

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

December 17, 2019

FROM

**CASONYA THOMAS, Assistant Executive Officer, Human Services
BOB WINDLE, County Labor Relations Chief, County Administrative Office**

SUBJECT

Resolution to Accept the Requirements of the California Penal Code Relating to the Recruitment and Training of Peace Officers, Participation in the Commission on Peace Officer Standards and Training Program, and Side Letter Agreement with the Sheriff's Employees' Benefit Association

RECOMMENDATION(S)

1. Adopt **Resolution No. 2019-189** declaring the County of San Bernardino's acceptance of the requirements of sections 13510, 13512, and 13522, Chapter 1 of Title 4, Part 4 of the California Penal code relating to the recruitment and training of peace officers, per the Commission on Peace Officer Standards and Training.
2. Approve Human Services Program Integrity Division's participation in the California Commission on Peace Officer Standards and Training Program to provide continual professional growth and development of fraud investigator personnel.
3. Approve Side Letter Agreement with the Sheriff's Employee's Benefit Association.
(Presenter: Pete Mendoza, Program Integrity Division Chief, 252-4350)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

**Provide for the Safety, Health and Social Service Needs of County Residents.
Pursue County Goals and Objectives by Working with Other Agencies.**

FINANCIAL IMPACT

This item does not require additional Discretionary General Funding (Net County Cost). The administration of the Peace Officer Standards and Training (POST) certification program to fraud investigator personnel within Human Services Program Integrity Division (PID) is part of the department's budgeted training costs not to exceed \$10,000 annually. Adequate appropriate and revenue have been included in the Human Services Administrative Claim 2019-20 budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

Human Services PID is responsible for conducting welfare fraud investigations for the County's public assistance programs. It is the policy of PID to provide staff training for the continued growth and development of fraud investigator personnel to enhance the level of law enforcement, increase technical expertise and overall effectiveness, and maintain a professional level of service meeting the needs of the County and community. In order to provide the level of training necessary for PID's Fraud Investigators Unit, PID is seeking participation in the California Commission POST (Commission) Program to become a POST certified agency in

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order to administer an in-house POST certification program through PID trained instructors for PID personnel.

The Commission was established pursuant to the State of California under the provisions of Section 13500 through 13533, Chapter 1 of Title 4, Part 4 of the California Penal Code to provide oversight for the standards and training of local law enforcement. Sections 13510, 13512, and 13522 of the California Penal Code delineates the rules establishing minimum standards of physical, mental, and moral fitness that governs the recruitment of law enforcement officers and members. Under the Penal Code, the Commission is responsible for oversight of the POST Program and issues basic, intermediate, advanced, supervisory, management, and executive certificates for the purpose of fostering professionalism, education, and experience necessary to adequately accomplish the general police service duties performed by peace officer members. Through the voluntary POST non reimbursable Program, the Commission provides services and benefits that include:

- Job related assessment tools
- Research into improved officer selection standards
- Management counseling services
- Development of new training courses
- Quality leadership training programs

PID will provide POST courses that will include training on topics such as safety measures, defensive tactics, firearms, drivers' training, active shooter, baton, and oleoresin capsicum spray. POST courses will be facilitated by POST certified PID instructors that are members of the Fraud Investigations Unit. In order to obtain and maintain a POST certificate, personnel must complete 24 hours of POST course training every two years. POST agencies are state mandated to follow the minimum standards of training and hiring standards of Law Enforcement agencies.

Approval of this item will adopt a Board of Supervisors Resolution declaring the County's acceptance of the California Penal Code relating to the recruitment and training of peace officers, as required by the Commission, and allow PID to administer an in-house POST certification program to its fraud investigator personnel.

Finally, Commission Regulation 11 CCR § 1012 requires that as a condition of employment, employees in participating POST agencies must be required to serve a probationary period of not less than 12 months. Currently, the classifications of Fraud Investigator and Supervising Fraud Investigator I and II are required to serve a minimum nine-month probationary period. Therefore, to comply with the minimum 12-month probationary period requirement of Commission Regulation 11 CCR § 1012, the County contacted the Sheriff's Employees' Benefit Association (SEBA), which represents the classifications, to discuss establishing a 12 month probationary period for the classifications. Representatives of SEBA and the County have completed the meet and confer process and agreed to the proposed Side Letter Agreement to establish a 12 month probationary period for employees hired into the Fraud Investigator and Supervising Fraud Investigator I and II classifications on or after the date that PID becomes a POST certified agency. Employees who were hired into one of these classifications prior to PID becoming POST certified, and who have not completed their probationary period upon the

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effective date of PID becoming a POST certified agency shall be grandfathered and subject to the current 1,600 service hour probationary period.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on November 18, 2019; Finance (John Hallen, Administrative Analyst, 388-0208) on November 15, 2019; County Finance and Administration (Tanya Bratton, Deputy Executive Officer, 288-0332) on November 15, 2019; and Labor Relations (Bob Windle, County Labor Relations Chief, 387-3101) on November 20, 2019.

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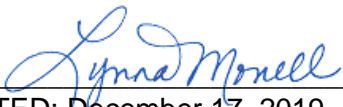
Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Robert A. Lovingood Seconded: Josie Gonzales

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 17, 2019



cc: File – HS w/ resolution
File – MOU/Safety w/ attachments
la 12/20/2019