

CITY OF CHICO
POLICING REVIEW AD HOC COMMITTEE
Meeting Report

August 27, 2020, 1:00 p.m. – 2:30 p.m.

This meeting was conducted in accordance with Executive Order N-29-20

1. **Call to Order** – Mayor Schwab – Meeting began 10 minutes late due to difficulties with committee members logging on to the WebEx platform.

Committee Attendees: Mayor Ann Schwab, Vice Mayor Alex Brown,
Councilmember Kasey Reynolds, Margaret Swick,
Cory Hunt, Rob Berry, Interim COP Matt Madden, Omar
Peña, Jim Parrott

Absent Members: None

2. **Chico Police Officer Hiring and Background Checks – Matt Madden**

Chief Madden provided clarification regarding hiring and background checks.

Background Process: Those candidates who are selected to move to the next phase of hiring are entered in to a POST approved background process. This background is completed by a completely independent company who specializes in law enforcement employee hiring. The background has several parameters which are audited by POST for compliance once completed. Hiring dimensions investigated during the pre-employment background investigation include the following:

1. **Integrity:**

CHARACTER – Job requires being honest and ethical.

2. **Stress Tolerance:**

DEALING WITH STRESS – Job requires accepting criticism and dealing calmly and effectively with high stress situations.

FREQUENCY OF CONFLICT SITUATIONS – How often are there conflict situations the employee must face in this job?

DEALING WITH UNPLEASANT OR ANGRY PEOPLE – How frequently does the worker have to deal with unpleasant, angry, or discourteous individuals as part of the job requirements?

SELF CONTROL – Job requires maintaining composure, keeping emotions in check, controlling anger, and avoiding aggressive behavior, even in very difficult situations.

3. **Decision Making and Judgment:**

CRITICAL THINKING – Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.

FREQUENCY OF DECISION MAKING – How frequently is the worker required to make decisions that affect other people, the financial resources, and/or the image and reputation of the organization?

INDUCTIVE REASONING – The ability to combine pieces of information to form general rules or conclusions (includes finding a relationship among seemingly unrelated events).

DEDUCTIVE REASONING – The ability to apply general rules to specific problems to produce answers that make sense.

4. **Conscientiousness:**

DEPENDABILITY – Job requires being reliable, responsible, and dependable, and fulfilling obligations.

INITIATIVE – Job requires a willingness to take on responsibilities and challenges.

ATTENTION TO DETAIL – Job requires being careful about detail and thorough in completing work tasks.

GETTING INFORMATION: Observing, receiving, and otherwise obtaining information from all relevant sources.

5. Interpersonal Skills:

WORKING DIRECTLY WITH THE PUBLIC – Dealing directly with the public, such as serving customers in restaurants and stores, receiving clients or guests, etc. WORK WITH WORK GROUP OR TEAM – How important is it to work with others in a group or team in this job?

CONCERN FOR OTHERS – Job requires being sensitive to others’ needs and feelings and being understanding and helpful on the job.

ACTIVE LISTENING – Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.

6. Communication Skills:

ORAL COMPREHENSION – The ability to listen to and understand information and ideas presented through spoken words

SPEAKING – Talking to others to convey information effectively.

WRITING – Communicating effectively in writing as appropriate for the needs of the audience.

WRITTEN EXPRESSION – The ability to communicate information and ideas in writing so others will understand.

The minimum standards for the regular basic police academy as mandated by POST:

MINIMUM CONTENT AND HOURLY REQUIREMENTS

REGULAR BASIC COURSE (RBC) - STANDARD FORMAT

April 1, 2020

DOMAIN NUMBER	DOMAIN DESCRIPTION	MINIMUM HOURS
01	Leadership, Professionalism & Ethics	8 hours
02	Criminal Justice System	2 hours
03	Principled Policing in the Community	26 hours
04	Victimology/Crisis Intervention	6 hours
05	Introduction to Criminal Law	4 hours
06	Property Crimes	6 hours
07	Crimes Against Persons/Death Investigation	6 hours
08	General Criminal Statutes	2 hours
09	Crimes Against Children	4 hours
10	Sex Crimes	4 hours
11	Juvenile Law and Procedure	3 hours
12	Controlled Substances	12 hours
13	ABC Law	2 hours
15	Laws of Arrest	12 hours
16	Search and Seizure	12 hours
17	Presentation of Evidence	6 hours
18	Investigative Report Writing	48 hours

19	Vehicle Operations	40 hours
20	Use of Force/De-escalation	16 hours
21	Patrol Techniques	12 hours
22	Vehicle Pullovers	14 hours
23	Crimes in Progress	20 hours
24	Handling Disputes/Crowd Control	8 hours
25	Domestic Violence	10 hours
26	Unusual Occurrences	4 hours
27	Missing Persons	4 hours
28	Traffic Enforcement	16 hours
29	Traffic Collision Investigations	12 hours
30	Crime Scenes, Evidence, and Forensics	12 hours
31	Custody	2 hours
32	Lifetime Fitness	40 hours
33	Arrest and Control	60 hours
34	First Aid, CPR, and AED	21 hours
35	Firearms/Chemical Agents	72 hours
36	Information Systems	2 hours
37	People with Disabilities	15 hours
38	Gang Awareness	2 hours
39	Crimes Against the Justice System	4 hours
40	Weapons Violations	4 hours
41	Hazardous Materials Awareness	4 hours
42	Cultural Diversity/Discrimination	16 hours
43	Emergency Management	16 hours

Minimum Instructional Hours 589 hours

The minimum number of hours allocated to testing in the Course are shown below.¹

Additional instructional and testing hours for POST-required content 6 hours

TESTS	HOURS
Scenario Tests (40 hours test administration; 18 hours scenario demonstration) (LDs 1,4,7,20,21,22,23,25,30 and 37)	58 hours
POST-Constructed Comprehensive Tests	
LD 34	1 hour
RBC Test 1 (LDs 5,15,16,20,39)	3 hours
RBC Test 2 (LDs 5,6,7,8,9,10,15,16, ,20, and 39)	3 hours
RBC Test 3 (LDs 5,6,7,8,9,10,11,12,15,16,20,25,26, 28,37,39,40, and 43)	4 hours
Total Minimum Required Hours	664 hours

The above listed are the POST mandated minimum hours of instruction. The Butte College Police Academy has increased the number of training hours in various topics and has currently reached 965 hours. This is the case for nearly all regular basic police academy locations around the state.

Crisis Intervention Training (CIT training) is a side by side mental health service/diversion program. It is taught by a team of officers who received special training on how to respond to people with mental illness and to learn what mental health services are available in the Chico area in order to divert them from the criminal justice system.

Chico PD began sending officers to CIT training 10 years ago to become certified after taking a week-long course. All officers started receiving a day-long CIT training 5-6 years ago. Training consists of an overview of mental illnesses, what local services are available, presentations by representatives from Butte County Mental Health, Enloe Hospital, and other local service providers, and training in de-escalation.

Officer Parrott addressed the narrative that he has heard that Chico Police Department needs additional training in de-escalation from civilians to improve a skill set that is perceived to be lacking. He feels Chico Police Officers are the most skilled in de-escalation in the community because it is what they do all day in responding for calls for service. The people the Chico Police Department critics would like to bring in are community members who quite often are the ones who call Chico Police Department when their attempts at de-escalation fail. Chico Police Department is 99% successful employing de-escalation and when they do need to use force, it is done in a manner that is deployed pursuant to policy. The idea that there is a problem needs to have some pushback. People using community mental health services are those who have already taken a step in the service provider's direction, indicating they would like some help. Chico Police Department is responding to people who didn't ask for help. They are in situations, such as being barricaded in a room, or walking down the street screaming. Chico Police Department officers are very skilled in de-escalation because they are using it every day in these situations. This is a skill that is learned on the street and not in a classroom. De-escalation training begins in the academy, is continued in field training and is modeled by training officers. Officers learn by emulating others and develop their own skillset through practice.

Cory Hunt shared has heard the community needs better treatment from officers. He's experienced it himself and thinks improvement is needed in de-escalation. He asked if the Chico Police Department saw any room for improvement.

Officer Parrott talked about the difference between feelings and data. He said testimonial experience is important to hear. Chico Police Department has never shied away from improving. They look for ways to have experiential training. They also provide feedback to officers in the field on de-escalation on how effective/ineffective it was.

Officer Parrott discussed of the community's expectation that the officers "be nice" when responding to a call, without recognition that officers need to take control of the situation and the circumstances demand that they gain immediate adherence to authority need to gain control over the situation. There are times that the circumstances are not debatable, they don't have time to debate and de-escalate their cooperation. Because people have these encounters and they feel the police weren't nice to them, the reality is the circumstances didn't dictate it.

Cory Hunt asserted this was not the reality all the time. He said there were situations that officers were pulling out guns when it was not necessary.

Rob Berry asked Cory Hunt for specific details. Cory Hunt shared he was pulled over and was asked who was in his passenger seat. When Cory Hunt didn't know his passenger's last name, the officer got mad and pulled out his gun.

Officer Parrott said he wasn't trying to take away from Cory Hunt's personal experience, he was offering the officer's perspective.

Margaret Swick asked how the Chico Police Department respond to shootings in other communities. Do they discuss it, do they view the video, do they use the incident they review their training, do they role-play it? How do they address morale?

Officer Parrott answered that there are national incidents that are looked at and reviewed. He also added that the reactions to the immediate situation is often different than after more information is received and to find the initial narratives were false. He discussed the case in Ferguson, MO as an example.

Chief Madden shared that when incidents occur in other agencies, the investigation takes time and he doesn't know what training occurs in those agencies. He said Chico Police Department will never miss an opportunity to train. Chico Police Department reviews critical incidents to determine if policy was followed, and if they were following policy, does the policy need to be updated. For instance, after the George Floyd incident, Chief Madden changed the City's carotid control hold policy.

Mayor Schwab asked how a community members register complaints of unnecessary force and what are the officers' responsibility when they witness excessive use of force and how are new training courses developed.

Chief Madden explained the complaint system and ways to register a complaint. A form is available at the police station, on-line, an officer will come to the person. All complaints are investigated. He is going to establish a Community Police Advisory Board. He has made the Chico Police Department's duty to intervene policy more robust. Chico Police Department tracks all use of force incidents and included in an annual report. Use of force incidents are a very low percentage of total annual calls. However, they don't track incidents of de-escalation. Chief Madden is identifying software which would track de-escalation incidents and so this data will be included in the annual report. Use of force data is forwarded to the instructors and that information is constantly being incorporated into trainings.

Councilmember Reynolds asked about Lexipol, why we use it and if there are other services available. Chief Madden answered that Chico Police Department used to update their own policies. However, the policy binder has expanded and is now six inches thick. To ensure policies are not out of date or out of alignment with laws, Chico uses this third party service that most law enforcement agencies in California use. Lexipol updates the policy whenever a change is made, each officer must log on to the system, read the policy and sign they've read the update or new policy. Lexipol constantly updates the policy and it is objective.

Chief Madden provided comments regarding the company Chico Police Department uses for hiring background investigations. When he was hired, Chico Police Department used retired officers for the investigations. An internal background process is subjective, so Chico Police Department worked with HR to identify an outside firm. Chief Madden had a POST consultant review the investigations and the POST representative said they were incredibly thorough.

Vice Mayor Brown related she felt a little bit irked when incidents are whittled down to emotional responses. She's hearing we're doing great, and would like to know where we go from here and how we can provide more CIT training. She would like to know if there is value from bringing in trainers from outside Chico Police Department.

Officer Parrott said they bring in outside training all the time and is a specific component of CIT training.

A critical component of the CIT model is to bring in family members or actual patients to talk about their experiences to find out their perception of processes.

Vice Mayor Brown expressed a desire to speak about existing use of force policies and possible new policies.

Chief Madden agreed and pointed out that there are many pending pieces of legislation at the State level that will impact us at the local level.

Rob Berry expressed a desire to discuss issues around perception and context.

3. **BUSINESS FROM THE FLOOR/PUBLIC COMMENT** - Members of the public may address the Committee via WebEx or by email at policepubliccomments@chicoca.gov at this time on any matter not already listed on the agenda, with comments being limited to three minutes or as determined by the Chair. The Committee cannot take any action at this meeting on requests made under this section of the agenda

Addressing the Committee were: Julian Zener, Lana McGuire, Marty Dunlap, Scott Rushing, John Martin, Summer O'Neal

Questions raised/comments made:

1. Impression that Officer Parrott feels our training is superb and therefore our interaction with the public is superb and there is nothing to change and I would push back on that. I would also push back on the emotional response. Both sides have valid views, especially when a weapon was brandished.
2. Minneapolis policy had been in place for several years against neck compressions and they mandated intervention. There can be a discrepancy between policy and what is actually done.
3. I'm interested in what training changes have been made apropos of AB 392 where the adequacy using protentional of force has gone from reasonable to necessary.
4. My understanding of a policy being made by a private company, Lexipol, that leaves the community voice out of the conversation. A community advisory board I have heard about, but I have never, ever, ever met anyone that's tried to present the voice or brought information back. I have no trust for such an entity and it seems like there needs to be more developed that allows for community voice and our value system as a community.
5. Training comes from the different entities and then there's field training. Well field training is done by particular officers. During the time of Mr. Floyd's death it looks as though there was field training happening. I do not suggest a level of violence would be used on a typical basis against Chico citizens or visitors, but the training is dependent upon the value system of the department
6. Citizen complaints. I have had many people come to me over the more than 30 years I have lived in the community to tell me that something really disturbing has happened to them. And when I talk to them about making a complaint they were fearful, very fearful they're not going to do it. There's a segment of the population within our community that doesn't have these experiences. But when you're talking to young folks, people of color, low income folks, it tends to happen and so the fear is higher and they're not going to rush and go make a complaint. There's probably some complaints made but the folks that I've talked to with the severity of the situations, they were not willing.
7. I really appreciate the engagement, but it feels really one sided so far. I hope there is some balance that is created and I'm a little offended by the defensiveness from Cory's voice. He had something really important to say and I was impacted by hearing his experience. It felt like

no one else was impacted by it could there be at least a little humanity shared there. So I don't understand when it is appropriate or not appropriate for a gun to be drawn and I've heard of many situations when it has happened and its concerning

8. I really appreciate the comments of the last speaker and I'm pretty much in support of everything she said. I am concerned about the defensiveness of Officer Parrott as he was presenting information that all of our officers are extremely skilled. Well we've had problems. And then also from Madden that we have a robust citizen complaint system but we've had problems and I think as a person from the community I would like to hope we do have an opportunity to have an openness in this discussion. Because we want to build mutual respect and trust between the community and our law enforcement officers. And so whatever it takes to try to help the Police Department not to feel as defensive that they have to protect themselves and their position. We know they're doing the best they can, we know they can do better and we need them to do better.
 9. Regarding using a third party for assessments. How does the public know that these officers are psychologically prepared for the job whether it is to use lethal force or to use de-escalation? Is there annual evaluations? Are they screened one time in their career, are they having a good day or a bad day? I'm very concerned about the psychiatric fitness not only to do their job but for their own safety and the third party situation. Do they evaluate that? And is there any verification that their information is accurate for Chief Madden or the department to analyze? I'd also like to know what is the number of citizen complaints.
 10. I am a local citizen. I'm just meaning to learn more about what our police department is doing and I don't feel I've learned anything about what they are doing about our current, the issue about police reform about race relations. So I was disappointed to see there wasn't really a presentation being made and you know while in the meeting went through the attachment and I see that there is a lot of information that goes into their background check. And I guess this is a question that could be considered: when are they re-evaluated again? And how does that background check help if it's just one time before they're hired? Does help you understand if they have any history behaving badly towards people of color? Does it highlight any possible racist behavior? So that's one question.
 11. I see that you have implicit bias, racial profiling, diversity two hours every five years after initial five hours.
 12. Perception. I know Parrott used the word feelings. It sounded very condescending and I don't think that's a very good analogy. Perception is everything. If the perception in the community is that the police department is doing everything, then albeit. Community perception is important.
 13. I was stopped by an officer and I thought he treated me very rudely. He asked me three times if I had been drinking.
4. **ADJOURNMENT** - Adjourn to the Adjourned Regular Meeting of Thursday, September 10th, 2020 from 1:00 – 2:30 p.m.



CITY OF CHICO MEMORANDUM

TO: Policing Review Ad Hoc Committee

DATE: August 21, 2020

FROM: Chief Matt Madden

FILE:

SUBJECT: Chico Police Training Review

Committee Members,

We have continued to review our processes and procedures concerning the way Chico Police completes and documents employee hiring and training. I am submitting the following information as educational material for the Police Review Ad Hoc Committee:

Becoming a Police Officer in California, specifically in Chico, is a very challenging and rewarding task which uses multiple vetting processes to ensure only the highest quality candidates are selected to serve our citizens. The hiring process starts with a thorough application and resume review by Human Resources and Risk Management. Once the applicant is approved by HR/RM they are scheduled for a written and physical exam, which meet the requirements of California Commission on Peace Officer Standards and Training (POST). This process typically reduces the overall candidate pool as the testing process is very arduous.

The next step in the process for those successfully passing the first two testing processes is to be interviewed by a panel comprised of experienced sworn and non-sworn employees within the police department. If the candidate is found to meet the high standards of the police department, they are moved to an executive interview comprised of both Deputy Chief's of Police. This interview is again a measure of the candidate's overall quality and abilities to perform within the high standards we set for success within our community.

Those candidates who are selected to move to the next phase of hiring will enter a POST approved background process. This background is completed by an independent company who specializes in law enforcement employee hiring. The background has several investigative parameters and regulations which are audited by POST for compliance once completed. Hiring dimensions investigated during the background include the following:

1. **Integrity:**

CHARACTER – Job requires being honest and ethical.

2. **Stress Tolerance:**

DEALING WITH STRESS – Job requires accepting criticism and dealing calmly and effectively with high stress situations.

FREQUENCY OF CONFLICT SITUATIONS – How often are there conflict situations the employee must face in this job?

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During the background investigation, an independent polygrapher will test the candidate for any signs of deception. The questions asked will stem around questions asked during the background process. If the candidate indicates significant signs of being deceptive, we will discontinue the

hiring process. There are times during the polygraph where a candidate shows a slight sign of being deceptive on a minor issue. This is handled by the polygrapher asking further clarifying questions to bring out the truth. This can still also lead to discontinuing the hiring process.

It should be noted the background investigation for a Lateral Police Officer entails a more detailed process than a Entry Level or Police Academy Trainee. Specifically, the background investigator will get a chance to review files related to the candidate's personnel matters, training, and internal affairs investigations. This ensures we are provided a clear picture of any potential disqualifying matters related to legally protected employee files requested during a standard California Public Records Act request. In the review of these files, we will also learn how the candidate was rated within their employee evaluations and every training they have attended. Obviously, we want to know all issues related to the candidate's current performance and any disciplinary issues as a Peace Officer. The background investigator will have a conversation with the organizational members to learn further information beyond the evaluation process or personnel files. Valuable information is gleaned during this process, which can disqualify a candidate.

Once the background has been completed, it is audited by several members of the Chico Police command staff. The identified investigative parameters are of interest to ensure we are, in fact, vetting a highly qualified candidate. After the background has been vetted and deemed acceptable, the Chief of Police will hold a conditional job offer interview. The Chief will again vet the candidate at his/her level to ensure they meet the high standards set by the community. If the Chief finds the candidate acceptable for employment, they are provided with a conditional job offer. The final steps entail a medical evaluation to include a physical and psychological review. This information is guarded by HR/RM to ensure there are no potential allegations of discrimination based on the findings.

The POST background manual and regulations can be found at the following website:

<https://post.ca.gov/background-investigation-manual-guidelines-for-the-investigator>

Upon hiring, the following will occur depending on the classification of employment:

- Lateral Police Officer: POST academy graduate with at least the minimum 664 hours of POST mandated academy training. However, nearly all have attended POST academies with the increased hours like the Butte Academy with 965 hours. Officer enters the field training program and averages 400-600 hours of supervised training before being released as a solo Chico Police Officer
- Entry Level Police Officer: Butte Academy or other POST academy graduate with at least the minimum 664 hours of POST mandated academy training; 965 hours of POST academy training if they graduate from the Butte Academy. Officer enters the field training program and averages 800-1000 hours of supervised training before being released as a solo Chico Police Officer
- Police Academy Trainee: Trainee enters the Butte Academy and will ultimately receive 965 hours of academy training over six months. Once they graduate from the academy, they will enter the field training program and average 800-1000 hours of supervised training before being released as a solo Chico Police Officer

The minimum standards for the regular basic police academy as mandated by POST are as follows:

**MINIMUM CONTENT AND HOURLY REQUIREMENTS
REGULAR BASIC COURSE (RBC) - STANDARD FORMAT**

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43	Emergency Management	16 hours
	Minimum Instructional Hours	589 hours
	The minimum number of hours allocated to testing in the Course are shown below.	
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LD 34	1 hour
RBC Test 1 (LDs 5,15,16,20,39)	3 hours
RBC Test 2 (LDs 5,6,7,8,9,10,15,16, ,20, and 39)	3 hours
RBC Test 3 (LDs 5,6,7,8,9,10,11,12,15,16,20,25,26, 28,37,39,40, and 43)	4 hours

Total Minimum Required Academy Instruction Hours**664 hours**

The above listed are the POST mandated minimum hours of instruction. The Butte College Police Academy has increased the number of training hours in various topics and has currently reached 965 hours. This is the case for nearly all regular basic police academy locations around the state.

Every year, Police Officers receive 60 hours of regularly scheduled departmental training which is attended every other month. The topics covered in the regularly scheduled training include perishable skills and enrichment. Beyond the regularly scheduled department training, we provide monthly training in Use of Force/De-Escalation tactics and Firearms/Range training. Likewise, Commanders and Sergeants will hold briefing training which entails a multitude of topics that engage and involve every Police Officer. This amount of training every Police Officer receives on a monthly basis can easily surpass 10 hours in various topics. There are several courses we assign to employees which are completed via the POST Learning Portal website. Those mandated courses are as follows:

- Tactical Communications - 2 hours bi-annually
- Domestic Violence - 2 hours bi-annually
- Implicit Bias, Racial Profiling, Cultural Diversity - 2 hours every five years after initial 5 hours

The aforementioned training applies to every Police Officer within the Chico Police Department. We currently have several Police Officers who are assigned to collateral assignments which also require additional mandated training. Those specialties are as follows:

- K-9 Handler: 16 hours monthly
- Special Weapons and Tactics (SWAT): 15 hours monthly (Snipers receive 20 hours)
- Hostage Negotiations Team: 32 hours annually
- Use of Force Instructors: 4 hours quarterly
- Range Instructors: 8-16 hours annually

All training received within the police department is tracked in multiple audit trails. All in person training requires those attending to sign a POST course roster worksheet, which will include their POST training identification number. The attendance within these courses are certified by the training coordinator and logged within the employee training files.

All POST certified courses attended will be recorded within the POST Electronic Data Interchange (EDI). The EDI system is an electronic data base system managed by POST and authorized department training coordinators. This information can be compared to a college transcript as it is a printable report based on the training identification number. The POST

training identification number is used to track the employee starting from the academy and throughout their career.

The Chico Police Department was allocated \$185,000 for FY 19/20 Training. In order to provide clarity on how these funds are spent throughout the organization, please see the following information which will answer your questions:

Mandatory Training (87% or \$162,479)

This training is required by federal law, state law and/or department policy. This training, whenever possible, should be completed within a specified time period after appointment. This applies to all police department employees.

Desirable Training (12% or \$22,521)

This training has been identified by the department as beneficial to an employee in a specific job assignment. Desirable training may also be training that has been identified by the employee as beneficial to his or her development.

Sworn total use of training funds = 89.5% or \$165,669

Non-Sworn = 10.5% or \$19,331

As you can see from summary of the Chico Police training, it is a very big machine which can consume our time and budgets. This is not a complete representation of our entire training program. I have provided you with a summary of the most important areas we must ensure training is provided and documented in accordance with departmental standards, Legislative mandates and POST requirements. It should also be noted, much of our training comes from a desire to make our employees exceed the standard set forth by the Legislation and POST.