trucks

#### REQUIRED TESTS

- A. A scenario test that requires the student to demonstrate, by application, proficiency of a simulated vehicle pullover during the hours of darkness (as defined in Vehicle Code Section 280). At a minimum, the test shall evaluate the following competencies:
  - 1. Police Vehicle Operation The ability to operate a patrol vehicle in a safe and efficient manner and to position the vehicle appropriate to the situation.
  - 2. Problem Solving/Decision-Making Analyzing situations and implementing plans to solve problems in a timely manner. Using verbal or physical skills to determine the appropriate resolution to a situation.
  - 3. Legal Authority/Individual Rights The identification of laws and constitutional rights governing to consensual encounters, detentions, and arrests.
  - 4. Officer Safety The demonstration of situational and tactical awareness and appropriate response.
  - 5. Communication The use of effective verbal and non-verbal skills to convey intended meaning and establish understanding.

Presenters must use the POST-developed Scenario Test and the POST Scenario Competency Evaluation and Grading Test Forms or presenter-developed forms approved by POST, which minimally include the performance dimensions used for this scenario test.

#### VI. REQUIRED LEARNING ACTIVITIES

A. The student will participate in a learning activity depicting a situation in which the subject is initially noncompliant with verbal instructions to sign the citation. The student will demonstrate the communication

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

skills to resolve the conflict including:

- 1. Making an "ethical appeal" based upon a peace officer's professional presence and providing the subject with an opportunity to voluntarily comply (asking)
- 2. Identifying the law, policy, or rationale that applies to the situation, answering the subject's implied question "why?", and providing another opportunity for the subject to voluntarily comply (setting context)
- 3. Explaining the options or courses of action which could be taken by the peace officer and their potential personal consequences to the subject, and providing the subject with yet another opportunity to voluntarily comply (presenting options)
- 4. Taking the action appropriate to the situation if the subject fails to voluntarily comply (e.g., arrest)
- B. The student will participate in a learning activity involving a vehicle stop. The student will demonstrate the following:
  - 1. Greeting
  - 2. Identifying self and department
  - 3. Explaining the reason for the stop Requesting driver's license, registration, and proof of insurance
  - 4. <u>Requesting driver's license, registration, and proof of insurance Explaining the reason for the stop</u>
  - 5. Making decision to warn, cite, or arrest
  - 6. Closing appropriate to decision
- C. The student will participate in a learning activity, with one or more students acting as a team that simulates a high risk vehicle stop. The high risk stop will minimally include:
  - 1. Identify violation/suspect
  - 2. Request and coordinate responding units
  - 3. Select appropriate location for the stop
  - 4. Advise dispatch of stop information
  - 5. Activate emergency equipment
  - 6. Patrol vehicle position
  - 7. Communication (dispatch/suspects/other officers)
  - 8. Safe and effective tactics to secure suspect(s) and vehicle
- D. The student will participate in one or more learning activities from the POST-developed *Instructor's Guide*

		Other	Desmal				
RBC	832	Ш	II	Ι	SIBC	Requal	
v			V	V			
X X X			X X X	X X X			
X			Х	X			VII.
14			6	14		4	V II.
							VIII
							IX.

to Learning Activities for Leadership, Ethics and Community Policing (December 2005) or other comparable sources regarding vehicle pullovers. At a minimum, each activity, or a combination of activities must address the following topics:

- 1. Exercise of effective problem solving, communication and officer safety during vehicle stops
- 2. Use of an appropriate ethical decision-making process to demonstrate "equal protection of the law"
- 3. How the community may view vehicle pullover tactics as a function of the policing mission
- 4. How peace officers may educate community members on the purpose of vehicle pullovers

# . HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on vehicle pullovers.

II. ORIGINATION DATE

January 1, 2001

# . REVISION DATES

January 1, 2004 August 15, 2004 January 1, 2006 January 19, 2007

July 1, 2009	August 1, 2015	
July 1, 2010	April 1, 2022	
July 1, 2011	January 25, 2024	
July 1, 2012		

#### TRAINING AND TESTING SPECIFICATIONS FOR LEARNING DOMAIN #28 TRAFFIC ENFORCEMENT

**Other Basic Courses** RBC Requal 832 III Π Ι SIBC I. Х Х Х Х Х Х Х Х Х Х Х Х II. Х Х Х Х Х Х Х Х Х Х

February 15, 2017 January 25, 2024

#### LEARNING NEED

Peace officers must know the principles of traffic law set forth in the California Vehicle Code to carry out their responsibilities in traffic enforcement.

#### LEARNING OBJECTIVES

- A. Explain the relevance of traffic enforcement to:
  - 1. Public safety and quality of life within a community
  - 2. Legally establish probable cause for accomplishing general law enforcement objectives
- B. Explain the organization of information within the Vehicle Code

#### LEARNING NEED

Peace officers need to recognize their authority under the law to manage traffic effectively.

#### LEARNING OBJECTIVES

- A. Discuss the elements and Vehicle Code section(s) governing arrest
- B. Differentiate between mandatory and optional appearances before a magistrate
- C. Recognize the elements and common names for violations involving failure to obey the lawful orders of a peace officer or designated employee

		Other ]					
RBC	832	ш	п	Ι	SIBC	Requal	
Х		Х		Х			
							III
Х				Х			
X X X				X X X			
Х				X			
X X				X X			
Х				Х			
Х				Х			
Х				Х			
Х				X			
X X				X X			

D. Demonstrate effective use of hand signals, flashlights and other warning devices to control traffic

#### LEARNING NEED

Peace officers must know the elements of the laws governing motor vehicles, bicycles and pedestrians. LEARNING OBJECTIVES

- A. Recognize the elements and common names for traffic control signal and device violations involving:
  - 1. Red signal lights
  - 2. Stop signs
  - 3. Other traffic control signals and devices
- B. Recognize the elements and common names for right-of-way violations involving:
  - 1. Failure to yield the right-of-way
  - 2. Failure to yield to an emergency vehicle
- C. Recognize the elements and common names for rights and provisions involving bicyclists
- D. Recognize the elements and common names for violations involving pedestrians
- E. Recognize the elements and common names for violations involving turning and signaling
- F. Recognize the elements and common names for speed violations involving:
  - 1. Basic speed laws
  - 2. Maximum speed

RBC		Other ]					
	832	ш	II	I	SIBC	Requal	
X				Х			
X X X X				X X X X			
Х				Х			
X X X X				X X X X			
Х				Х			
X				X			
X				X			
X				Х			
X				Х			
							IV.
Х		Х		Х		Х	
							V.

- G. Recognize the elements and common names for driving and passing violations involving:
  - 1. Following too closely
  - 2. Unsafe lane change
  - 3. Passing on the right/left
  - 4. Passing a stopped school bus
- H. Recognize the elements and common names for public offense violations involving:
  - 1. Reckless driving
  - 2. Speed contests
  - 3. Hand-held wireless telephone
  - 4. Electronic wireless communications device
- I. Recognize the elements and common names for hit and run violations
- J. Recognize the elements and common names for basic motor vehicle licensing requirements
- K. Recognize the elements and common names for violations when driving with a suspended or revoked license
- L. Recognize the elements and common names for basic motor vehicle registration requirements
- M. Recognize the elements and common names for basic vehicle equipment requirements for motor vehicles driven upon highways

#### IV. LEARNING NEED

Peace officers must know the legal authorities to impound and store vehicles as authorized in the Vehicle Code.

A. Recognize a peace officer's legal authority to remove vehicles

#### LEARNING NEED

			Other ]					
RF	RBC	832	ш	Π	Ι	SIBC	Requal	
Х	K				Х		Х	
Х	K				Х		Х	
Х	K				Х		Х	
Х	K				X		Х	
Х	K				Х		Х	
Х	K				Х		Х	
Х	K				Х		Х	
Х	K				X		Х	
X X X	Κ				X X X		X X X	
Х	K				Х		Х	
								V

Peace officers must know the laws to detect and apprehend drivers whose behavior indicates that they may be driving under the influence of <u>any</u> alcohol<u>ic beverage</u> and/or <u>any</u> drugs.

#### LEARNING OBJECTIVES

- A. Recognize the elements and common names for violations involving the possession of alcoholic beverages in a motor vehicle
- B. Explain the meaning of the phrase "under the influence"
- C. Recognize the elements and -common names for violations involving Driving Under the Influence (DUI)
- D. Recognize driving that might indicate a driver of a vehicle may be under the influence of <u>any</u> alcoholic <u>beverage</u> and/or <u>any</u> drug<del>s</del>
- F. Discuss medical conditions that may cause a person to appear under the influence
- G. Recognize appropriate peace officer actions if a subject refuses to cooperate in performing a Field Sobriety Test (FST)
- H. Demonstrate FSTs that may be used to determine impairment, to include:
  - 1. Horizontal Gaze Nystagmus (HGN)
  - 2. One-Leg Stand (OLS)
  - 3. Walk & Turn (WAT)
- I. Discuss the primary elements included in the statutory admonition read to drivers who refuse to submit to a chemical sobriety testing

REQUIRED TESTS

RBC	832	III	п	Ι	SIBC	Requal
X						
				Х		
						Х
X				X		
X X X				X X		
				X		
X X				X X		
X		Х		Х		
X		Х		Х		
X		Х		Х		
X				Х		

- A. The POST-Constructed Comprehensive RBC Test 3.
- B. The POST-Constructed Comprehensive Module I Test.
- C. The POST-Constructed Comprehensive Requalification Test.

# VII. REQUIRED LEARNING ACTIVITIES

- A. The student will participate in a learning activity that will reinforce the student's understanding of definitions, laws and procedures related to DUI arrests, including:
  - 1. Legal definitions and terminology
  - 2. Vehicle Code sections and related statutes
  - 3. Detention and arrest procedures, the development of probable cause, reasonable suspicion, and field tests
  - 4. Evidence recognition, collection and preservation procedures
  - 5. Report writing requirements

B. The student will participate in a learning activity that will reinforce the student's understanding of techniques to effectively direct and control traffic using hand signals, flashlights and warning devices, including:

- 1. The procedures related to the use of hand signals and flashlights to safely control the stopping, starting or turning of vehicular and pedestrian traffic
- 2. Other traffic control devices, vehicles or other available equipment to safely control traffic movement

C. 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 traffic enforcement. At a minimum each activity, or a combination of activities, must address the following topics:

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- 1. Application of a problem solving strategy to assess the underlying conditions and develop resolutions to community traffic safety issues
- 2. Professional demeanor, fairness and effective communication during a traffic enforcement contact
- 3. Initiative, discretion and decision making when issuing citations and considering spirit versus letter of the law

D. Given one or more video re-enactments depicting alcohol or drug impairment, or an equivalent number of simulations, scenarios, or role play exercises provided by the presenter, the student will participate in a learning activity that addresses:

- 1. The ability to recognize valid indicators of impairment that establish probable cause for arrest
- 2. The ability to describe and document the observed behaviors of the person impaired by alcohol or drugs
- 3. The ability to present or critique testimony in court related to observation and documentation of impairment
- E. The student will participate in a learning activity that requires the student to conduct a FST that shall minimally test the student's ability to:
  - 1. Articulate a proper location for the test and why that location is appropriate
  - 2. Articulate the objective observations of signs or symptoms of intoxication or drug use
  - 3. Explain and demonstrate a series of FSTs that may include a minimum of three of the following tests:
    - a. Proper techniques of balance
    - b. Divided attention
    - c. Memory
    - d. Coordination
    - e. Horizontal Gaze Nystagmus test(s)
  - 4. Document verbally or in writing the general observations and test observations that would support the reasonable belief that a person is under the influence of alcohol or drugs

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- F. The student will participate in a learning activity that requires the student to utilize the California Vehicle Code to identify traffic violations from presenter provided depictions of traffic violations. The student will, at a minimum, identify:
  - 1. The specific violation by common name and Vehicle Code section(s)
  - 2. The crime classification
  - 3. Options for resolution

## VIII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on traffic enforcement.

### ORIGINATION DATE

January 1, 2001

# REVISION DATE

October 1, 2001 January 1, 2004 January 1, 2006 January 19, 2007 July 1, 2007 January 1, 2008 July 1, 2008 July 1, 2009 

 July 1, 2010
 February 15, 2017

 July 1, 2011
 January 25, 2024

 July 1, 2012
 August 1, 2014