

SECTION **9**  
**California Codes and Laws**

**9.1 – 9.5**    **COMPETENCY REQUIREMENTS**

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Contents	
9.1	Criminal Law
9.2	Reasonable Suspicion/Probable Cause
9.3	Laws of Arrest
9.4	Juvenile Law and Procedure
9.5	Additional Laws
	List of Subtopics
	Attestation
	Instructions to Administrators
	Instructions to FTOs

**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.

**LIST OF SUBTOPICS****9.1 CRIMINAL LAW**

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- 9.1.01 Terminology
- 9.1.02 Crime Elements
- 9.1.03 Persons Legally Incapable of Committing a Crime
- 9.1.04 Crime Identification

**9.2 REASONABLE SUSPICION/PROBABLE CAUSE**

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- 9.2.01 Reasonable Suspicion
- 9.2.02 Probable Cause to Arrest
- 9.2.03 Probable Cause Related to Felonies and Misdemeanor Arrests
- 9.2.04 Officer's Right to Search a Person
- 9.2.05 Recognizing Probable Cause for Police Action

**9.3 LAWS OF ARREST**

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- 9.3.01 Authority to Make an Arrest
- 9.3.02 Arrest Requirements
- 9.3.03 Private Person Arrest
- 9.3.04 Miranda Rights
- 9.3.05 Admittance onto Property
- 9.3.06 Allowable Use of Force
- 9.3.07 Reasonable Force
- 9.3.08 Use of Physical Force and Deadly Force
- 9.3.09 False Imprisonment Liability
- 9.3.10 Legal Exceptions to an Arrest

**9.4 JUVENILE LAW AND PROCEDURE**

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- 9.4.01 Investigating Juvenile Offenses

**9.5 REASONABLE SUSPICION/PROBABLE CAUSE**

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- 9.5.01 Alcoholic Beverage Control Act
- 9.5.02 Probation/Parole Laws
- 9.5.03 Local Ordinance Violations
- 9.5.04 Constitutional Amendments Granting Individual Rights
- 9.5.05 State Legislative Mandates
- 9.5.06 Marsy's Law

**SECTION 9 CALIFORNIA CODES AND LAWS**

CHECK 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 B. Accomplice C. Criminal negligence D. <i>Corpus delicti</i> E. Entrapment	F. Implied intent G. Principal H. Specific intent I. Transferred intent
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<i>Reference(s):</i>					<i>Case # (if applicable)</i>	<i>Incident #</i>		
	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:	A. Ramos	10/11/19	A. Ramos	10/11/19	<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input checked="" 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:	C. Kharsa	10/11/19	C. Kharsa	10/11/19				
<i>Comments (field will expand automatically)</i>								

**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)*

These following terms are used in Law Enforcement with great frequency and the trainee shall understand each of the terms and how to use them correctly.

Accessory (CA PC 32): An accessory is anyone who, after a felony has been committed, meets all the following requirements:

- has knowledge that the principal has committed, has been charged with, or has been convicted of committing a felony
- harbors, conceals, or aids a principal in the felony
- has the intention of assisting the principal to avoid or escape arrest, trial, conviction, or punishment

Accomplice (CA PC 1111): A principal to a crime becomes an accomplice when he or she testifies for the prosecution against another principal. Accomplice testimony must be "corroborated by such other evidence as shall tend to connect the defendant with the commission of the offense; and the corroboration is not sufficient if it merely shows the commission of the offense or the circumstances thereof."

Criminal Negligence: Criminal Negligence meets the requirement of criminal intent. Negligence is the failure to exercise ordinary care. Criminal negligence is a negligent act that is aggravated or reckless and constitutes indifference to the consequences.

Corpus Delicti: Corpus Delicti refers to the body of the offense or the essence of the crime.

Entrapment: Entrapment is a practice whereby a law enforcement agent induces a person to commit a criminal offense that the person would have otherwise been unlikely to commit

Implied Intent: Implied intent refers to intent in the context of a criminal act that can be implied from the circumstances surrounding the defendant's actions. Intent to commit a crime is and which an inference may be drawn based on the facts in the situation involved.

Principal (CA VC 31): Principals include all persons involved in the commission of a felony or misdemeanor. All principals to a crime can be arrested and prosecuted. Persons are principal parties to a crime only if there is proof that they had the required criminal intent.

Specific Intent: An element of a crime that must be proven and cannot be presumed; the requirement of the specific intent element varies according to the definition of the crime.

Transferred Intent: When an unlawful act affects a person other than, or in addition to, the person it was intended to affect.

**9.1.02 Crime Elements**  
 The trainee shall identify the elements of a crime or public offense to include:

A. Any act or omission:

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 #

	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	
<b>FTO:</b>	A. Ramos	10/11/19	A. Ramos	10/11/19	<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input checked="" type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
<b>Trainee:</b>	C. Kharsa	10/11/19	C. Kharsa	10/11/19				

Comments (field will expand automatically)

**Additional Information:**

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

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

<b>9.1.03 Persons Legally Incapable of Committing a Crime</b>								
The trainee shall describe those persons who are legally incapable of committing a crime in the state of California.								
Reference(s): Penal Code <a href="#">26</a>							Case # (If applicable)	Incident #
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
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<b>Trainee:</b>	C. Kharsa		C. Kharsa					
Comments (field will expand automatically)								

**Additional Information:**

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

The trainee shall have a working knowledge of CA PC 26;

All persons are capable of committing crimes except those belonging to the following classes:

- 1) 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.
- 2) Persons who are mentally incapacitated.
- 3) Persons who committed the act or made the omission charged under an ignorance or mistake of fact, which disproves any criminal intent.
- 4) Persons who committed the act charged without being conscious thereof.
- 5) 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.
- 6) 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	

<i>Reference(s):</i>					<b>Case # (If applicable)</b>	<b>Incident #</b>		
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
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<b>Trainee:</b>	C. Kharsa	10/11/19	C. Kharsa	10/11/19				
<i>Comments (field will expand automatically)</i>								

**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)*

**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:

- A. Specific facts which can be articulated
- B. Crime-related activity that has occurred, is occurring, or is about to occur
- C. Involvement by the person to be detained in a crime-related activity

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	
<b>FTO:</b>	A. Ramos	10/12/19	A. Ramos	10/12/19	<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input checked="" type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
<b>Trainee:</b>	C. Kharsa	10/12/19	C. Kharsa	10/12/19				

Comments *(field will expand automatically)*

**Additional Information:**

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

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

Reasonable suspicion is a standard established by the Supreme Court in a 1968 case in which it ruled that Police Officers should be allowed to stop and briefly detain a person if, based upon the officer’s training and experience, there is reason to believe that the individual is engaging in, is about to be engaged in or was just engaged in criminal activity. The officer is given the opportunity to freeze the action by stepping in to investigate. Unlike probable cause that uses a reasonable person standard, reasonable suspicion is based upon the standard of a reasonable Police Officer.

**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:

- 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.
- B. The officer’s training and experience are relevant to a determination of probable cause.
- 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.

<i>Reference(s):</i>						<b>Case # (if applicable)</b>		<b>Incident #</b>	
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>	
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<b>Trainee:</b>	C. Kharsa	10/12/19	C. Kharsa	10/12/19					
<i>Comments (field will expand automatically)</i>									

**Additional Information:**

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

N/A

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

A peace officer may arrest a person in obedience to a warrant, or, pursuant to the authority granted to him or her by Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, without a warrant, may arrest a person whenever any of the following circumstances occur:

- (1) The officer has probable cause to believe that the person to be arrested has committed a public offense in the officer's presence.
- (2) The person arrested has committed a felony, although not in the officer's presence.
- (3) The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.

In United States criminal law, probable cause is the standard by which police authorities have reason to obtain a warrant for the arrest of a suspected criminal. The standard also applies to personal or property searches. Probable cause, in conjunction with a preponderance of the evidence, also refers to the standard by which a grand jury believes that a crime has been committed.

**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.

<i>Reference(s):</i>						<i>Case # (If applicable)</i>	<i>Incident #</i>	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
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<b>Trainee:</b>	C. Kharsa	10/12/19	C. Kharsa	10/12/19				
<i>Comments (field will expand automatically)</i>								

**Additional Information:**

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

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

<b>9.2.04 Officer’s Right to Search a Person</b>								
The trainee shall recognize and explain the police officer’s right to search a person when probable cause to arrest exists.								
<i>Reference(s):</i>							<i>Case # (If applicable)</i>	<i>Incident #</i>
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
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<b>Trainee:</b>	C. Kharsa	10/12/19	C. Kharsa	10/12/19				
<i>Comments (field will expand automatically)</i>								

**Additional Information:**

<b>9.2.04</b>	<b>Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)</b>	<input type="checkbox"/> N/A
	WPD Policy #321 (Search and Seizure)	

<b>9.2.04</b>	<b>Part B - Agency Training Details (field will expand automatically)</b>
	<p>Officers should familiarize themselves with Chimel v. California, 395 U.S. 752 court case, 1969 Supreme Court of the United States case. In Chimel, the Court held that Police Officers arresting a person in his or her home could not search the entire home without a search warrant, although they may search the area within immediate reach of the person.</p> <p>With this ruling, the Supreme Court made it acceptable to search an arrestee's person and immediate reach within a reasonable time after the arrest is made.</p>

<b>9.2.05 Recognizing Probable Cause for Police Action</b>								
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.								
<i>Reference(s):</i>							<i>Case # (if applicable)</i>	<i>Incident #</i>
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
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<b>Trainee:</b>	C. Kharsa	10/12/19	C. Kharsa	10/12/19				
<i>Comments (field will expand automatically)</i>								

**Additional Information:**

<b>9.2.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)</b>	<input checked="" type="checkbox"/> N/A
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**9.2.01 Part B - Agency Training Details** *(field will expand automatically)*

## CA PC 836. (a)

A peace officer may arrest a person in obedience to a warrant, or, pursuant to the authority granted to him or her by Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, without a warrant, may arrest a person whenever any of the following circumstances occur:

- (1) The officer has probable cause to believe that the person to be arrested has committed a public offense in the officer's presence.
- (2) The person arrested has committed a felony, although not in the officer's presence.
- (3) The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.

## CA VC 40300.5.

In addition to the authority to make an arrest without a warrant pursuant to paragraph (1) of subdivision (a) of Section 836 of the Penal Code, a peace officer may, without a warrant, arrest a person when the officer has reasonable cause to believe that the person had been driving while under the influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage and any drug when any of the following exists:

- (a) The person is involved in a traffic accident.
- (b) The person is observed in or about a vehicle that is obstructing a roadway.
- (c) The person will not be apprehended unless immediately arrested.
- (d) The person may cause injury to himself or herself or damage property unless immediately arrested.
- (e) The person may destroy or conceal evidence of the crime unless immediately arrested.

<b>9.3 LAWS OF ARREST</b>								
<b>9.3.01 Authority to Make an Arrest</b> The trainee shall explain a peace officer’s authority to make an arrest.								
Reference(s): Penal Code <a href="#">836</a> ; Vehicle Code <a href="#">40300.5</a> through <a href="#">40302</a>							Case # (if applicable)	Incident #
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
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<b>Trainee:</b>	C. Kharsa	10/12/19	C. Kharsa	10/12/19				
Comments (field will expand automatically)								

**Additional Information:**

<b>9.3.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)</b>	<input checked="" type="checkbox"/> N/A
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**9.3.01 Part B - Agency Training Details** *(field will expand automatically)*

## CA PC 836

(a) A peace officer may arrest a person in obedience to a warrant, or, pursuant to the authority granted to him or her by Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, without a warrant, may arrest a person whenever any of the following circumstances occur:

- (1) The officer has probable cause to believe that the person to be arrested has committed a public offense in the officer's presence.
- (2) The person arrested has committed a felony, although not in the officer's presence.
- (3) The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.

## CA VC 40300.5.

In addition to the authority to make an arrest without a warrant pursuant to paragraph (1) of subdivision (a) of Section 836 of the Penal Code, a peace officer may, without a warrant, arrest a person when the officer has reasonable cause to believe that the person had been driving while under the influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage and any drug when any of the following exists:

- (a) The person is involved in a traffic accident.
- (b) The person is observed in or about a vehicle that is obstructing a roadway.
- (c) The person will not be apprehended unless immediately arrested.
- (d) The person may cause injury to himself or herself or damage property unless immediately arrested.
- (e) The person may destroy or conceal evidence of the crime unless immediately arrested.

**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](#)

Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
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<b>Trainee:</b> C. Kharsa	10/12/19	C. Kharsa	10/12/19				

Comments *(field will expand automatically)*

**Additional Information:**

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

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

## CA PC 825(a)(1):

Except as provided in paragraph (2), the defendant shall in all cases be taken before the magistrate without unnecessary delay, and, in any event, within 48 hours after his or her arrest, excluding Sundays and holidays.

## CA PC 840:

An arrest for the commission of a felony may be made on any day and at any time of the day or night. An arrest for the commission of a misdemeanor or an infraction cannot be made between the hours of 10 o'clock p.m. of any day and 6 o'clock a.m. of the succeeding day, unless:

- (1) The arrest is made without a warrant pursuant to Section 836 or 837.
- (2) The arrest is made in a public place.
- (3) The arrest is made when the person is in custody pursuant to another lawful arrest.
- (4) The arrest is made pursuant to a warrant which, for good cause shown, directs that it may be served at any time of the day or night.

## CA PC 841:

The person making the arrest must inform the person to be arrested of the intention to arrest him, of the cause of the arrest, and the authority to make it, except when the person making the arrest has reasonable cause to believe that the person to be arrested is actually engaged in the commission of or an attempt to commit an offense, or the person to be arrested is pursued immediately after its commission, or after an escape.

The person making the arrest must, on request of the person he is arresting, inform the latter of the offense for which he is being arrested.

## CA PC 848:

An officer making an arrest, in obedience to a warrant, must proceed with the person arrested as commanded by the warrant, or as provided by law.

## CA PC 884:

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.

## CA PC 851.5:

Immediately upon being booked and, except where physically impossible, no later than three hours after arrest, an arrested person has the right to make at least three completed telephone calls.

## CA PC 853.5:

Except as otherwise provided by law, in any case in which a person is arrested for an offense declared to be an infraction, the person may be

released according to the procedures set forth by this chapter for the release of persons arrested for an offense declared to be a misdemeanor. In all cases, except as specified in Sections 40302, 40303, 40305, and 40305.5 of the Vehicle Code, in which a person is arrested for an infraction, a peace officer shall only require the arrestee to present his or her driver s license or other satisfactory evidence of his or her identity for examination and to sign a written promise to appear contained in a notice to appear. If the arrestee does not have a driver s license or other satisfactory evidence of identity in his or her possession, the officer may require the arrestee to place a right thumbprint, or a left thumbprint or fingerprint if the person has a missing or disfigured right thumb, on the notice to appear. Except for law enforcement purposes relating to the identity of the arrestee, no person or entity may sell, give away, allow the distribution of, include in a database, or create a database with, this print. Only if the arrestee refuses to sign a written promise, has no satisfactory identification, or refuses to provide a thumbprint or fingerprint may the arrestee be taken into custody.

CA PC 853.6:

In any case in which a person is arrested for an offense declared to be a misdemeanor, including a violation of any city or county ordinance, and does not demand to be taken before a magistrate, that person shall, instead of being taken before a magistrate, be released according to the procedures set forth by this chapter, although nothing prevents an officer from first booking an arrestee pursuant to subdivision (g). If the person is released, the officer or his or her superior shall prepare in duplicate a written notice to appear in court, containing the name and address of the person, the offense charged, and the time when, and place where, the person shall appear in court. If, pursuant to subdivision (i), the person is not released prior to being booked and the officer in charge of the booking or his or her superior determines that the person should be released, the officer or his or her superior shall prepare a written notice to appear in a court.

9.3.03 Private Person Arrest						Case # (if applicable)	Incident #	
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 <a href="#">837</a> and <a href="#">847</a>								
	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:	A. Ramos	10/12/19	A. Ramos	10/12/19	<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input checked="" 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:	C. Kharsa	10/12/19	C. Kharsa	10/12/19				
Comments (field will expand automatically)								

**Additional Information:**

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

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

The FTO shall discuss with the trainee, reasons a private person may make an arrest pursuant to CA PC 837 and 847.

CA PC 837:  
A private person may arrest another:

1. For a public offense committed or attempted in his presence.
2. When the person arrested has committed a felony, although not in his presence.
3. When a felony has been in fact committed, and he has reasonable cause for believing the person arrested to have committed it.

CA PC 847:  
A private person who has arrested another for the commission of a public offense must, without unnecessary delay, take the person arrested before a magistrate, or deliver him or her to a peace officer.

**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:	A. Ramos	10/12/19	A. Ramos	10/12/19	<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input checked="" 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:	C. Kharsa	10/12/19	C. Kharsa	10/12/19				
Comments (field will expand automatically)								

**Additional Information:**

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

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

The FTO shall discuss with the trainee the importance of a suspect(s) Miranda Warnings. The Miranda warnings were mandated by the 1966 United States Supreme Court decision in the case of Miranda v. Arizona as to protect a criminal suspect's Fifth Amendment right to help avoid self-incrimination during police interrogation.

An officer may ask investigative type questions of a detained person WITHOUT advising them of their Miranda Warning. Once the questions become accusatory, and the person is not free to leave, the suspect must be advised of his/her Miranda Warning (An Officer should use the WPD Miranda Warning Form).

ARRESTED JUVENILES MUST ALWAYS BE ADVISED OF THEIR MIRANDA WARNINGS- WHETHER QUESTIONED OR NOT AND SHALL BE QUESTIONED IN THE PRESENCE OF THEIR ATTORNEY.

**9.3.05 Admittance onto Property**  
The trainee shall explain the requirements regarding gaining admittance into a location to make an arrest.

Reference(s): 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	
<b>FTO:</b>	A. Ramos	10/12/19	A. Ramos	10/12/19	<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input checked="" type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
<b>Trainee:</b>	C. Kharsa	10/12/19	C. Kharsa	10/12/19				

Comments (field will expand automatically)

**Additional Information:**

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

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

CA PC 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.

<i>Reference(s):</i> Penal Code <a href="#">835</a> and <a href="#">843</a>					<b>Case # (if applicable)</b>	<b>Incident #</b>		
	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	
<b>FTO:</b>	A. Ramos	10/12/19	A. Ramos	10/12/19	<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input checked="" type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
<b>Trainee:</b>	C. Kharsa	10/12/19	C. Kharsa	10/12/19				
<i>Comments (field will expand automatically)</i>								

**Additional Information:**

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

WPD Policy #300 (Use of Force)

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

CA PC 835:  
An arrest is made by an actual restraint of the person, or by submission to the custody of an officer. The person arrested may be subjected to such restraint as is reasonable for his arrest and detention.

CA PC 843:  
When the arrest is being made by an officer under the authority of a warrant, after information of the intention to make the arrest, if the person to be arrested either flees or forcibly resists, the officer may use all necessary means to effect the arrest.

**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 #		
	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	
<b>FTO:</b>	A. Ramos	10/12/19	A. Ramos	10/12/19	<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input checked="" type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
<b>Trainee:</b>	C. Kharsa	10/12/19	C. Kharsa	10/12/19				

Comments (field will expand automatically)



**Additional Information:**

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

WPD Policy #300 (Use of Force)

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

The FTO shall discuss with the trainee the importance of only using the necessary force needed to effect an arrest. By using the necessary force needed, the officer is able to retain the trust of the community at large.

The FTO shall discuss CA PC section 835 at length with the trainee.

CA PC 835: An arrest is made by an actual restraint of the person, or by submission to the custody of an officer. The person arrested may be subjected to such restraint as is reasonable for his arrest and detention.

**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.

<i>Reference(s):</i>					<i>Case # (If applicable)</i>	<i>Incident #</i>		
<b>FTO:</b>	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	<small>When completed, print full name</small>	<small>Date</small>	<small>When completed, print full name</small>	<small>Date</small>		<small>When completed, print full name</small>	<small>Date</small>	
	A. Ramos	10/12/19	A. Ramos	10/12/19	<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input checked="" type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
<b>Trainee:</b>	C. Kharsa	10/12/19	C. Kharsa	10/12/19				
<i>Comments (field will expand automatically)</i>								

**Additional Information:**

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

N/A

WPD Policy #300 (Use of Force)

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

The FTO will discuss with the trainee the importance of all legal ramifications that can arise while using force to effect an arrest. The FTO will discuss the trainee to stay within the scope of the law at the time and Department Policy when using force to effect an arrest or whenever it is needed.

WPD policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

WPD defines the following;

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

<b>9.3.09 False Imprisonment Liability</b>								
The trainee shall explain instances where he/she is not civilly liable for false imprisonment arising out of an arrest.								
Reference(s): Penal Codes <a href="#">142(c)</a> , <a href="#">836.5</a> , and <a href="#">847</a>						Case # (If applicable)	Incident #	
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
<b>FTO:</b>	A. Ramos	10/12/19	A. Ramos	10/12/19	<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input checked="" type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
<b>Trainee:</b>	C. Kharsa	10/12/19	C. Kharsa	10/12/19				
Comments (field will expand automatically)								

**Additional Information:**

<b>9.3.09</b>	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	☒ N/A
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**9.3.09 Part B - Agency Training Details** *(field will expand automatically)*

False imprisonment is the unlawful restraint of a person without consent or legal justification. False imprisonment can be committed by words, acts, or by both. The common law tort of false imprisonment is defined as an unlawful restraint of an individual's personal liberty or freedom of movement. In order to constitute the imprisonment was wrong, it is not necessary that the individual be actually confined or assaulted.

It is to be noted that, there is no necessity in a false imprisonment case to prove that a person used physical violence or laid hands on another person. It is sufficient to show that at any time or place the person in any manner deprived another person of his/her liberty without sufficient legal authority.

CA PC 142(c):

(a) Any peace officer who has the authority to receive or arrest a person charged with a criminal offense and willfully refuses to receive or arrest that person shall be punished by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in a county jail not exceeding one year, or pursuant to subdivision (h) of Section 1170, or by both that fine and imprisonment.

(b) Notwithstanding subdivision (a), the sheriff may determine whether any jail, institution, or facility under his or her direction shall be designated as a reception, holding, or confinement facility, or shall be used for several of those purposes, and may designate the class of prisoners for which any facility shall be used.

(c) This section shall not apply to arrests made pursuant to Section 837.

CA PC 836.5:

A public officer or employee, when authorized by ordinance, may arrest a person without a warrant whenever the officer or employee has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the presence of the officer or employee that is a violation of a statute or ordinance that the officer or employee has the duty to enforce.

CA PC 847:

A private person who has arrested another for the commission of a public offense must, without unnecessary delay, take the person arrested before a magistrate, or deliver him or her to a peace officer.

**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 #
	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:	A. Ramos	10/12/19	A. Ramos	10/12/19	<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input checked="" 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:	C. Kharsa	10/12/19	C. Kharsa	10/12/19				
Comments (field will expand automatically)								

**Additional Information:**

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

WPD Policy #422 (Foreign Diplomatic and Consular Representatives)

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

The FTO and trainee will discuss the legal exceptions to an arrest by conversing the above sections and by reviewing WPD Policy.

Article 36 of the Vienna Convention on Consular Relations, sets forth certain rights of foreign nationals from member countries when arrested, detained or imprisoned by law enforcement officials in this country. WPD Policy provides direction to officers when considering a physical arrest or detention of a foreign national. All foreign service personnel shall be treated with respect and courtesy, regardless of the level of established immunity. As noted herein, the United States is a party to several bilateral agreements that obligate authorities to notify the consulate upon the person’s detention, regardless of whether the detained person requests that his/her consulate be notified. The list of specific countries that the United States is obligated to notify is listed on the U.S. Department of State website.

<b>9.4 JUVENILE LAW AND PROCEDURE</b>								
<b>9.4.01 Investigating Juvenile Offenses</b>								
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				C. Laws pertaining to schools, including Penal Code (PC) <a href="#">626</a> sections and Education Codes <a href="#">48906</a> , <a href="#">48260-66</a> , etc.				
B. Welfare and Institutions Codes (WIC) <a href="#">300</a> , <a href="#">305</a> , <a href="#">601</a> , <a href="#">602</a> , <a href="#">625</a> , <a href="#">627</a> , <a href="#">707</a> and any additional local ordinances and/or curfews				D. Secure/Non-secure detention of juveniles: WIC <a href="#">206</a> , <a href="#">207</a> , <a href="#">207.1</a> , <a href="#">207.2</a>				
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:**

<b>9.4.01</b>	<b>Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)</b>  WPD Policy #324 (Temporary Custody of a Juvenile)	<input type="checkbox"/> N/A
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<b>9.4.01</b>	<b>Part B - Agency Training Details (field will expand automatically)</b>
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<b>9.5 ADDITIONAL LAWS</b>								
<b>9.5.01 Alcoholic Beverage Control Act</b>								
The trainee shall recognize violations of the Alcoholic Beverage Control Act and will locate the applicable sections including those prohibiting:								
A. After-hours sales and/or consumption of alcoholic beverages on licensed premises				C. Selling/providing alcoholic liquor to a person who is visibly intoxicated				
B. Selling/providing alcoholic liquor to any person under age 21								
Reference(s): Business and Professions Codes <a href="#">23000</a> through <a href="#">25762</a>						Case # (If applicable)	Incident #	
<b>FTO:</b>	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
<b>Trainee:</b>					<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:**

<b>9.5.01</b>	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	☒ N/A

<b>9.5.01</b>	Part B - Agency Training Details (field will expand automatically)

**9.5.02 Probation/Parole Laws**  
 The trainee shall review and explain the laws regarding probation and parole violations, searches, and holds including:  
 A. Penal Code (PC) [1203.2](#) B. Penal Code (PC) [3056](#)

<i>Reference(s):</i>						<i>Case # (if applicable)</i>	<i>Incident #</i>	
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
<b>FTO:</b>					<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
<b>Trainee:</b>								
Comments <i>(field will expand automatically)</i>								

**Additional Information:**

**9.5.02 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)** ☒ N/A



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

The FTO shall discuss with the trainee the difference between Felony and Misdemeanor Probation violations (CA PC 1203) as well all applicable rules relating to Parole violations (CA PC 3056) along with all new laws regarding the early release and terms of prison inmates.

**CA PC 1203.2:**

At any time during the period of supervision of a person (1) released on probation under the care of a probation officer pursuant to this chapter, (2) released on conditional sentence or summary probation not under the care of a probation officer, (3) placed on mandatory supervision pursuant to subparagraph (B) of paragraph (5) of subdivision (h) of Section 1170, (4) subject to revocation of postrelease community supervision pursuant to Section 3455, or (5) subject to revocation of parole supervision pursuant to Section 3000.08, if any probation officer, parole officer, or peace officer has probable cause to believe that the supervised person is violating any term or condition of his or her supervision, the officer may, without warrant or other process and at any time until the final disposition of the case, rearrest the supervised person and bring him or her before the court or the court may, in its discretion, issue a warrant for his or her rearrest.

**CA PC 3056:**

Prisoners on parole shall remain under the supervision of the department but shall not be returned to prison except as provided in subdivision (b) or as provided by subdivision (c) of Section 3000.09. A parolee awaiting a parole revocation hearing may be housed in a county jail while awaiting revocation proceedings. If a parolee is housed in a county jail, he or she shall be housed in the county in which he or she was arrested or the county in which a petition to revoke parole has been filed or, if there is no county jail in that county, in the housing facility with which that county has contracted to house jail inmates.

**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>						<b>Case # (if applicable)</b>	<b>Incident #</b>	
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
<b>FTO:</b>					<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
<b>Trainee:</b>								
<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)**

**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 <a href="#">18 USC Section 242</a> – Color of law/authority)</p>
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Reference(s): [U.S. Constitution, Bill of Rights](#) 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:**

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

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

**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 #					
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	When completed, print full name	Date	When completed, print full name	Date		When completed, print full name	Date	
<b>FTO:</b>					<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
<b>Trainee:</b>								
Comments (field will expand automatically)								

**Additional Information:**

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

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

**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)* ☒ N/A

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

The FTO shall discuss with the trainee what Marsy's Law is and how it pertains to California victims.

Marsy's Law, the California Victims' Bill of Rights Act of 2008, enacted by voters through the initiative process in the November 2008 general election, is an Amendment to the state's Constitution and certain Penal Code sections The Act protects and expands the legal rights of victims of crime to include 17 rights in the judicial process, including the right to legal standing, protection from the defendant, notification of all court proceedings, and restitution, as well as granting parole boards far greater powers to deny inmates parole.

**See next page for Attestation**



## 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: Basic Training Bureau (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