

SECTION 9

California Codes and Laws

9.1 – 9.5 COMPETENCY REQUIREMENTS

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Note to Administrators

In order for POST to review and approve your agency's *Field Training Guide*, you MUST submit the following electronic files:

- 1) The POST FTP Approval Checklist ([Form 2-230](#))
- 2) Your department's *Policy & Procedure Manual*
- 3) Your completed Guide (Volumes 1 & 2), including ALL competency requirements covered in Part 5, Sections 1–18.

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SECTION 9 CALIFORNIA CODES AND LAWSCHECK ONE ONLY: ☐ PHASE 1 ☐ PHASE 2 ☐ PHASE 3 ☐ PHASE 4 ☐ PHASE 5

Trainee

FTO

9.1 CRIMINAL LAW**9.1.01 Terminology**

The trainee shall define certain terms as recognized in California criminal law. These shall minimally include:

- | | |
|--------------------------|-----------------------|
| A. Accessory | F. Implied intent |
| B. Accomplice | G. Principal |
| C. Criminal negligence | H. Specific intent |
| D. <i>Corpus delicti</i> | I. Transferred intent |
| E. Entrapment | |

Reference(s):					Case # (If applicable)		Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
Trainee:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Comments (field will expand automatically)								

Additional Information:**9.1.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**☒ N/A

9.1.01 Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

A: Every person who, after a felony has been committed, harbors, conceals or aids a principal in such felony, with the intent that said principal may avoid or escape from arrest, trial, conviction or punishment, having knowledge that said principal has committed such felony or has been charged with such felony or convicted thereof, is an accessory to such felony (California Penal Code 32).

B: A person who knowingly, voluntarily, or intentionally gives assistance to another in (or in some cases fails to prevent another from) the commission of a crime

C: Criminal negligence takes place when an individual behaves in a way that is an extreme departure from the way that a "reasonable" person would act. Criminal negligence is basically analogous to an "I don't care what happens" type of attitude.

D: "Body of the Crime" A crime must have been proven to have occurred before a person can be convicted of committing that crime.

E: An act that is conducted by law enforcement that would likely induce a normally law-abiding person to commit a crime induced the defendant to commit a charged crime.

F: Intent in the context of a criminal act that can be implied from the circumstances surrounding the defendant's actions.

G: All such persons concerned in commission of a crime, whether it be felony or misdemeanor, and whether they directly commit the act constituting the offense, or aid and abet in its commission, or not being present, having advised and encouraged its commission, and all persons counseling, advising, or encouraging children under the age of fourteen years, or persons who are mentally incapacitated, to commit any crime, or who, by fraud, contrivance, or force, occasion the drunkenness of another for the purpose of causing him to commit any crime, or who, by threats, menaces, command, or coercion, compel another to commit any crime, are principals in any crime so committed (California Penal Code 31).

H: A state of mind that is required, along with a physical act, to constitute certain crimes. Specific intent is usually interpreted to mean intentionally or knowingly.

I: The intention to harm one individual inadvertently causes a second person to be hurt instead, the perpetrator is still held responsible.

9.1.02 Crime Elements The trainee shall identify the elements of a crime or public offense to include: A. Any act or omission: <ol style="list-style-type: none"> 1. Committed by any person 2. In violation of statutory law 3. For which there is punishment 									
Reference(s): Penal Code 15						Case # (If applicable)		Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?	
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date		
Trainee:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test	
Comments (field will expand automatically)									

Additional Information:

9.1.02	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input checked="" type="checkbox"/> N/A

9.1.02	Part B - Agency Training Details (field will expand automatically) The above / below information will be read by the trainee and then discussed with the FTO. California Penal Code 15: A crime or public offense is an act committed or omitted in violation of a law forbidding or commanding it, and to which is annexed, upon conviction, either of the following punishments: <ol style="list-style-type: none"> 1. Death; 2. Imprisonment; 3. Fine; 4. Removal from office; or, 5. Disqualification to hold and enjoy any office of honor, trust, or profit in this State.
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9.1.03 Persons Legally Incapable of Committing a Crime The trainee shall describe those persons who are legally incapable of committing a crime in the state of California.								
Reference(s): Penal Code 26						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.1.03 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input checked="" type="checkbox"/> N/A
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9.1.03 Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

California Penal Code 26: All persons are capable of committing crimes except those belonging to the following classes:

One - Children under the age of 14, in the absence of clear proof that at the time of committing the act charged against them, they knew its wrongfulness.

Two - Persons who are mentally incapacitated.

Three - Persons who committed the act or made the omission charged under an ignorance or mistake of fact, which disproves any criminal intent.

Four - Persons who committed the act charged without being conscious thereof.

Five - Persons who committed the act or made the omission charged through misfortune or by accident, when it appears that there was no evil design, intention, or culpable negligence.

Six - Persons (unless the crime be punishable with death) who committed the act or made the omission charged under threats or menaces sufficient to show that they had reasonable cause to and did believe their lives would be endangered if they refused.

9.1.04 Crime Identification

Given any situation in which a possible crime has occurred, the trainee shall recognize those situations where the crime is complete and shall identify the crime by its common name, code number, and crime classification. These crimes shall minimally include California laws pertaining to:

- | | |
|--|---|
| A. Obstruction of Justice | M. Trespassing |
| B. Homicide | N. Arson |
| C. Robbery | O. Vandalism |
| D. Assaults | P. Theft, including Identify Theft |
| E. Criminal Threats (formerly Terrorist Threats) | Q. Forgery and Check Offenses |
| F. Stalking | R. Disorderly Conduct |
| G. Restraining Order Violations | S. Control and Use of Dangerous Weapons |
| H. Cruelty to Animals | T. Use (including under the influence), Possession, and Sales of Dangerous Drugs |
| I. Crimes Against Children | U. Receiving or Possession of Stolen Property, including Alteration of Serial Numbers |
| J. Sex Crimes | |
| K. Disturbing the Peace | |
| L. Burglary | |

Reference(s):					Case # (If applicable)	Incident #		
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.1.04 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

☒ N/A

9.1.04 Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

California Penal Code/ California Health and Safety Code/Business and Professions Code

A: 148(a)(1) PC (Misdemeanor)	O: 594 PC (Misdemeanor/Felony)
B: 187(a) PC (Felony)	P: 484-508 PC (Misdemeanor/Felony)
C: 211 PC (Felony), 215 PC (Felony)	Q: 470-476 PC (Misdemeanor/Felony)
D: 240-245 PC (Misdemeanor /Felony), 273.5 PC (Felony)	R: 647(f) PC (Misdemeanor)
E: 422 PC (Felony)	S: 626.9/10 PC & 18205-34370 PC (Misdemeanor/Felony)
F: 646.9 PC (Misdemeanor/Felony)	T: 647(f) PC/11550(a) H&S (Misdemeanor), 4060B&P (Misdemeanor)
G: 273.6(a) PC (Misdemeanor), 166 PC (Misdemeanor)	11364-11391 H&S (Misdemeanor/Felony)
H: 597 PC (Misdemeanor/Felony)	U: 496 PC (Misdemeanor/Felony)
I: 270 PC, (Misdemeanor/Felony), 273(a) PC (Misdemeanor/Felony), 288 PC (Felony)	
J: 261-264 PC (Felony), 286-289 PC (Felony)	
K: 415 PC (Misdemeanor)	
L: 459 PC (Felony), 459.5 PC (Misdemeanor)	
M: 601-603 PC (Misdemeanor)	
N: 451 PC (Felony)	

9.2 REASONABLE SUSPICION/PROBABLE CAUSE									
9.2.01 Reasonable Suspicion The trainee shall identify and explain the following elements of “reasonable suspicion” as those required to lawfully stop, detain, or investigate a person: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>A. Specific facts which can be articulated</p> <p>B. Crime-related activity that has occurred, is occurring, or is about to occur</p> </div> <div style="width: 48%;"> <p>C. Involvement by the person to be detained in a crime-related activity</p> </div> </div>									
Reference(s):						Case # (If applicable)		Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?	
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date		
					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test	
Trainee:									
Comments (field will expand automatically)									

Additional Information:

9.2.01	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) <div style="text-align: right; margin-top: -15px;"> <input type="checkbox"/> N/A </div>
Department Policies: 418 Detentions And Photographing Detainees, 428 Suspicious Activity Reporting	

9.2.01	Part B - Agency Training Details (field will expand automatically) The above / below information will be read by the trainee and then discussed with the FTO. Reasonable Suspicion - Occurs when, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.
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9.2.02	Probable Cause to Arrest Probable cause to arrest requires more than the “reasonable suspicion” necessary for a detention and is essentially the same as the probable cause required to obtain an arrest warrant or a search warrant. The trainee shall identify and explain the following elements of probable cause as those required to make a valid arrest: <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>A. Whether probable case exists to make an arrest depends upon the reasonable conclusions that can be drawn from the facts known to the arresting officer at the time of the arrest.</p> <p>B. The officer’s training and experience are relevant to a determination of probable cause.</p> </div> <div style="width: 48%;"> <p>C. Probable cause exists when the totality of circumstances would lead a person of ordinary care and prudence to entertain an honest and strong suspicion that the person to be arrested is guilty of a crime.</p> </div> </div>							
<i>Reference(s):</i>							Case # (If applicable)	Incident #
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
Trainee:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Comments <i>(field will expand automatically)</i>								

Additional Information:

9.2.02	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) <div style="text-align: right;"><input type="checkbox"/> N/A</div>	
	Department Policies: 100 Law Enforcement Authority, 333 Private Persons Arrests, 418 Detentions And Photographing Detainees, 428 Suspicious Activity Reporting	

9.2.02	Part B - Agency Training Details <i>(field will expand automatically)</i> The above information will be read by the trainee and then discussed with the FTO.
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9.2.03 Probable Cause Related to Felonies and Misdemeanor Arrests

The trainee shall identify and explain how probable cause is used in arrests for felonies and misdemeanors:

- A. For a felony: An officer may arrest with a warrant, or without a warrant, if the officer has probable cause to believe the person to be arrested committed the felony, regardless of whether or not the felony was committed in the officer's presence.
- B. For a misdemeanor: An officer may arrest with a warrant, or without a warrant, if the officer has probable cause to believe the misdemeanor was committed in the officer's presence.
- C. For a misdemeanor: See California Penal Code and California Peace Officers Legal Sourcebook for situations where officers are allowed by statute to make warrantless arrests for certain enumerated misdemeanors, even though the misdemeanors were not committed in the officer's presence.
- D. For a private person's arrest: See California Penal Code and California Peace Officers Legal Sourcebook for statutes on accepting this type of arrest.

Reference(s):					Case # (If applicable)		Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments (field will expand automatically)								

Additional Information:**9.2.03 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**☐ N/A

Department Policies: 100 Law Enforcement Authority, 333 Private Persons Arrests, 418 Detentions And Photographing Detainees, 428 Suspicious Activity Reporting

9.2.03 Part B - Agency Training Details (field will expand automatically)

The above information will be read by the trainee and then discussed with the FTO.

9.2.04 Officer's Right to Search a Person The trainee shall recognize and explain the police officer's right to search a person when probable cause to arrest exists.								
Reference(s):						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.2.04 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) Department Policies: 312 Search and Seizure, 900 Custodial Searches	<input type="checkbox"/> N/A
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9.2.04 Part B - Agency Training Details (field will expand automatically) The above information will be read by the trainee and then discussed with the FTO.
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9.2.05 Recognizing Probable Cause for Police Action Given various scenarios, simulated incidents, or calls for service depicting instances where probable cause for police action may or may not exist, the trainee shall recognize its presence or absence and then explain the reasons behind that determination.								
Reference(s):							Case # (If applicable)	Incident #
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.2.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input checked="" type="checkbox"/> N/A
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9.2.01 Part B - Agency Training Details (field will expand automatically) The above information will be read by the trainee and then discussed with the FTO.
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9.3 LAWS OF ARREST								
9.3.01 Authority to Make an Arrest The trainee shall explain a peace officer's authority to make an arrest.								
Reference(s): Penal Code 836 ; Vehicle Code 40300.5 through 40302						Case # (If applicable)	Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated? <input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test	Remedial Training		How Remediated? <input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.3.01	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input type="checkbox"/> N/A
	Department Policies: 100 Law Enforcement Authority, 333 Private Persons Arrests, 418 Detentions And Photographing Detainees, 428 Suspicious Activity Reporting	
9.3.01	Part B - Agency Training Details (field will expand automatically)	
	The above information will be read by the trainee and then discussed with the FTO.	

9.3.02 Arrest Requirements

The trainee shall explain the various requirements related to arrests, to minimally include:

- A. Time of day or night that an arrest may be made
 B. The information the person arrested must be provided and when it must be provided
 C. What must be done with the person once they are arrested, and what are the required procedures for handling him or her

Reference(s): Penal Codes 825 ; 840 ; 841 ; 848 ; 849 ; 851.5 ; 853.5 ; and 853.6					Case # (If applicable)		Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated? <input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test	Remedial Training		How Remediated? <input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.3.02	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input type="checkbox"/> N/A
	Department Policies: 100 Law Enforcement Authority, 333 Private Persons Arrests	

9.3.02	Part B - Agency Training Details (field will expand automatically)
	The above information will be read by the trainee and then discussed with the FTO.

9.3.03 Private Person Arrest The trainee shall explain the requirements placed upon a private person making the arrest of another and to determine if the “private person” arrest is legal.								
Reference(s): Penal Codes 837 and 847						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.3.03 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) Department Policies: 100 Law Enforcement Authority, 333 Private Persons Arrests	<input type="checkbox"/> N/A
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9.3.03 Part B - Agency Training Details (field will expand automatically) The above information will be read by the trainee and then discussed with the FTO.
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9.3.04 Miranda Rights The trainee shall explain the requirements for advising a person of his/her Miranda rights.								
Reference(s):						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.3.04 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) Policy: 313 Temporary Custody of Juveniles, 600 Investigation and Prosecution	<input type="checkbox"/> N/A
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9.3.04 Part B - Agency Training Details *(field will expand automatically)*

The below information will be read by the trainee and then discussed with the FTO.

There are two very basic prerequisites before the police must issue a Miranda warning to a suspect:

1. The suspect is in police custody
2. The suspect is under interrogation

Department Issued Miranda Card contains the following:

1. You have the absolute right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer and have him present before and during questioning.
4. If you cannot afford to hire a lawyer, one will be appointed to represent you free of charge before or during questioning, if you wish.
5. You can decide at any time to exercise these rights and not answer any questions or make any statements.

Implied vs Expressed Consent in Miranda Warnings:

Implied Consent – Occurs when the person authorizes the continuation of the interview by actions or behaviors indicating consent was given, such as nodding their head or starting to talk and answer questions.

Expressed Consent – Occurs when the person authorizes the continuation of the interview either orally or in writing, such as signing a consent form or acknowledging their waiver of their Miranda rights with statements such as “sure” or “go ahead.”

9.3.05 Admittance onto Property

The trainee shall explain the requirements regarding gaining admittance into a location to make an arrest.

<i>Reference(s):</i> Penal Code 844					Case # (If applicable)		Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
<i>Comments (field will expand automatically)</i>								

Additional Information:**9.3.05 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**☐ N/A

Policy: 100 Law Enforcement Authority, 312 Search and Seizure, 333 Private Persons Arrests, 606 Warrant Service

9.3.05 Part B - Agency Training Details (field will expand automatically)

The above / below information will be read by the trainee and then discussed with the FTO.

California Penal Code 844- To make an arrest, a private person, if the offense is a felony, and in all cases a peace officer, may break open the door or window of the house in which the person to be arrested is, or in which they have reasonable grounds for believing the person to be, after having demanded admittance and explained the purpose for which admittance is desired.

9.3.06 Allowable Use of Force

The trainee shall explain the amount of force that may be used when effecting an arrest.

Reference(s): Penal Code 835 and 843					Case # (If applicable)	Incident #		
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated? <input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test	Remedial Training	How Remediated? <input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test	
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name		Date
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.3.06	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) Department Policies: 300 Use of Force	<input type="checkbox"/> N/A
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9.3.06	Part B - Agency Training Details (field will expand automatically) The above information will be read by the trainee and then discussed with the FTO.
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9.3.07 Reasonable Force The trainee shall explain the term “reasonable” as it applies to the use of force.									
Reference(s): Penal Code 835						Case # (If applicable)		Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?	
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date		
Trainee:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test	
Comments (field will expand automatically)									

Additional Information:

9.3.07	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) Department Policies: 300 Use of Force	<input type="checkbox"/> N/A
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9.3.07 Part B - Agency Training Details *(field will expand automatically)*

The above information will be read by the trainee and then discussed with the FTO.

9.3.08 Use of Physical Force and Deadly Force

The trainee shall review and explain California law and department policy concerning the use of physical force and deadly force.

Reference(s):					Case # <i>(If applicable)</i>	Incident #		
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments <i>(field will expand automatically)</i>								

Additional Information:**9.3.08 Part A - Reference Agency Policies/Procedures, if applicable** *(600 characters maximum)*
☐ N/A

Department Policies: 300 Use of Force

9.3.08 Part B - Agency Training Details *(field will expand automatically)*

The above information will be read by the trainee and then discussed with the FTO.

9.3.09 False Imprisonment Liability The trainee shall explain instances where he/she is not civilly liable for false imprisonment arising out of an arrest.								
Reference(s): Penal Codes 142(c) , 836.5 , and 847						Case # (If applicable)	Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated? <input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test	Remedial Training		How Remediated? <input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.3.09 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) 	<input checked="" type="checkbox"/> N/A
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9.3.09 Part B - Agency Training Details (field will expand automatically) The above information will be read by the trainee and then discussed with the FTO.
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9.3.10 Legal Exceptions to an Arrest

The trainee shall explain situations where legal exceptions to an arrest might exist, including:

- A. Diplomatic immunity ([22 U.S. Constitution, Chapter 6](#))
- B. State misdemeanor rule ([Hill v. Levy](#), 117 Cal. App. 2d, 667; [Roynon v. Battin](#), 55 CA 2nd 861)
- C. Congressional exceptions ([Article 1, Section 6](#), U.S. Constitution; [Article 4, Section 2](#), California Constitution)

Reference(s):					Case # (If applicable)		Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
Trainee:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Comments (field will expand automatically)								

Additional Information:**9.3. 10 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**
☐ N/A

Policy: 410 Foreign Diplomatic and Consular Representatives

9.3.10 Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

US Constitution

California Constitution

Diplomatic Immunity – An exemption from a duty or penalty for foreign diplomatic agents. Those with full diplomatic immunity may not be prosecuted for any crimes they commit. Those without full immunity may be arrested and prosecuted.

Stale Misdemeanor – exists when an adult commits a misdemeanor in another's presence (including a peace officer) and the person fails to arrest the adult within a reasonable time thereafter

Congressional Exceptions – special immunity granted to members of Congress. A Congress member is exempt from arrest while attending a session of the body to which the member belongs, excluding an arrest for treason, breach of peace, or a felony. A member of Congress is also exempt from arrest or interrogation for any speech or debate entered into during a legislative session.

9.4 JUVENILE LAW AND PROCEDURE**9.4.01 Investigating Juvenile Offenses**

The trainee shall explain applicable laws pertaining to the investigation of juvenile offenses and to the apprehension and detention of juvenile offenders. These shall minimally include:

- A. Miranda advisement
- B. Welfare and Institutions Codes (WIC) [300](#), [305](#), [601](#), [602](#), [625](#), [627](#), [707](#) and any additional local ordinances and/or curfews
- C. Laws pertaining to schools, including Penal Code (PC) [626](#) sections and Education Codes [48906](#), [48260-66](#), etc.
- D. Secure/Non-secure detention of juveniles: WIC [206](#), [207](#), [207.1](#), [207.2](#)

Reference(s):

Case # (If applicable)

Incident #

	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								

Comments *(field will expand automatically)*

Additional Information:

9.4.01	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) Department Policies: 313 Temporary Custody of Juveniles	<input type="checkbox"/> N/A
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9.4.01	Part B - Agency Training Details (field will expand automatically) The above information will be read by the trainee and then discussed with the FTO.
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9.5 ADDITIONAL LAWS									
9.5.01 Alcoholic Beverage Control Act The trainee shall recognize violations of the Alcoholic Beverage Control Act and will locate the applicable sections including those prohibiting: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>A. After-hours sales and/or consumption of alcoholic beverages on licensed premises</p> <p>B. Selling/providing alcoholic liquor to any person under age 21</p> </div> <div style="width: 48%;"> <p>C. Selling/providing alcoholic liquor to a person who is visibly intoxicated</p> </div> </div>									
Reference(s): Business and Professions Codes 23000 through 25762						Case # (If applicable)		Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?	
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date		
Trainee:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test	
Comments (field will expand automatically)									

9.5.01	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input checked="" type="checkbox"/> N/A
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9.5.01 **Part B - Agency Training Details** *(field will expand automatically)*

The above Business and Professions Codes be read by the trainee and then discussed with the FTO.

Additional Information:	
9.5.02	<div> <div> Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) </div> <div> <input checked="" type="checkbox"/> N/A </div> </div>

9.5.02 Part B - Agency Training Details *(field will expand automatically)*

The above Penal Codes will be read by the trainee and then discussed with the FTO.

9.5.03 Local Ordinance Violations

The trainee shall recognize violations of local ordinances and shall be able to locate the applicable sections.

<i>Reference(s):</i>					Case # (If applicable)	Incident #		
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
<i>Comments (field will expand automatically)</i>								

Additional Information:**9.5.03 Part A - Reference Agency Policies/Procedures, if applicable** *(600 characters maximum)*
☒ N/A

9.5.03 Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

Campus Community Values

The University is committed to maintaining a safe and healthy living and learning environment for students, faculty, and staff. Each member of the campus community should choose behaviors that contribute toward this end. Students are expected to be good citizens and to engage in responsible behaviors that reflect well upon their university, to be civil to one another and to others in the campus community, and contribute positively to student and university life.

Grounds for Student Discipline

Student behavior that is not consistent with the Student Conduct Code is addressed through an educational process that is designed to promote safety and good citizenship and, when necessary, impose appropriate consequences.

The following are the grounds upon which student discipline can be based:

(1) Dishonesty, including:

(A) Cheating, plagiarism, or other forms of academic dishonesty that are intended to gain unfair academic advantage.

(B) Furnishing false information to a University official, faculty member, or campus office.

(C) Forgery, alteration, or misuse of a University document, key, or identification instrument.

(D) Misrepresenting one's self to be an authorized agent of the University or one of its auxiliaries.

(2) Unauthorized entry into, presence in, use of, or misuse of University property.

(3) Willful, material and substantial disruption or obstruction of a University-related activity, or any on-campus activity.

(4) Participating in an activity that substantially and materially disrupts the normal operations of the University, or infringes on the rights of members of the University community.

(5) Willful, material and substantial obstruction of the free flow of pedestrian or other traffic, on or leading to campus property or an off-campus University related activity.

(6) Disorderly, lewd, indecent, or obscene behavior at a University related activity, or directed toward a member of the University community.

(7) Conduct that threatens or endangers the health or safety of any person within or related to the University community, including physical abuse, threats, intimidation, harassment, or sexual misconduct.

(8) Hazing, or conspiracy to haze. Hazing is defined as any method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university or other educational institution in this state (Penal Code 245.6), and in addition, any act likely to cause physical harm, personal degradation or disgrace resulting in physical or mental harm, to any former, current, or prospective student of any school, community college, college, university or other educational institution. The term "hazing" does not include customary athletic events or school sanctioned events.

Neither the express or implied consent of a victim of hazing, nor the lack of active participation in a particular hazing incident is a defense.

Apathy or acquiescence in the presence of hazing is not a neutral act, and is also a violation of this section.

(9) Use, possession, manufacture, or distribution of illegal drugs or drug-related paraphernalia, (except as expressly permitted by law and University regulations) or the misuse of legal pharmaceutical drugs.

- (10) Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by law and University regulations), or public intoxication while on campus or at a University related activity.
- (11) Theft of property or services from the University community, or misappropriation of University resources.
- (12) Unauthorized destruction, or damage to University property or other property in the University community.
- (13) Possession or misuse of firearms or guns, replicas, ammunition, explosives, fireworks, knives, other weapons, or dangerous chemicals (without the prior authorization of the campus president) on campus or at a University related activity.
- (14) Unauthorized recording, dissemination, or publication of academic presentations (including handwritten notes) for a commercial purpose.
- (15) Misuse of computer facilities or resources, including:
 - (A) Unauthorized entry into a file, for any purpose.
 - (B) Unauthorized transfer of a file.
 - (C) Use of another's identification or password.
 - (D) Use of computing facilities, campus network, or other resources to interfere with the work of another member of the University community.
 - (E) Use of computing facilities and resources to send obscene or intimidating and abusive messages.
 - (F) Use of computing facilities and resources to interfere with normal University operations.
 - (G) Use of computing facilities and resources in violation of copyright laws.
 - (H) Violation of a campus computer use policy.
- (16) Violation of any published University policy, rule, regulation or presidential order.
- (17) Failure to comply with directions or, or interference with, any University official or any public safety officer while acting in the performance of his/her duties.
- (18) Any act chargeable as a violation of a federal, state, or local law that poses a substantial threat to the safety or well being of members of the University community, to property within the University community or poses a significant threat of disruption or interference with University operations.
- (19) Violation of the Student Conduct Procedures, including:
 - (A) Falsification, distortion, or misrepresentation of information related to a student discipline matter.
 - (B) Disruption or interference with the orderly progress of a student discipline proceeding.
 - (C) Initiation of a student discipline proceeding in bad faith.
 - (D) Attempting to discourage another from participating in the student discipline matter.
 - (E) Attempting to influence the impartiality of any participant in a student discipline matter.
 - (F) Verbal or physical harassment or intimidation of any participant in a student discipline matter.
 - (G) Failure to comply with the sanction(s) imposed under a student discipline proceeding.
- (20) Encouraging, permitting, or assisting another to do any act that could subject him or her to discipline.

9.5.04 Constitutional Amendments Granting Individual Rights

The trainee shall recognize the basic rights of all persons as granted by the United States Constitution and shall at all times adhere to those rights granted by the following amendments:

- | | |
|---|--|
| <p>A. <i>First Amendment</i> – Freedom of religion, speech, press, and public assembly</p> <p>B. <i>Fourth Amendment</i> – Search and seizure only by warrant or good cause</p> <p>C. <i>Fifth Amendment</i> – Right to trial, no double jeopardy, no self-incrimination, no punishment without due process, and no confiscation without compensation</p> | <p>D. <i>Sixth Amendment</i> – Right to a speedy trial</p> <p>E. <i>Eighth Amendment</i> – Excessive bail prohibited</p> <p>F. <i>Fourteenth Amendment</i>– Civil rights (see 18 USC Section 242 – Color of law/authority)</p> |
|---|--|

Reference(s): U.S. Constitution , Bill of Rights					Case # (If applicable)		Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
Trainee:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Comments (field will expand automatically)								

Additional Information:

9.5.04	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input checked="" type="checkbox"/> N/A
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9.5.04	Part B - Agency Training Details (field will expand automatically)
The above information and references will be read by the trainee and then discussed with the FTO.	

9.5.05 State Legislative Mandates The trainee shall review, explain, and/or give examples of any new/revised state legislative mandates.								
Reference(s): POST Legislative Update Telecourses and CD ROMs; POST Required Updated or Refresher Training Requirements						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.5.05 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) 	<input checked="" type="checkbox"/> N/A
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9.5.05 Part B - Agency Training Details (field will expand automatically) The above information and references will be read by the trainee and then discussed with the FTO.

9.5.06 Marsy's Law The trainee shall review and explain the requirements of the Victims' Bill of Rights Act of 2008 (Marsy's Law) and review the Marsy's Card.								
Reference(s): California Constitution, Article I, Section 28(b)						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments (field will expand automatically)								

Additional Information:

9.5.06 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input checked="" type="checkbox"/> N/A
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9.5.06 Part B - Agency Training Details (field will expand automatically) The above / below information will be read by the trainee and then discussed with the FTO. Marsy's Law Victim's Bill of Rights Card – Contains specific sections of the Victim's Bill of Rights and resources for victims. Card is located with Victim Assistance File in the Briefing Room.

See next page for Attestation

Part 5 – Section 9: California Codes and Laws

ATTESTATION FOR SECTION 9

TO ENTER YOUR ELECTRONIC SIGNATURE:

- Click on the 'X' in the signature line to activate the signature field > Right click and select "Sign" from the menu.
- Click on "Select Image" > Locate your signature file > Click "Open" to place your signature (date appears automatically).
- Enter your full name next to your signature.

YOUR ELECTRONIC SIGNATURES VERIFY that the Field Training Officer (FTO) and Trainee attest to the following:

1. The FTO(s) provided all instruction, training, and related feedback/comments to the Trainee in accordance with the agency's training requirements for this portion of the Field Training Program.
2. The Trainee demonstrated all competencies required for this portion of the Field Training Program.
3. If remedial training was performed, the results were reviewed by the appropriate FTO(s) and accepted by the Trainee.
4. The final evaluation of the Trainee's performance for this portion of the Field Training Program were approved by the FTO(s) and accepted by the Trainee.

Primary Field Training Officer:

X

Print Full Name: _____

Trainee:

X

Print Full Name: _____

IMPORTANT: After signing the Attestation, the file will be "locked" and **CANNOT BE MODIFIED**. If you need to make changes, both signatures must be removed and re-entered after the final revisions have been made.

To remove the electronic signature: Right click on the signature line > Select "Remove" from the menu.

See the following pages for Instructions to Administrators and FTOs

How to Complete Part 5 (Sections 1–18)

INSTRUCTIONS TO ADMINISTRATORS

VOLUME 2 OF THE FIELD TRAINING GUIDE CONSISTS OF 18 SECTIONS WHICH MAKE UP PART 5. Each section is provided as a separate file on the POST website (<https://www.post.ca.gov/field-training--police-training.aspx>). Prior to submitting your FTP Guide to POST for review, you must complete all 18 sections and include them as part of your Guide.

1. **Set up:** Keep an unchanged copy of each section file as a master for reference. Make a copy of the file to use for your agency-specific entries.
2. **Front cover (optional):** To keep a hard copy of Volume 2 for internal use, you can add your agency name and date to the front cover.
3. **For each section (1–18):**
 - a. Open the applicable file and add your agency name and date to the header on page 1. (DO NOT change any other headers or footers or alter any other sections of the file.)
 - b. Below each table:
 - *Part A:* Enter applicable references from your agency's Policies & Procedure Manual.
 - *Part B:* Enter your agency's training details.
4. **After completing ALL sections (1–18),** you MUST submit the following materials via flash drive, CD, or DVD to POST for review and approval (do not send printed copies):
 - 1) **Your completed FTP Guide**
 - 2) **FTP Approval Checklist** ([POST Form 2-230](#))
NOTE: Guides submitted without this form will NOT be reviewed.
 - 3) **Your Department's Policy & Procedure Manual**
5. MAIL YOUR ELECTRONIC MEDIA TO:
Commission on POST
860 Stillwater Road, Suite 100
West Sacramento, CA 95605
Attn: Phil Caporale – BTB
6. You will receive status notification within 90 days from the date received.

See next page for Instructions to Field Training Officers

How to Complete Part 5 (Sections 1–18)

INSTRUCTIONS TO FIELD TRAINING OFFICERS (FTOs)

VOLUME 2 OF THE FIELD TRAINING GUIDE CONSISTS OF 18 SECTIONS WHICH MAKE UP PART 5. Each section has been customized by your agency administrator(s) to include references to policies and procedures and training details to meet your agency's Field Training Program requirements. Each file is provided as a separate file. For each section (1–18), complete all tables for each topic.

1. **Set up:** Keep an unchanged copy of each section file as a master for reference. Make a copy of the file to use for your training sessions.
2. **Tracking your training sessions:**
 - a. Upon completing each competency, enter the FTO and trainee names and dates, and how the competency was demonstrated, into the applicable tables.
 - b. Enter any note-worthy comments related to the trainee's performance.
3. **If trainee requires remedial training:**
 - c. Enter the FTO and trainee names and dates, and how the competency was remediated, to show that each competency was completed.
 - d. Enter any additional note-worthy comments related to the trainee's performance.
4. **Attestation:** After all competencies have been performed, including any remedial training, the primary FTO and Trainee **MUST** enter their electronic signatures on the Attestation page (see instructions) to verify that the Trainee has completed this portion of the Field Training Program.

End Section