

CITY OF OAKLAND

AGENDA REPORT

2010 JUN 10 PM 1:34

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Police Department
DATE: June 22, 2010

RE: **A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Execute an Agreement with the California Commission on Peace Officer Standards and Training (POST) for the Period of July 1, 2010 through June 30, 2011 for the Purpose of Permitting the Police Department to Present the POST Certified Emergency Vehicle Operations Course (EVOC) to 150 Police Officer Trainees, and to Receive up to Sixty-Six Thousand Seven Hundred Fifty Dollars (\$66,750) in Reimbursement Funds**

SUMMARY

A resolution has been prepared authorizing the City Administrator to execute an Agreement with the California Commission on Peace Officer Standards and Training (POST) for the purpose of permitting the Police Department to present the POST certified Emergency Vehicle Operations Course (EVOC) to a maximum of 150 police officer trainees and receive reimbursement funds at the rate of \$445 per full-time, on-duty employee of POST reimbursable agencies up to a maximum of \$66,750.

FISCAL IMPACT

Approval of this resolution will authorize the Oakland Police Department to enter into an agreement with POST to provide EVOC training for the period of July 1, 2010 through June 30, 2011. There is no cost for the City to enter into this agreement with POST. The Police Department will receive \$445 in reimbursement fees per student to offset the cost of POST EVOC training presentations. The maximum reimbursable amount is \$66,750 for the training of 150 students. The reimbursement from POST is provided to academies to help offset the costs associated with presenting the mandated EVOC training (operating and maintenance of vehicles, equipment, etc.). Reimbursement funds shall be appropriated to the Oakland Police Department Grant Fund (2995), Training Organization (103430), Training Program (PS09), and into a project to be determined.

BACKGROUND

The Police Department routinely conducts POST certified training courses for the benefit of Oakland Police Officer and trainees, as well as officers from other law enforcement agencies. The City of Oakland has been providing vehicle operations and other training services to POST since 1995.

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June 22, 2010

KEY ISSUES AND IMPACTS

POST requires that all academies present a minimum of 24 hours of training in emergency vehicle operations to students enrolled in a basic academy.

While emergency vehicle operations are a vital component in police officer training (and very often needed in the apprehension of fleeing suspects), it is the Department's policy that a vehicle pursuit, or Code 3 response¹, is justified only when the necessity of immediate apprehension or the emergency outweighs the level of danger created by the pursuit.

Pursuits are intended to carry out the Department's duty to act affirmatively in order that the offender will be apprehended and brought to trial for the offense committed.

PROGRAM DESCRIPTION

The requirements for the vehicle operations course are specified in the POST Training and Testing Specifications for the Regular Basic Course. The requirements include numerous performance objectives, instructional goals, and mandated hours. The key topics covered in the training are:

- Introduction to Law Enforcement Vehicle Operations
- Principles of Defensive Driving
- Adverse Driving Conditions
- Principles of Vehicle Control
- Vehicle Pursuit Operations

The project manager of all training and training reimbursement requests is the Commander of the Department's Training Division.

SUSTAINABLE OPPORTUNITIES

Economic: An emergency vehicle operations course based on contemporary law enforcement agency practices will provide an effective management strategy to reduce or prevent the City's exposure to incidents of civil liability and potential litigation.

Environmental: No environmental opportunities are anticipated.

¹ A code 3 response permits the use of flashing lights and sirens, exceeding the speed limit, and other exceptions to normal traffic regulations. See Vehicle Code sections 21055 and 21056.

Social Equity: Sound procedural operations of police vehicles enhance the safety of both officers and the public.

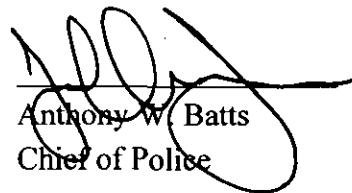
DISABILITY AND SENIOR CITIZEN ACCESS

There are no ADA or senior access issues contained in this report.

RECOMMENDATION / ACTION REQUESTED OF THE COUNCIL

Staff recommends acceptance of this report and approval of the proposed resolution authorizing the City Administrator, or designee to execute an agreement with POST to present the Emergency Vehicle Operations Course (EVOC) to up to 150 police officer trainees and receive up to \$66,750 in reimbursement funds, at a rate of \$445 per student.

Respectfully submitted,



Anthony W. Batts
Chief of Police

Prepared by:
Sgt. Mary Guttormson
Training Division
Bureau of Services

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:



Office of the City Administrator

Item: _____
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FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

A. Macaulay
City Attorney

RESOLUTION No. _____ C.M.S.

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RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO EXECUTE AN AGREEMENT WITH THE CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING (POST) FOR THE PERIOD OF JULY 1, 2010 THROUGH JUNE 30, 2011 FOR THE PURPOSE OF PERMITTING THE POLICE DEPARTMENT TO PRESENT THE POST CERTIFIED EMERGENCY VEHICLE OPERATIONS COURSE (EVOC) TO ONE HUNDRED FIFTY (150) POLICE OFFICER TRAINEES, AND TO RECEIVE UP TO SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$66,750) IN REIMBURSEMENT FUNDS

WHEREAS, the California Commission on Peace Officer Standards and Training (POST) has requested that the City of Oakland Police Department present the POST certified Emergency Vehicle Operations Course (EVOC) to California Law Enforcement personnel who are full-time, on-duty employees of POST reimbursable agencies; and

WHEREAS, POST will reimburse the City for each full-time, on-duty POST reimbursable student who attends a City of Oakland POST presentation at a rate of \$445 per student, up to a maximum amount of \$66,750 during the period of July 1, 2010 through June 30, 2011; and

WHEREAS, it is in the best interests of the City of Oakland to execute an agreement with POST for the purposes described above; and

WHEREAS, the City of Oakland has executed similar agreements with POST since 1995; now, therefore, be it

RESOLVED: That the City Administrator or his designee is hereby authorized to execute an agreement between the City of Oakland and POST for the purposes described above; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any further documents, contracts and agreements in order to implement the appropriation and allocation of these funds to the City, without return to Council; and be it

FURTHER RESOLVED: That reimbursement funds in an amount of up to \$66,750 shall be appropriated to the Police Department in Oakland Police Grants Fund: 2995, Training Org.: 103430, in Training Program PS09, into a project to be determined.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID and PRESIDENT BRUNNER
NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California