

C O U N C I L   C O M M U N I C A T I O N

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TO:     THE CITY COUNCIL  
FROM:   THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE:  
OCTOBER 5, 1988

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SUBJECT:   ADOPTION OF ORDINANCE NO. 1435 - AN ORDINANCE OF THE LODI CITY COUNCIL ACCEPTING  
          THE PENAL CODE REQUIREMENTS RELATING TO THE SELECTION AND TRAINING STANDARDS OF  
          PUBLIC SAFETY DISPATCHERS

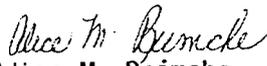
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Ordinance No. 1435 - "An Ordinance of the Lodi City Council Accepting the Penal Code Requirements Relating to the Selection and Training Standards of Public Safety Dispatchers" was introduced at the adjourned regular meeting of September 28, 1988.

Pursuant to State Statute, ordinances may be adopted five days after their introduction following reading by title.

This Ordinance has been approved as to form by the City Attorney.

RECOMMENDED ACTION:   Following reading by title, it would be appropriate for the Lodi City Council to adopt Ordinance No. 1435.

  
Alice M. Reimche  
City Clerk

AMR:jj

COUNC033  
TXTA.02D

ORDINANCE NO. 1435

AN ORDINANCE OF THE LODI CITY COUNCIL  
ACCEPTING THE PENAL CODE REQUIREMENTS RELATING TO  
THE SELECTION AND TRAINING STANDARDS OF PUBLIC SAFETY DISPATCHERS

IT IS ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. The City of Lodi declares that it desires to qualify to receive aid from the State of California under the provisions of Section 13522, Chapter 1, of Title 4, Part 4, of the California Penal Code.

SECTION 2. Pursuant to Section 13510(c), Chapter 1, the City of Lodi will adhere to standards for recruitment and training established by the California Commission on Peace Officer Standards and Training (POST).

SECTION 3. Pursuant to Section 13512, Chapter 1, the Commission and its representatives may make such inquiries as deemed appropriate by the Commission to ascertain that the City of Lodi's public safety dispatcher personnel adhere to standards for selection and training established by the Commission on Peace Officer Standards and Training.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.





**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CALIFORNIA 95816-7083

August 20, 1988

BULLETIN: 88-7

SUBJECT: IMPLEMENTATION OF THE PUBLIC SAFETY DISPATCHER PROGRAM

Penal Code Section 13510 has been amended to require the Commission on Peace Officer Standards and Training (POST) to establish minimum selection and training standards for local public safety dispatchers. The Commission, following the public hearing on July 21, 1988, adopted standards as part of a voluntary Public Safety Dispatcher Program. The program, described below, will become effective, subject to review and approval of the Commission's regulatory actions by the Office of Administrative Law, on January 1, 1989.

All local agencies that are now in the POST peace officer program are eligible to participate in the Public Safety Dispatcher Program. Eligible agencies will be reimbursed for certain dispatcher training costs only if they participate in the dispatcher program. In addition, certain consolidated dispatch centers operated by a city, county, city and county, districts defined in Penal Code Section 13507, or a district authorized by statute to maintain a police department can also qualify. A specialized program will be available for non-reimbursable state and local agencies.

Minimum standards for public safety dispatchers hired after the date an agency joins the program include:

- o a thorough background investigation;
- o a medical examination;
- o an evaluation of oral communication skills;
- o satisfactory completion of a POST-certified, 60-hour Basic Complaint/ Dispatcher course within 12 months of the date of hire; and
- o a minimum of 12 months probation.

To participate in the Public Safety Dispatcher Program, a city, county, city and county, or qualified district must submit a letter to the Commission requesting participation, accompanied by a copy of an ordinance (or resolution when appropriate) pledging adherence to the standards adopted by the Commission. State agencies that are now not eligible for reimbursement must submit a letter of intent in order to participate in the non-reimbursable program.

Penal Code Section 13510(c) limits the Public Safety Dispatcher Program to dispatchers having primary responsibility (at least 50% of the time) for law enforcement dispatching duties. Therefore, the letter requesting participation in the program must include a statement (based on the agency's records) that 50% or more of the communication center's dispatch time in each pay period is in the performance of law enforcement dispatching activities.

The Taws pertaining to public safety dispatchers are provided in Attachment A; Commission Regulations and Procedures are provided in Attachment B; and a sample ordinance for local reimbursable agencies is provided in Attachment C. Other sample ordinances, resolutions, or letters of intent are available from Compliance and Certificate Services Bureau; questions regarding the Public Safety Dispatcher Program should be directed to Bureau Chief Darrell Stewart, at (916) 739-5377.

*Norman C. Boehm*

NORMAN C. BOEHM  
Executive Director

LAW

Penal Code Section 13510

(a) For the purpose of raising the level of competence of local law enforcement officers, the commission shall adopt, and may, from time to time amend, rules establishing minimum standards relating to physical, mental, and moral fitness, which shall govern the recruitment of any city police officers, peace officer members of a county sheriff's office, marshals or deputy marshals of a municipal court, reserve officers as defined in subdivision (a) of Section 830.4, policemen of a district authorized by statute to maintain a police department, regularly employed and paid inspectors and investigators of a district attorney's office as defined in Section 830.1 who conduct criminal investigations, or peace officer members of a district, in any city, county, city and county, or district receiving state aid pursuant to this chapter, and shall adopt, and may, from time to time amend, rules establishing minimum standards for training of city police officers, peace officer members of county sheriff's offices, marshals or deputy marshals of a municipal court, reserve officers as defined in subdivision (a) of Section 830.6, policemen of a district authorized by statute to maintain a police department, regularly employed and paid inspectors and investigators of a district attorney's office as defined in Section 830.1 who conduct criminal investigations, and peace officer members of a district which shall apply to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter.....

(b) ....

(c) For the purpose of raising the level of competence of local public safety dispatchers, the commission shall adopt and may, from time to time amend, rules establishing minimum standards relating to the recruitment and training of local public safety dispatchers having a primary responsibility for providing dispatching services for local law enforcement agencies described in subdivision (a), which standards shall **apply** to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter.....  
**As** used in this section, "primary responsibility" refers to the performance of law enforcement dispatching duties for a minimum of 50 percent of the time worked within a pay period.

Penal Code Section 13525

Any city, county, city and county, or district which desires to receive state aid pursuant to this chapter for the training of regularly employed and paid local public safety dispatchers, as described in subdivision (c) of Section 13510, shall include that request for aid in its application to the commission pursuant to Section 13522 and 13523.

## REGULATIONS\*

## 1001. Definitions

- (h) "Department" in the Regular Program is a city police department, a county sheriff's department, a regional park district, a district authorized by statute to maintain a police department, the California Highway Patrol, the University of California Police, the California State University and Colleges Police, marshals departments, district attorney offices employing investigators, and Community College District Police; in the Specialized Program "department" is a specialized agency, department, division, branch, bureau, unit, section, office or district that provides investigative or general law enforcement services; and in the Public Safety Dispatcher Program and Specialized Public Safety Dispatcher Program, "department" is the governmental entity which provides the dispatch services.
- (j) "Full-time Employment" as defined by local charter or ordinance; and, the employee normally works in excess of 20 hours weekly or 87 hours monthly; and, the employee is tenured or has a right to due process in personnel matters; and, the employee is entitled to workmans compensation and retirement provisions as are other full-time employees of the same personnel classification in the department.
- (t) "Public Safety Dispatcher" is a non-peace officer who is employed full time or part time to perform duties which include receiving emergency calls for law enforcement service and/or dispatching law enforcement personnel.

NOTE: Present (t) through (z) and (aa) will be relettered.

## 1003. Notice of Appointment/Termination

Whenever a regular, specialized, limited function, or reserve peace officer is newly appointed, enters a department laterally, terminates, or changes peace officer status within the same agency, the department shall notify the Commission within 30 days of such action on the Notice of Appointment/Termination Form 2-114 (Rev ), as prescribed in PAM, Section C-4, "Notice of Appointment/ Termination." For departments in the Public Safety Dispatcher Programs, the form shall be submitted whenever a person is appointed, promoted, reclassified, or transferred to a public safety dispatcher position, or whenever the person is terminated from a public safety dispatcher position.

## 1006. Extension of Time Limit for Course Completion

- (a) The Commission will grant an extension of time limit for completion of any course required by Section 1005 or 1018 of the Regulations upon presentation of satisfactory evidence by a department that a

\* The review and approval process by the Office of Administrative Law must be completed before the amended Regulations and Procedures take effect.

1006. Extension of Time Limit for Course Completion (Continued)

peace officer or dispatcher is unable to complete the required course within the time limit prescribed because of illness, injury, military service, or special duty assignment required and made in the public interest of the concerned jurisdiction; or upon presentation of evidence by a department that a peace officer or dispatcher is unable to complete the required course within the time prescribed. Time extensions granted under this sub-section shall not exceed that which is reasonable, bearing in mind each individual circumstance.

1010. Eligibility for Participation

- (a) To be eligible for participation in the POST Program, a jurisdiction or department must adhere to the minimum standards for selection and training as defined in Regulations 1002, 1005, and 1009, for every peace officer, and for every dispatcher employed by a jurisdiction or department the minimum standards for selection and training as defined in Regulation 1018. The minimum standards for selection and training of peace officers and/or public safety dispatchers shall apply only to Jurisdictions or departments that have pledged to adhere to these standards.
- (b) A jurisdiction or agency shall be ineligible to participate if it:
  - (1) Employs one or more peace officers or dispatchers who do not meet the minimum standards for employment; or
  - (2) Does not require that every peace officer or dispatcher satisfactorily completes the required training as prescribed in these Regulations; or
  - (3) Has in its employ any Regular Program peace officer hired after January 1, 1971, who has not acquired the Basic Certificate within six months after date of completion of 12 months of satisfactory service from the date first hired as a peace officer, or as otherwise determined by the Commission in PAM, Section F-1-5-a; or
  - (4) Effective upon entry into the Specialized Law Enforcement Certification Program, has in its employ any specialized peace officer hired thereafter who has not acquired the Basic Certificate within six months after date of completion of 12 months of satisfactory service from the date first hired as a peace officer; or
  - (5) Fails to permit the Commission to make such inquiries and inspection of records as may be necessary to verify claims for reimbursement or to determine whether the jurisdiction or agency department is, in fact, adhering to the Commission's Regulations.
- (c) .....

1015. Reimbursements

(a) Proportionate Reimbursement

Reimbursements to cities, Counties, and districts shall be granted by the Commission in accordance with Section 13523 Penal Code.

(1) Marshals' and district attorneys' departments are included in the Regular Program for reimbursement even though individual officers employed by the agencies have retained specialized peace officer classification.

(2) A jurisdiction that employs limited function peace officers *may* be reimbursed for allowable expenses related to attendance of POST-certified courses.

(b) .....

(c) Training Expenses May Be Claimed Only Once

When a trainee has attended a course certified by the Commission for which reimbursement has been legally requested and paid, an employing jurisdiction may not receive reimbursement for subsequent attendance by the same trainee of the same course except where attendance of the course is authorized to be repeated periodically, such as for Seminars, Advanced Officer Courses, and selected Technical Courses which deal with laws, court decisions, procedures, techniques and equipment which are subject to rapid development or change. Exceptions or special circumstances must be approved by the Executive Director prior to beginning the training course.

(d) .....

(e) .....

(f) Reimbursement may be made *to* a jurisdiction which terminates a Basic Course trainee, allows a trainee to resign prior *to* completion of a certified basic course, or if the trainee is unable to complete a certified basic course due to illness, injury, or other physical or academic deficiency, provided the background investigation requirements have been completed prior to the trainee's appointment date and the date the course began. The remaining reimbursement entitlement for those trainees eligible to be re-enrolled, may **be** applied to any certified basic course which is subsequently attended.

(g) Reimbursement may be paid to a jurisdiction when a trainee fails a certified basic course **only** because of not passing a locally required training subject( **s**), but the trainee otherwise satisfactorily completes the course.

1015. Reimbursements (continued)

- (h) When a peace officer trainee has attended a POST-certified basic course for which reimbursement has been provided, an employing jurisdiction may receive reimbursement for subsequent attendance of a POST-certified basic training course by the same trainee who has a three-year or longer break in service as a peace officer and must be retrained (Section 1008(b)).
- (i) .....

1018. Public Safety Dispatcher Programs

- (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 subsection (a) of Penal Code Section 13510.
- (b) Specialized Public Safety Dispatcher Program  
Any public jurisdiction or agency, other than those described in Penal Code Section 13510(a), which employs public safety dispatchers whose primary responsibility is providing dispatch services for law enforcement personnel, may participate in the Specialized Public Safety Dispatcher Program. Such participants shall not be eligible for reimbursement. All rules and procedures, except reimbursement provisions, that apply to the Public Safety Dispatcher Program shall also apply to the Specialized Public Safety Dispatcher Program.
- (c) Minimum Selection Standards for Public Safety Dispatchers
  - (1) Every public safety dispatcher shall be subject to the following requirements:
    - a) Background Investigation: A thorough background investigation shall be conducted before hire to verify the absence of past behavior indicative of unsuitability to perform public safety dispatcher duties. The background investigation shall include a check of Department of Motor Vehicle records, and a search of local, state, and national fingerprint files to disclose any criminal record. Results of the background investigation shall be reduced to writing and retained **by** the department.
    - b) Medical Examination: A medical examination shall **be** conducted before hire to verify the absence of any medical condition which would preclude the safe and efficient performance of dispatcher duties. Signed written verification of the medical examination having been conducted in accordance with this requirement, by a licensed physician and surgeon, shall be retained by the department.

c) Oral Communications: Oral communication skills shall be evaluated before hire to assure the presence of skill levels commensurate with the performance of dispatcher duties.

(d) Minimum training standards for public safety dispatchers

(1) Every public safety dispatcher shall satisfactorily complete the POST-certified Basic Complaint/Dispatcher Course as set forth in PAM, Section D-1-7 before or within 12 months after the date of appointment, promotion, reclassification, or transfer to a public safety dispatcher position.

(e) Probation Period

(1) Every public safety dispatcher after hire shall demonstrate competence in the performance of the duties of a public safety dispatcher by satisfactory completion of a probationary period of at least 12 months. Upon entry into the program, departments with a probation period of less than 12 months, when established by ordinance, charter, or memorandum of understanding, shall be granted a waiver of this requirement until a 12-month probation period can be established.

Procedures

Commission Procedure E-1

1-4. General Requirements: General requirements relating to reimbursement are as follows:

6. Non-sworn persons performing police tasks who are to be assigned or are assigned to the following job classes are eligible, without prior approval from POST, to attend training courses, as provided by Regulation Section 1014, that are specific to their assignments. Job descriptions shall be used to determine those positions eligible:

Administrative Positions  
Criminalist  
Community Service Officer  
Evidence Technician  
Fingerprint Technician  
Identification Technician  
Jailer and Matron  
Parking Control Officer  
Polygraph Examiner  
Records Clerk  
Records Supervisor  
School Resource Officer  
Traffic Director and Control Officer

7. Reimbursement for training which is not specific to one of the job classes enumerated in the above paragraph, must be approved by the Commission on an individual basis prior to the beginning of the course, providing such information as specified in Section 1014 of the Regulations.
8. A full-time public safety dispatcher, as defined in Regulation 1001(1) and (t), who is employed by a department or jurisdiction authorized to participate in the Public Safety Dispatcher Program by statute, and which is participating, may attend the POST-certified Basic Complaint/Dispatcher Course required by Regulation 1018, and the jurisdiction may be reimbursed for allowable training expenses up to the maximum hours listed in PAM E-4-3. Eligible public safety dispatchers, as specified above, without prior approval from POST may attend POST-certified seminars and technical courses which are specific to their assignments, and the jurisdiction may be reimbursed. If such seminars and courses are not specific to their assignments, reimbursement must be approved by the Commission prior to attendance of the course. Training expenses shall be reimbursed only for full-time employees as defined in Regulation 1001(1).

Commission Procedure E-4

4-3. Courses With Maximum Reimbursement Limitations: Subsistence, commuter lunch, and travel allowances will be reimbursed up to the date the maximum number of weeks is reached; and salary allowances will be reimbursed up to the maximum number of hours shown for the following courses:

	<u>Weeks/Hours</u>		<u>Weeks/Hours</u>
* Basic Course	13/520	Supervisory Course	2/80
Basic Complaint/Dispatcher Course	2/80	Advanced Officer Course	1/40
Marshals and Deputy Marshals Basic Training requirement is a combination of:		Executive Development Course	2/80
* Basic Course and Bailiff and Civil Process Course	9.65/386	Management Course	2/80
District Attorney inspectors or Investigators Basic Training requirement is a combination of:	2/80	Management, Supervisory, Executive Seminars	1/40
* Basic Course and Investigation and Trial Preparation Course	2.55/342		
	2/80		

Commission Procedure D-1

1-7 Basic Complaint/Dispatcher Course. The Basic Complaint/Dispatcher Course contains the following Functional Areas and minimum hours. This course provides instruction regarding entry-level skills and knowledge to personnel whose duties include receiving emergency calls for services and dispatching law enforcement personnel. With prior POST approval, flexibility shall be granted to adjust hours between functional areas.

Functional Areas:

1.0	professional Orientation	( 4 hours)
2.0	Administration of Justice	( 4 Hours)
3.0	Legal Aspects	(16 Hours)
4.0	Telephone Procedures	(10 Hours)
5.0	Radio Procedures	( 10 Hours)
6.0	Dispatch Practicals (Role-play exercise)	( 12 Hours)
7.0	Stress Management	( 6 Hours)
8.0	Telecommunications	( 6 Hours)
9.0	Basic Emergency Medical Services Dispatching	( 4 Hours)
10.0	Unusual Incidents	( 6 Hours)
	Examination;	( 2 Hours)
	Total Minimum Required Hours	(80 Hours)

State of California  
Commission on Peace Officer Standards and Training

SAMPLE ORDINANCE \*

AN ORDINANCE ACCEPTING THE PENAL CODE REQUIREMENTS RELATING TO THE SELECTION AND TRAINING STANDARDS OF PUBLIC SAFETY DISPATCHES

Section 1. The           (city/county)           declares that it desires to qualify to receive aid from the State of California under the provisions of Section 13522, Chapter 1, of Title 4, Part 4, of the California Penal Code.

Section 2. Pursuant to Section 13510(c), Chapter 1, the           (Agency)           will adhere to standards for recruitment and training established by the California Commission on Peace Officer Standards and Training (POST).

Section 3. Pursuant to Section 13512, Chapter 1, the Commission and its representatives may make such inquiries as deemed appropriate by the Commission to ascertain that the           (Agency's)           public safety dispatcher personnel adhere to standards for selection and training established by the Commission on Peace Officer Standards and Training.

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(Certification)

\*Use for City and County Agencies Only

Police Departments  
Sheriff's Department  
Marshals  
District Attorney