

# Internal Affairs Investigation

## Internal Affairs Process and Procedure

April 27, 2014 to May 2, 2014

### Training Syllabus



William Penn Mott Jr. Training Center



# Memorandum

**Date:** April 18, 2014  
**To:** Supervisor  
**From:** **Theresa Bober, Department Training Officer**  
Training Section  
Department of Parks and Recreation  
**Subject:** Employee Attendance at Formal Training  
Internal Affairs Investigation Group 8  
Internal Affairs Process and Procedures Group 2

An employee from your office will soon be attending the formal training program described in the attached. Please insure that the employee is fully prepared to attend the session and that the groundwork is laid for the employee's implementation of the training upon returning to work.

You can assist with capturing the full value of the training by taking the following steps:

### Prior to Training

1. Make sure that **specific** employee needs are identified and, if necessary, called immediately to the attention of the Training Coordinator.
2. Review with the employee the reason for the employee's attendance.
3. Review objectives and agenda with the employee.
4. Discuss objectives and performance expected after the training.

### Immediately Following Attendance

1. Discuss what was learned and intended uses of the training.
2. Review the employee's assessment of the training program for its impact at the workplace and review the due date of the Post-Training Evaluation form.
3. Support the employee's use of the training at the work place.

### Prior to Three Months Following Training

1. Employee after discussion with the supervisor login to the Employee Training Management System (ETMS) to complete the Post-Training Evaluation form.
2. Supervisor evaluates the effectiveness of the training on the employee's job performance and login to the ETMS to complete the Training Effectiveness Assessment form.

Thank you for your assistance in seeing that the full benefit of training is realized.

Attachment

cc: Participant

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***Mission Statement  
Training Section***

***The mission of the Training Section is to improve  
organizational and individual performance and  
productivity through consulting, collaboration,  
training, and development.***

## **TRAINING SECTION STAFF**

Theresa Bober ..... Department Training Officer  
Chuck Combs ..... Office Manager/Training Specialist  
Connie Breakfield ..... Field Training Program Manager  
Sara M. Skinner ..... Training Specialist  
Dave Galanti ..... Training Specialist  
Karyn Lombard ..... Training Specialist  
Matt Cardinet ..... Cadet Training Officer  
Travis Gee ..... Cadet Training Officer  
Pamela Yaeger ..... Assistant Program Coordinator  
Edith Alhambra ..... Assistant Program Coordinator  
Michael Bartenetti ..... Assistant Program Coordinator  
Rogers Williams ..... Program Assistant

## THE MISSION

*of California State Parks is to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high quality outdoor recreation.*



## **FORMAL TRAINING GUIDELINES**

Welcome to formal training, an essential component in your career development.

Since 1969, our Department has been providing a continuously changing number of diverse training programs at its main training facility, the William Penn Mott Jr. Training Center, and other locations including Marconi Conference Center. The Department strives to enhance your learning and job performance with formal training of the highest quality.

Our Department's dedication to training is only one aspect of its commitment to you and to the public. This commitment is costly and represents an important investment in you and your career. You and the Department realize a return on that investment by your positive participation in formal training itself and post training follow-through.

The program you will be participating in is described in this training syllabus, which outlines what you can expect from this training and what is expected of you. This syllabus details what you should do before you leave for training; what to do when you arrive; what you will be doing while in training; and, importantly, what you should be able to do when you return to your work site. Specifically:

1. **SYLLABUS:** The syllabus is now accessible on the Employee Training Management System (ETMS). You should print a copy of the syllabus to bring with you to class. Your copy of this syllabus is an important part of your training experience and should be brought with you to training. Read it before you arrive and review it following the program along with material you received at training.
2. **PRE-TRAINING ASSIGNMENTS:** Your completion of pre-training assignments is essential to the success of your training. You are responsible for all reading assignments in preparation for classroom sessions. Time will be provided during working hours to accomplish any assignments which involve either individual or group efforts and resources. (Pre-training assignments are listed in the "Program Attendance Requirements" section.)

3. TRAVEL: Arrange your travel to and from the training through your District or Office. (No reimbursement for travel expense - including per diem costs - will be approved for travel not specifically authorized in advance by the District Superintendent.) Individuals may claim reimbursement for incidental expenses incurred as outlined in DAM 0410.6. The Mott Training Center does not have the capability to provide transportation to/from Monterey Airport.

The cost of your travel (airfare, mileage, rental car, etc.) is paid by your District or Office **to** and **from** the location of the training.

4. HOUSING: Housing will be assigned to you on a shared-room basis and will be available from 3:00 p.m. on the date of arrival to 12:00 noon on the date of departure. The Department provides your room and board expenses at the Mott Training Center only. No per diem allowance will be authorized for living off-grounds. This does not preclude living off-grounds at your own expense. Please advise the Training Specialist assigned to the course no later than two weeks before your scheduled arrival if you plan to live off-grounds. No animals are permitted in Asilomar housing. In the event of an emergency, staff must know your room assignment; therefore, you may not switch rooms without staff approval. Overnight guests are not allowed in the buildings unless registered beforehand at the front desk in Asilomar's Administration Building. Quiet hour for lodge living areas is 10:00 p.m.

**Please Note:** You may be assigned a room at a motel while attending training. If so you may be asked to present a valid credit or debit card while checking in to your room. Many motels require a credit card to cover charges incurred such as telephone calls, damages to rooms and/or furnishings, fees to clean rooms that have been smoked in that are not designated as smoking rooms, etc. Please be prepared to handle this appropriately.

5. **ENROLLMENT OR HOUSING CANCELLATION POLICY:** To cancel participation in a course, the participant must have their District Superintendent or Section/Office Manager send an email to the Training Specialist assigned to the course requesting to remove the participant. If you do not need lodging or must change or cancel your reservation for lodging, you must contact the Mott Training Center or Training Specialist assigned to the course at least **2 weeks** prior to your date of arrival. Lodging, registration, and associated fees will be charged to the employee's District or Section/Office if a training cancellation is received with less than **2 weeks'** notice.

**The Training Section is committed to ensuring that the reservation that has been made for you is accurate and needed.**

6. OFF-GROUNDS ACCOMMODATIONS: When authorized to stay off-grounds by the Department Training Officer, the Mott Training Center will pickup the cost of your room and meals at the current DPR Asilomar rate. If you stay off grounds and

have meals on grounds, the Mott Training Center will authorize only what the Department pays Asilomar for lodging.

7. MEALS: Meals will be provided, semi-cafeteria style, from dinner on the date of arrival through lunch on the date of departure. Meals will be served at 7:15 a.m. for breakfast, 12:00 noon for lunch, and 6:00 p.m. for dinner. Hot or box lunches may be provided on some days. If you require a special diet, notify the Asilomar Chef at 831-372-8016 no later than one week before your scheduled arrival.

In order to assist participants with limited mobility, Asilomar provides a shuttle to and from the dining hall. Please contact either Asilomar staff upon check in, or Mott Training Center staff upon your arrival, for instructions on arranging a transport.

8. CLOTHING: Field uniforms as found in "Description of Required Field Uniforms", DOM Chapter 2300, Uniform Handbooks, not including optional items, will be worn daily by all uniformed employees during formal training sessions **unless otherwise specified in the Program Attendance Checklist**. Non-uniformed employees shall wear apparel normally worn on the job. Appropriate attire includes apparel suitable for professional office dress. It does not include such items as shorts, t-shirts, tank tops, or sandals.

Because we are on the conference grounds with many other groups, and the image we project as State Park employees is important not only during working hours but off duty hours as well, your informal sportswear should be appropriate.

9. ROOM SAFES: Two safes have been installed in each of the lodge rooms used by the Mott Training Center (Live Oak, Tree Tops, and Deer Lodge). These safes are a type that allows the user to input their own combination of numbers to facilitate opening and closing. The Mott Training Center has a master key for emergency entry. Safes are to be left in the open position when checking out of your room.
10. WEAPONS: Weapons are permitted in rooms under the following conditions. Authorized firearms and magazines stored while at the Mott Training Center shall be in a safe condition and stored in one of the following locations: your room safe in Live Oak, Tree Tops, or Deer Lodge, one of the Mott Training Center's safes in the Whitehead Room or secured in your vehicle.
11. ALCOHOLIC BEVERAGES: Participants shall not possess or consume alcoholic beverages in common areas (living room) while on the Asilomar Conference Grounds unless provided and hosted by Concessionaire ARAMARK.
12. SMOKING: Smoking is not permitted in the Mott Training Center or in any lodge or guest room on the Asilomar Conference Grounds.
13. TRAINING CENTER: The Mott Training Center is located on Asilomar Conference Grounds, part of Asilomar State Beach. The Conference Grounds are operated for our Department by a concessionaire, and all lodging and food services are

provided to us by employees of the concessionaire. Constant efforts are made to maintain a sound, harmonious working relationship between the Department and concessionaire. None of us can expect preferential treatment for any reason and, as a departmental employee you will be expected to join in our continuing effort toward an effective relationship with each Asilomar concession staff member. On occasion, non-departmental groups may be staying in the same lodges. It is imperative that you represent the Department well on and off duty.

14. **REGISTRATION:** When you arrive at Asilomar Conference Grounds, go directly to the front desk at the Asilomar Administration Building for your room key and dining room ticket. If you require vegetarian meals, notify the front desk representative and your meal ticket will be marked accordingly.
15. **COURSE LEADERS:** The formal training you will attend is developed and, for the most part, conducted by experienced State Park employees in field and staff positions. Some courses will be conducted by qualified instructors from other agencies and educational institutions. Your course leaders have proven their ability and knowledge in their profession, and provide a level of expertise difficult to match.
16. **TRAINING SECTION STAFF:** Connie Breakfield is your Training Specialist and has been assigned the responsibility for your training group. That staff member usually serves as a Course Leader as well as a Coordinator. During the program, you may be asked to assist Training Section Staff in the logistics of your training program (organizing field trip transportation, supervising classroom breaks, etc.). Training Section Staff will do all within their power to make your training experience pleasant and meaningful.
17. **TRAINING MATERIALS:** May be made available to you at both your unit and the Mott Training Center. Handout materials issued at your unit should be brought to training for possible use. A conference binder or notebook will be issued to you at the training session for note taking and convenience in handling materials. Bring your own pens and pencils.
18. **ATTENDANCE:** Regular attendance is a critical course requirement and your participation is important to the success of this training. An absence of more than 10% of the course hours constitutes grounds for dropping a participant from the course. The Department Training Officer may modify this requirement based upon participant knowledge level and/or the portion of the course missed. All absences, except those of an emergency nature, must be approved in advance by the Training Specialist.
19. **VEHICLES:** All vehicles should be parked in the lots adjacent to the Mott Training Center. Any questions regarding use of a State vehicle while at the Mott Training Center should be discussed with your supervisor prior to your departure for training, or with your Program Coordinator while at the Mott Training Center.
20. **BICYCLES:** If you bring your bicycle, store it in the bicycle shed next to the Mott Training Center. Bicycles may not be brought into any building nor chained to

lamp posts, trees, etc. The Mott Training Center has a limited number of bicycles available for your use. Prior to your use, you are required to complete a safety inspection and sign a waiver which is posted in the bicycle shed.

21. MAIL: Mail forwarded to you during your time at the Center should be addressed to you in care of:

Department of Parks and Recreation  
WILLIAM PENN MOTT JR. TRAINING CENTER  
P. O. Box 699, Pacific Grove, CA 93950

22. CELL PHONES: As a courtesy to your fellow participants and course leaders ensure that your cell phone is turned off during classes. Participants should not be receiving or making cell phone calls during class time. Please limit those calls to your breaks.
23. FAX: The Mott Training Center's FAX number is (831) 649-2824.
24. TELEPHONE: Limit phone calls during classroom hours to urgent business or emergencies. Anyone wishing to contact you by telephone during working hours should call the Center at (831) 649-2954. Calls after 5:00 p.m. or during weekends should be made to (831) 372-8016, Asilomar Conference Grounds, and the caller should tell the switchboard operator you are with a California State Parks training group. **Note: There are no longer pay telephones outside of the Mott Training Center. There are pay telephones located at the Asilomar Administration Building.**
25. LAUNDRY AND DRY CLEANING: May be taken care of by you at one of several local establishments.
26. RECREATION: Facilities available on grounds include a heated swimming pool, pool tables, and a volleyball court. The Monterey area offers horseback riding, golf, tennis, racquetball, deep sea fishing, and many historical landmarks and scenic sights to explore.
27. POST-TRAINING ASSIGNMENTS: In connection with formal training are to be completed under the direction of your supervisor. See "Program Attendance Requirements" in this syllabus.
28. COFFEE BREAK REFRESHMENTS: Will be available throughout each session. You will be asked to contribute to the "Hospitality Fund" to defray expenses. Please bring your own coffee cup.



## **PROGRAM ATTENDANCE CHECKLIST / PRE-TRAINING ASSIGNMENTS**

To assist you in your preparation for formal training sessions at the William Penn Mott Jr. Training Center, the following checklist is provided:

- \_\_\_\_\_ 1. Read and understand the Internal Affairs Investigator, Process and Procedures program syllabus prior to your arrival at the Training Center.
- \_\_\_\_\_ 2. Complete the pre-training assignments.
- \_\_\_\_\_ 3. Arrange your travel through your Unit/Office.
- \_\_\_\_\_ 4. Bring the following with you to training:
  - Your laptop for work in class.
  - Uniforms are NOT required for this program, wear business attire as noted in the Formal Training Guidelines, Number 8, Clothing, on page 2 of this syllabus.
  - Reusable coffee cup, refillable water bottle, alarm clock, paper, pens, and pencils.

### **PRE-TRAINING ASSIGNMENTS**

Prior to your arrival at training:

1. Review DOM Chapter 2400 Standards of Conduct.
2. Review DOM Chapter 1300 Public Protection and Law Enforcement.
3. Review Government Code 3300-3311.
4. Review progressive discipline guidelines and adverse action procedures.
5. Review and understand Training syllabus.
6. Discuss pre and post-training assignments with your supervisor.

NOTE: If you will need lodging the night of Friday, May 2, 2014 notify Connie Breakfield immediately at (831) 649-2958 or [connie.breakfield@parks.ca.gov](mailto:connie.breakfield@parks.ca.gov).

## **POST-TRAINING ASSIGNMENT**

Prior to ninety days after the completion of this program, the employee and his/her supervisor should sit down and discuss the impact and assess the effectiveness this program has had on the employee. Then both the supervisor and employee should login to the Employee Training Management System (ETMS) and complete the Post-Training Evaluation form (an email will be sent to both employee and supervisor notifying them that the evaluation needs to be completed).

The post-training evaluation process is intended to provide a bridge between classroom instruction and the on-the-job application of training. The information obtained through this process will assist the training participant, supervisor, and Mott Training Center in providing a return on the investment the Department has on training.

**INTERNAL AFFAIRS INVESTIGATOR GROUP 8**  
**INTERNAL AFFAIRS PROCESS AND PROCEDURE GROUP 2**  
**April 27, 2014 to May 2, 2014**

**Sunday**  
**April 27**

1500- REGISTRATION: *Check-in at the Asilomar Administration Building* All

**Monday**  
**April 28**

0800-1200 Introductions / Course Objectives D-PREP  
 Role and Purpose of Internal Affairs  
 Role of the Investigator  
 Risk / Liability Assessment

1200-1300 Lunch

1300-1700 Resources for the Internal Affairs investigator D-PREP  
 Discipline  
 Due Process

**Tuesday**  
**April 29**

0800-1200 Investigative Plans D-PREP  
 Investigation Components  
 Interrogating the Accused

1200-1300 Lunch

1300-1700 Special Considerations D-PREP  
 Related Legal Issues

**Wednesday**  
**April 30**

0800-1200 Practical Exercise D-PREP

1200-1300 Lunch

1300-1700 Practical Exercise D-PREP

1800-1900 Dinner

1900-2100 Internal Affairs Process and Procedure Introduction Nowicki  
 Tools of the Trade Nowicki

**Thursday**  
**May 1**

0800-1000 Accepting and Defining Complaints Nowicki

1000-1200 Authority for Conduction and Process of Internal Affairs Nowicki

1200-1300 Lunch

1300-1500 Progressive Discipline Nowicki

1500-1700 Employee Rights Nowicki

**Friday**  
**May 2**

0800-1000 Interview and Interrogation Nowicki

1000-1200 Interrogation Exercise Nowicki

1200-1300 Lunch

1300-1500 Quiz / Conclusion Nowicki

**BASIC INTERNAL AFFAIRS INVESTIGATOR**  
**COURSE CURRICULUM – 24 HOURS**

1. **INTRODUCTIONS / COURSE OBJECTIVES**
  - a. Instructor introductions
    1. Biography
    2. Practical experience
  - b. Student Introductions
    1. Relative experience
    2. Relative training
  - c. Course objectives
    1. Learning objective
    2. Exercise designs
  
2. **ROLE AND PURPOSE OF INTERNAL AFFAIRS**
  - a. Penal code requirements
    1. 832.5 PC
    2. 832.7 PC
  - b. Examining conduct
    1. Identifying misconduct - classifications of complaints
    2. Understanding the consequences
  - c. Introspection of the agency
    1. Policy examination
    2. Training deficiencies
  
3. **THE ROLE OF THE INVESTIGATOR**
  - a. Fact finder
    1. Investigative body
    2. Characteristics and traits
  - b. Educator
    1. Addressing agency wide needs
    2. Dealing with the individual employee
  
4. **RISK / LIABILITY ASSESSMENT**
  - a. Risk / liability generators
    1. Who, where, what, how
    2. Identifying the sources
  - b. Consequences of risks
    1. Impact on the organization
    2. The results of Internal Affairs
  
5. **RESOURCES FOR THE INTERNAL AFFAIRS INVESTIGATOR**
  - a. Peace Officer Bill of Rights (POBR)
    1. Framework for investigations
    2. Due process protections

- b. Department policies and labor agreements
  - 1. Basis for sanctions
  - 2. Grievance processes
  
- 6. **DISCIPLINE**
  - a. Defined
    - 1. Applied as a result of investigations
    - 2. Purpose of discipline
  - b. Corrective action vs. discipline
    - 1. Supervisory duty
    - 2. Non-binding
  
- 7. **DUE PROCESS**
  - a. Government code 3300, et. al.
    - 1. Peace Officer Bill of Rights (POBR)
    - 2. Application to other civilian employees
  - b. Benefits to the organizations
    - 1. Consistent investigations and discipline
    - 2. Labor-management relations
  
- 8. **INVESTIGATIVE PLANS**
  - a. Identifying the scope of the investigation
    - 1. 'Fishing expeditions'
    - 2. Sanctity of the internal affairs process
  - b. Producing complete investigations
    - 1. Obligations: to employees and public
    - 2. Agency integrity
  
- 9. **INVESTIGATION COMPONENTS**
  - a. Evidence and supporting data
    - 1. Exoneration vs. culpability
    - 2. Relative to the conduct
  - b. Interviews
    - 1. Complainants and witnesses
    - 2. Employees
  
- 10. **INTERROGATING THE ACCUSED**
  - a. Public employee rights
    - 1. Weingarten for civilian
    - 2. Peace Officer Bill of Rights (POBR) for sworn
  - b. Planning and controlling the interrogation
    - 1. Dealing with the representative
    - 2. Maximizing cooperation

**11. SPECIAL CONSIDERATIONS**

- a. Separation of criminal vs. administrative investigations
  - 1. 'Lybarger' issues
  - 2. Developing consistency
- b. Agency documentation
  - 1. Admonishment forms
  - 2. Record keeping and security

**12. RELATED LEGAL ISSUES**

- a. Pitchess motions
  - 1. Internal Affairs - the 'keeper of records'
  - 2. Brady issues
- b. Skelley process
  - 1. Meeting with department delegate
  - 2. Typical responses of employee

**13. PRACTICAL EXERCISE**

- a. Conducting the investigation
  - 1. Identifying the complaint issues
  - 2. Interviewing and assembling evidence
- b. Interrogating the subject employee
  - 1. Planning the interrogation
  - 2. Success in questioning

**14. CONCLUSION**

**INTERNAL AFFAIRS INVESTIGATOR PROCESS AND PROCEDURE**  
**COURSE CURRICULUM - 16 HOURS**

**1. COURSE AND TEAM INTRODUCTION**

- a. Introduce team member
  - 1. Each LEESD team member will introduce themselves
  - 2. Distribute empty binder with cover
  - 3. Attendees will be given names and contact information of each member of the team
  - 4. Attendees will be given a list of attendees and contact information
- b. History of the LEESD by way of the Public Safety program
- c. Conduct an ice-breaker with the group - 15 minutes

**2. INTRODUCTION TO INTERNAL AFFAIRS AND TOOLS OF THE TRADE**

- a. Distribute Internal Affairs IA (IA) Handbook (HB) (Updated April 2011)
- b. Overview of chapters 1-9 and the annexes
- c. Bazemore language
- d. Pre-disciplinary hearing (the Skelly Process)
- e. SharePoint site
- f. [www.outside.parks.ca.gov](http://www.outside.parks.ca.gov) Library

**3. ACCEPTING AND DEFINING COMPLAINTS**

- a. How to decide where each complaint should go
- b. So where do these complaints come from?
- c. How do these complaints come in?
- d. How long and how do we have to respond

**4. AUTHORITY FOR CONDUCTING AND PROCESS OF INTERNAL INVESTIGATIONS**

- a. Review the case file template
- b. Administrative investigations are charged with establishing facts and are just as interested in establishing innocence as guilt
- c. Group activity in Internal Affairs Handbook, assign sections
  - 1. Rights of departmental personnel
  - 2. Authority
  - 3. Define Internal Affairs Investigations
  - 4. Objectives
  - 5. Internal Investigations (II) Policy
  - 6. DOM 0202.6.2

- d. Who does what?
  - 1. Define the Investigator and what they do
  - 2. DOM 2420.6.b
  - 3. District Superintendent

## **5. PROGRESSIVE DISCIPLINE**

- a. DPA handbook - Guide to Employee Discipline
- b. Substandard performance
- c. Disregarding Rules and Regulations
- d. What does the Adverse Action have to have in it?
- e. Internal Investigations which do not result in Adverse Action shall be deemed a "miscellaneous"
- f. Retention period
- g. How to serve an Adverse Action

## **6. EMPLOYEE RIGHTS**

- a. The SOIA will ensure that employees are granted rights contained in Peace Officer Bill of Rights (POBR)
- b. All Supervisors shall be thoroughly trained in POBR, CCR 52.3 and collective bargaining
- c. Peace Officer Bill of Rights (POBR)
- d. Violating Peace Officer Bill of Rights (POBR)
- e. Dills Act
- f. DPR policy
- g. SPB rules - CCR 172 Expectations of State Employees
- h. Bargaining Unit Memorandum of Understanding (BU MOU)
- i. What happens with the Subject employee during the investigation?
- j. Representative - what are the parameters?

## **7. INTERVIEW AND INTERROGATION**

- a. Interview techniques
- b. Interrogation

## **8. INTERROGATION EXERCISE**



# Training Center, 837 Asilomar Blvd., Pacific Grove, CA 93950

