

## Chief Executive Officer

### 102.1 PURPOSE AND SCOPE

The California Commission on Peace Officer Standards and Training (POST) has mandated that all sworn officers and dispatchers employed within the State of California shall receive certification by POST within prescribed time periods.

#### 102.1.1 CHIEF EXECUTIVE OFFICER REQUIREMENTS

Any chief executive officer of this department appointed after January 1, 1999, shall, as a condition of continued employment, complete the course of training prescribed by POST and obtain the Basic Certificate by POST within two years of appointment (Penal Code § 832.4).

#### 102.1.2 CHIEF EXECUTIVE OFFICER

Chief Executive Officer means the sole and exclusive position appointed to serve as the Chief of Police responsible for and with authority over the Police Department and its personnel according to California Government Code § 38630. This appointment is made by the City Manager under the authority of the governing body of the Newark City Council pursuant to Penal Code § 832.4(c), and City of Newark Municipal Code.

This policy, the City of Newark and its Police Department Chief Executive Officer (Chief of Police) adheres to California Government Code §38630:

CGC § 38630:

- (a) The police department of a city is under the control of the chief of police.
- (b) In municipalities which provide for police and other emergency services through a consolidated public safety agency which includes traditional law enforcement, fire protection, and other emergency services, the chief, director, or chief executive officer of such an agency shall control the agency. The chief, director, or chief executive officer of a consolidated public safety agency is a peace officer, and shall meet all of the same requirements imposed by law, regulation, or POST guidelines and recommendations as a chief of police, and he or she shall have all of the same rights, responsibilities, and privileges as does a chief of police. No one who fails to meet all of the above requirements of a chief of police and peace officer shall be appointed to the position of chief, director, or chief executive officer of a consolidated municipal public safety agency.

#### 102.1.3 <FONT COLOR="#000000">FIRE PROTECTION AND OTHER EMERGENCY SERVICES – CGC § 38630(B)</FONT>

The City of Newark receives fire protection and other emergency services (EMS) through other consolidated entities, including the Alameda County Fire Department.