

ORDINANCE NO. _____
ORDINANCE OF THE MARIN COUNTY BOARD OF SUPERVISORS
ACCEPTING THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
(P.O.S.T.) REQUIREMENTS FOR THE PEACE OFFICERS EMPLOYED BY THE COUNTY
OF MARIN IN THE SPECIAL INVESTIGATIONS UNIT (SIU) OF THE DEPARTMENT OF
HEALTH AND HUMAN SERVICES

THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN ORDAINS AS FOLLOWS:

SECTION I: FINDINGS

The Marin County Board of Supervisors hereby finds and declares as follows:

WHEREAS, the County of Marin (County) has established and hired individuals into a Welfare Fraud Investigator job classification; and

WHEREAS, the Welfare Fraud Investigators execute their duties and responsibilities for County in the Department of Health and Human Services, Special Investigations Unit (SIU); and

WHEREAS, a Welfare Fraud Investigator is identified in Penal Code section 830.35(a) as a Peace Officer if that investigator is regularly employed and paid in that capacity with the primary duty to enforce the provisions of the Welfare and Institutions Code; and

WHEREAS, as of March 1, 2007 Welfare Fraud Investigators or Inspectors who are appointed as Peace Officers under Section 830.35(a) of the Penal Code are required to attend and complete a specialized investigators basic course approved by the Commission on Peace Officer Standards and Training (POST) pursuant to Section 832.25 unless otherwise exempted; and

WHEREAS, POST has established a program under Penal Code sections 13510.1 and 13510.5 that awards professional certification to those persons the POST commission deems eligible Peace Officers, provided the Peace Officers are employed by an agency that participates in the POST program, and

WHEREAS, there are several additional potential benefits of membership with POST which may be available to SIU Welfare Fraud Investigators, including standards for recruitment and training (Penal Code section 13510), assistance with administration of recruitment and training standards, as well as agency administration, management and operations counseling services (Penal Code section 13513), and

WHEREAS, SIU already complies with the POST standards for recruitment and training of Welfare Fraud Investigators but without the additional benefits accorded to POST members, and

WHEREAS, SIU and its employees serving in the classification of Welfare Fraud Investigator will obtain significant recognition and benefits from membership in POST; and

WHEREAS, POST membership requires the enactment of an ordinance by the governing body of the local government authorizing SIU's POST membership and providing that the local government and its Welfare Fraud Investigators will adhere to the standards for recruitment and training established by the POST Commission as well as the POST review, audit and inspections of the same.

NOW THEREFORE, it is the intent of the Board of Supervisors in enacting this Ordinance, to authorize the Health and Human Services SIU program and its Welfare Fraud Investigators to join POST in order to comply with the statutorily-mandated recruitment and training requirements established by the Commission on Peace Officer Standards and Training pursuant to section 13510, and to permit the POST commission to review, audit, inspect and provide any requested assistance regarding recruitment and training standards and procedures.

SECTION II: ORDINANCE

A. The County of Marin hereby authorizes SIU to participate in the Commission on POST non-reimbursable program.

B. Pursuant to section 13510 of the California Penal Code, SIU will adhere to the standards for selection and training of Peace Officers by the POST Commission.

C. Pursuant to section 13512 of the California Penal Code, the POST Commission and its representatives may make such inquiries as deemed appropriate by the Commission to ascertain that SIU Peace Officers adhere to standards for selection and training established by the POST Commission.

SECTION III: EFFECTIVE DATE AND PUBLICATION

This Ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage and shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for and against the same, in the Marin Independent Journal, a newspaper of general circulation published in the County of Marin.

SECTION IV: VOTE

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this ____th day of _____ 2007 by the following vote:

AYES: SUPERVISORS

NOES:

ABSENT:

PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

CLERK