STATE OF CALIFORNIA
COMMISSION ON
PEACE OFFICERS STANDARDS AND TRAINING

POST COMMISSION MEETING

TIME: 10:00 a.m.
DATE: Thursday, June 23, 2011
PLACE: Doubletree Hotel
2001 Point West Way
Sacramento, California

REPORTER’S TRANSCRIPT OF PROCEEDINGS

Reported by:
Daniel P. Feldhaus
California Certified Shorthand Reporter #6949
Registered Diplomate Reporter, Certified Realtime Reporter

Daniel P. Feldhaus, C.S.R., Inc.
Certified Shorthand Reporters
8414 Yermo Way, Sacramento, California 95828
Telephone 916.682.9482 Fax 916.688.0723
FeldhausDepo@aol.com
A P P E A R A N C E S

COMMISSIONERS PRESENT

ROBERT T. DOYLE
(Commission Chair)
Marin County Sheriff’s Department

LAI LAI BUI
(Commission Vice Chair)
Sacramento Police Department

WALTER ALLEN
Covina City Council

ROBERT COOKE
California Narcotics Officers’ Association

FLOYD HAYHURST
Los Angeles County Sheriff’s Department

DEBORAH LINDEN
San Luis Obispo Police Department

RONALD E. LOWENBERG
Golden West College Criminal Justice Training Center

JEFFREY LUNDGREN
Riverside County Sheriff’s Department

JAMES McDONNELL
Long Beach Police Department

JOHN McGINNESS
Sacramento County Sheriff’s Department

LINDA SOUBIROUS
Public Member

LAURIE SMITH
Santa Clara County Sheriff’s Department

MICHAEL SOBEK
San Leandro Police Department

Daniel P. Feldhaus, CSR, Inc.  916.682.9482
POST Commission Meeting, June 23, 2011

APPEARANCES

COMMISSIONERS PRESENT
continued

LARRY J. WALLACE
for KAMALA HARRIS
Attorney General’s Office

POST ADVISORY COMMITTEE MEMBERS PRESENT

LAURA LORMAN
Committee Chair
Women Peace Officers Association of California

SANDRA SPAGNOLI
Committee Vice-Chair
California Peace Officers’ Association

ELMO BANNING
Public Member

ALEX BERNARD
Public Member

JIM BOCK
California Specialized Law Enforcement

EDWARD BONNER
California State Sheriffs’ Association

MARIO A. CASAS
California Coalition of Law Enforcement Associations

JOE FLANNAGAN
Peace Officers’ Research Association of California

RICHARD LINDSTROM
California Academy Directors Association

ALAN McFADON
Public Safety Dispatcher Advisory Council
POST STAFF PRESENT

PAUL CAPPITELLI
Executive Director
Executive Office

ALAN DEAL
Assistant Executive Director
Executive Office
Standards and Development

RICHARD REED
Assistant Executive Director
Executive Office
Administrative Services Division

ELAYNE ARTERBURN
Web Designer
Computer Services Bureau

MARIE BOUVIA
Executive Secretary
Executive Office

JAN BULLARD
Chief
Learning Technology Resource Center

RON CROOK
Multimedia Specialist
Learning Technology Resource Center

FRANK DECKER
Bureau Chief
Basic Training Bureau

MICHAEL DiMICELI
Assistant Executive Director
Executive Office
Field Services Division

JOHN DINEEN
Bureau Chief
Management Counseling Services
A P P E A R A N C E S

POST STAFF PRESENT

Continued

DARLA ENGLER
Bureau Chief
Administrative Services Bureau

MARSHA HONG
Systems Analyst
Computer Services Bureau

MICHAEL HONG
Systems Analyst
Computer Services Bureau

MIKE HOOPER
Bureau Chief
Center for Leadership Development

VANNA LE
Programmer Analyst
Computer Services Bureau

KAREN LOZITO
Senior Consultant
Executive Office

CONNIE PAOLI
Administrative Assistant
Executive Office

EDMUND PECINOVSKY
Bureau Chief
Training Program Services

SATNAM SINGH SARAI
Programmer Analyst
Computer Services Bureau

VINCE SCALLY
POST Legal Counsel

STEPHANIE SCOFIELD
Senior Consultant
Training Delivery and Compliance
APPEARANCES

POST STAFF PRESENT
Continued

DAVE SPISAK
Bureau Chief
Training and Delivery Bureau

BOB STRESAK
Bureau Chief
Standards and Evaluation Bureau

PUBLIC MEMBERS

GREGORY ALLEN
Los Angeles Police Department

STEVEN M. AMES
Golden West College

ROLFE P. APPEL
Yuba College

JAMES AUMOND
for California Narcotics Officers’ Association
POST Excellence in Training Organizational
Achievement Recipient

KAREN AUMOND

SANDRA BARRAGAN

TOM BOYD

DOROTHY BRANDON

JOHN BRANDON

JOHN BRANDON, SR.

RONALD COTTINGHAM
San Diego Sheriff’s Office
APPARENCES

PUBLIC MEMBERS

MICHAEL DURANT
Santa Barbara Police Department

MICHAEL B. GRAY
San Diego Regional Training Center

FRANK HARTIG
California Narcotics Officers’ Association
Benicia Police Department

JAMES HODGES
California Narcotics Officers’ Association
CSU Eastbay Police Department

TERESA IRVIN
POST Excellence in Training Individual Achievement
Recipient

ROBERT IRVIN

JOE STEWART
California Narcotics Officers’ Association

GIL VAN ATTEHNOVEN
California Narcotics Officers’ Association

CAROL WEMMER

RICHARD WEMMER
POST Excellence in Training Lifetime Achievement
Recipient
# INDEX

<table>
<thead>
<tr>
<th>Proceedings</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Call to Order</td>
<td>13</td>
</tr>
<tr>
<td>Color Guard and Flag Salute</td>
<td>13</td>
</tr>
<tr>
<td>San Leandro Police Department</td>
<td></td>
</tr>
<tr>
<td>Moment of Silence</td>
<td>13</td>
</tr>
<tr>
<td>Officer Jermaine Gibson</td>
<td></td>
</tr>
<tr>
<td>Cathedral City Police Department</td>
<td></td>
</tr>
<tr>
<td>Officer Andrew Garton</td>
<td></td>
</tr>
<tr>
<td>Hawthorne Police Department</td>
<td></td>
</tr>
<tr>
<td>Officer Kevin Sandoval</td>
<td>18</td>
</tr>
<tr>
<td>South Pasadena Police Department</td>
<td></td>
</tr>
<tr>
<td>Roll Call of Commission Members</td>
<td>14</td>
</tr>
<tr>
<td>Introduction of POST Advisory Committee</td>
<td></td>
</tr>
<tr>
<td>Chair, POST Legal Counsel, and the Executive Director</td>
<td>15</td>
</tr>
<tr>
<td>Welcoming Address</td>
<td></td>
</tr>
<tr>
<td>Sandra Spagnoli, Chief of Police</td>
<td></td>
</tr>
<tr>
<td>San Leandro Police Department &amp;</td>
<td></td>
</tr>
<tr>
<td>California Peace Officers’ Association</td>
<td>15</td>
</tr>
<tr>
<td>Awards Presentations</td>
<td>18</td>
</tr>
<tr>
<td>2010 Post Excellence in Training Awards</td>
<td>19</td>
</tr>
<tr>
<td>Individual Achievement:</td>
<td></td>
</tr>
<tr>
<td>Detective Teresa Irvin</td>
<td></td>
</tr>
<tr>
<td>Los Angeles Police Department</td>
<td></td>
</tr>
</tbody>
</table>
## Awards Presentations continued

2010 Post Excellence in Training Awards:

- Organizational Achievement .......................... 23
  California Narcotics Officers’ Association

- Lifetime Achievement ................................. 26
  Ret. Captain Richard Wemmer

## Public Comment ........................................ 32

## Approval of Minutes .................................. 32

### A. Thursday, February 24, 2011, Commission Meeting

## Consent:

- B.1 Course Certification/Decertification Report .................. 33
- B.2 Report on POST Strategic Plan Implementation .................. 33
- B.3 Agencies Requesting Entry into the POST Reimbursable Program .................. 33
- B.4 Agency Requesting Removal from the POST Reimbursable Program .................. 33
- B.5 Report on the Status of the Pilot Study of Driver Training in the Basic Course .......................... 33
- B.6 Report on the Status of Information Technology Feasibility Study to Address Testing in the Basic Course .................. 33
# POST Commission Meeting, June 23, 2011

## INDEX

### Proceedings

<table>
<thead>
<tr>
<th>Consent:</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.7 Report on Basic Courses Testing Task Force</td>
<td>33</td>
</tr>
<tr>
<td>B.8 Report on Test Security Breach at Rio Hondo College</td>
<td>34</td>
</tr>
<tr>
<td>B.9 Report on Conditional Restoration of Rio Hondo College to Present the Regular Basic Course</td>
<td>44</td>
</tr>
<tr>
<td>B.10 Report on SPO D.2, Establish a Futures Planning Capability within POST</td>
<td>33</td>
</tr>
</tbody>
</table>

### Finance Committee

| C. Report on results of Finance Committee Meeting held June 22, 2011, McGinness | 51   |

### Administrative Services Bureau


### Basic Training Bureau

<table>
<thead>
<tr>
<th>E. Report on Proposed Changes to the Training and Testing Specifications for Peace Officer Basic Courses</th>
<th>57</th>
</tr>
</thead>
<tbody>
<tr>
<td>F. Report on Proposed Changes to the Basic Course Waiver Process and Application Form</td>
<td>57</td>
</tr>
</tbody>
</table>
**INDEX**

<table>
<thead>
<tr>
<th>Proceedings</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Executive Office</strong></td>
<td></td>
</tr>
<tr>
<td>G. Request Approval to Accept Fiscal Year 2011 Homeland Homeland Security Grant Funds and Authorize Contracts to Expend Funds</td>
<td>57</td>
</tr>
<tr>
<td>H. Report on Composition of the POST Advisory Committee</td>
<td>61</td>
</tr>
<tr>
<td>I. Report on Update of the POST Strategic Plan</td>
<td>67</td>
</tr>
<tr>
<td>J. Report on Input by the Finance and Advisory Committees</td>
<td>69</td>
</tr>
<tr>
<td>K. Report on Amendments to Commission Regulation 1054</td>
<td>70</td>
</tr>
<tr>
<td><strong>Learning Technology Resources Bureau</strong></td>
<td></td>
</tr>
<tr>
<td>L. Contract Request for Analysis and Feasibility Study of Gaming Engine Use in Law Enforcement Training</td>
<td>74</td>
</tr>
<tr>
<td><strong>Management Counseling Services Bureau</strong></td>
<td></td>
</tr>
<tr>
<td>M. Report on Proposed Changes to POST Regulation 9020 - Peace Officer Feasibility Study Requirements</td>
<td>85</td>
</tr>
<tr>
<td><strong>Standards and Evaluation Services Bureau</strong></td>
<td></td>
</tr>
<tr>
<td>N. Report on Request to Contract for the Continuation of the LD 18 Investigative Report Writing Project</td>
<td>85</td>
</tr>
</tbody>
</table>
## INDEX

**Proceedings**

<table>
<thead>
<tr>
<th>Training Program Services Bureau</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>O. Report on Proposed Changes to POST Regulation 1009, Triennial Recertification of Academy Instructors.</td>
<td>87</td>
</tr>
<tr>
<td>P. Report on Acceptance of Additional VAWA Grant Funds</td>
<td>88</td>
</tr>
<tr>
<td>Q. Report on Acceptance of Additional Grant Funds for Tribal Training in VAWA</td>
<td>89</td>
</tr>
<tr>
<td>R. Report on Acceptance of Fiscal Year 2011-2012 VAWA Grant Funds</td>
<td>91</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Committee Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>S. Advisory Committee, Lorman</td>
</tr>
<tr>
<td>T. Legislative Review Committee, Lundgren</td>
</tr>
<tr>
<td>U. Correspondence</td>
</tr>
<tr>
<td>V. Old Business</td>
</tr>
<tr>
<td>W. New Business</td>
</tr>
</tbody>
</table>

Future Commission Meeting Dates | 101
Closed Executive Session | 101
Adjournment | 101
Reporter’s Certificate | 102
Thursday, June 23, 2011, 10:00 a.m.

Sacramento, California

(The gavel was sounded.)

CHAIR DOYLE: Good morning. My name is Bob Doyle, Marin County Sheriff and Chair of the POST Commission. We were just talking, this is kind of a strange configuration. It looks like I’m in front of an oral board.

COMMISSIONER LOWENBERG: They didn’t tell you?

CHAIR DOYLE: But I’d like you to stand and welcome the Honor Guard from the San Leandro Police Department, who will post the colors.

(The Color Guard presented the flags.)

CHAIR DOYLE: Please join me in the Pledge of Allegiance.

(The Pledge of Allegiance was recited.)

CHAIR DOYLE: Please remain standing, in a moment of silence, honoring those officers who lost their lives in the line of duty since the last Commission hearing:

Officer Jermaine Gibson, Cathedral Hills Police Department.

And Officer Andrew Garton, Hawthorne Police Department.

(Moment of silence.)
CHAIR DOYLE: Thank you.

(The Color Guard exited the meeting room.)

CHAIR DOYLE: Thank you.

Please be seated.

Please call the roll.

MS. PAOLI: Allen?

COMMISSIONER ALLEN: Present.

MS. PAOLI: Anderson?

(No response)

MS. PAOLI: Tom Anderson?

(No response)

MS. PAOLI: Bui?

VICE CHAIR BUI: Here.

MS. PAOLI: Cooke?

COMMISSIONER COOKE: Here.

MS. PAOLI: Doyle?

COMMISSIONER DOYLE: Here.

MS. PAOLI: Dumanis?

(No response)

MS. PAOLI: Hayhurst?

COMMISSIONER HAYHURST: Here.

MS. PAOLI: Linden?

COMMISSIONER LINDEN: Here.

MS. PAOLI: Lowenberg?

COMMISSIONER LOWENBERG: Here.
MS. PAOLI: Lundgren?

COMMISSIONER LUNDGREN: Here.

MS. PAOLI: McDonnell?

COMMISSIONER MCDONNELL: Here.

MS. PAOLI: McGinness?

COMMISSIONER McGINNESS: Here.

MS. PAOLI: Smith?

COMMISSIONER SMITH: Here.

MS. PAOLI: Sobek?

COMMISSIONER SOBEK: Here.

MS. PAOLI: Soubirous?

COMMISSIONER SOUBIROUS: Here.

CHAIR DOYLE: Thank you.

On my far left, I’d like to introduce POST Advisory Committee Chair Laura Lorman.

Coming from Marin County, I’m always comfortable referring to people on my far left.

POST Legal Counsel, Vince Scally; and to my right, which is an uncomfortable position for me, is Paul Cappitelli.

So, now, I’d like to introduce Sandra Spagnoli, Police Chief of the City of San Leandro and currently the California Peace Officers’ Association president.

MS. SPAGNOLI: So good morning. And on behalf of the California Peace Officers’ Association, I do want to
welcome you to Sacramento. I am actually not from Sacramento, but our headquarters are based in Sacramento.

For those of you who aren’t familiar with CPOA, our members are represented statewide. And they are from the rank of police officer, all the way to sheriffs and chiefs of police.

CPOA just recently was one of several organizations who strongly opposed the reductions to POST, which would have impacted our training.

We really opposed it because of the impact it would have had on local agencies and really the ability for even agencies our size to meet the training standards.

I think we all agree that training is a priority for police officers, and the impact of reducing training would be tremendous.

This is all coming at a time that we have budget reductions, public-safety cuts, and also the layoff of experienced police officers. And you couple that also with a time in the United States where, last year, you saw a 40 percent increase of peace officers killed in the line of duty. And really, unfortunately this year, you see that number rising, increased year-to-date from year-to-date last year.

I think some of the key initiatives that POST is taking on, and we saw yesterday at the Advisory
Committee, really are going to impact those numbers. So the work that you do is really very important.

On a positive note, we invited POST to present at our annual conference in San Diego -- I think that was part of why they agreed to come to San Diego -- but they presented, “Fatigue, Fitness, and Fast Cars, the Key to Safe Driving.” This training really provided the practical solutions for key members in law enforcement, along with subject-matter experts, to really have an impact on reducing law-enforcement collisions, which I think really will impact the reduction of line-of-duty deaths of police officers.

Ultimately, obviously, I think it’s research like this that’s going to save lives in California, and save those lives of not only police officers but innocent bystanders.

We are all in this together. And collectively, I know the work as professionals that we’re doing will set a solid foundation for the future of law enforcement.

So on behalf of the California Peace Officers’ Association, I want to thank you for being on the front line of many of the critical training issues and services provided to law enforcement across the state.

We look forward to continuing to support the Commission, so you can continue the work you do to raise
the bar in this great profession. And it’s really going
to keep Californians safe.

So thank you very much.

MR. CAPPITELLI: Thank you.

(Applause)

CHAIR DOYLE: Unfortunately, another name was added
to my list of fallen officers. So just in place, please,
a moment silence for Officer Kevin Sandoval of the South
Pasadena Police Department.

(Moment of silence.)

CHAIR DOYLE: Thank you.

Next is Awards Presentations.

That’s me?

MR. CAPPITELLI: I think that’s you.

CHAIR DOYLE: Good morning. As I said, I’m
Commissioner Bob Doyle, Chair of the POST Commission.

On behalf of the entire Commission, it is my pleasure to
honor several people who have distinguished themselves by
demonstrating a commitment to the excellence in training.

Each year, the Commission recognizes people in an
organization that have greatly contributed to the success
and effectiveness of the law-enforcement community.

Assisting me in the ceremony is Laura Lorman, Chair
of the Commission Advisory Committee. The Advisory
Committee reviews the nominations and recommends to the
Commission the recipients for those awards.

Also assisting me in the presentation is POST Executive Director Paul Cappitelli.

At this time, I would like the award recipients to come forward to be recognized.

The 2010 POST Excellence in Training Awards. The POST Excellence in Training Award was established in 1994 to encourage innovation and effectiveness in peace-officer training in order to recognize the best of the best.

There are three categories of the POST Excellence in Training Award: Individual achievement, organizational achievement, and lifetime achievement.

The Commission is proud to offer these annual awards, which symbolize California’s national status of being in the forefront of law-enforcement training.

There were 25 nominees for the three award categories. The recipients were selected through a rigorous screening process conducted by the 16-member POST Advisory Committee and approved by the POST Commission.

In addition to the trophies given to the recipients today, their names will be inscribed on a plaque that is permanently located at POST in Sacramento.

The recipient of the POST Excellence in Training
Individual Achievement Award for 2010 is Detective Teresa Irvin of the Los Angeles Police Department.

(Applause)

MR. PECINOVSKY: Detective Irvin has conducted extensive research into critical incidents involving barricaded suspects, hostage standoffs, and attempted suicides. She recognized there was an absence of information relating to persons involved in these incidents in how they reacted to first-responders during these crisis incidents.

Detective Irvin interviewed countless individuals, suspects, victims, and witnesses, and first-responders involved in such events. She identified an increase in critical incidents involving returning veterans who had experienced combat during deployment. To address critical incidents involving returning veterans, Detective Irvin contacted the Veterans’ Administration in Palo Alto, which houses the National Center for Post-Traumatic Stress Disorder Dissemination Unit, and gained invaluable information on the causes of PTSD. She learned about ways that responding officers could better handle critical incidents involving veterans with minimal risk to the individuals and first-responders.

Detective Irvin incorporated the information she gained from her research into the LAPD crisis
communications course. She has provided training regarding PTSD to countless first-responders and crisis negotiators to help them effectively deescalate a crisis. She has also conducted seminars on targeted school violence in order to help school officials and staff work with students during critical incidents on school campuses.

She is a state and federally recognized expert in the areas of crisis management and responding to critical incidents involving the mentally ill and matters involving hostage negotiations.

Detective Irvin is an instructor for the federally funded Emergency Management Training program. And she has made presentations to the California Association of Hostage Negotiators, the Texas Association of Hostage Negotiators, the Substance Abuse and Mental Health Services Administration, the National GAINS Center, the Association of Threat Assessment Professionals, and most recently, to the International Association of Chiefs of Police.

Because of the studies she has completed regarding critical incidents, the LAPD Mental Evaluation Training Unit has been selected as a specialized response law-enforcement mental-health training site by the Council of State Governments Justice Center and the
Bureau of Justice Assistance.

Her research and the training she developed on effective ways to handle critical incidents involving the mentally ill has undoubtedly saved countless lives and minimized injuries to suspects, victims, and first-responders.

Detective Irvin has written several articles for professional publications on topics related to critical incidents.

For these reasons, Teresa Irvin is the winner of the 2010 POST Excellence in Training Award for Individual Achievement.

(Applause)

MS. IRVIN: Thank you.

I am greatly honored to receive this award. We pour our heart and soul into this training on a day-to-day basis, never realizing that it will be recognized on a state level. And I appreciate your attendance and recognition.

Thank you very much.

(Applause)

MS. IRVIN: And I neglected to thank my family for traveling hundreds and hundreds of miles to attend this. My sister is here from Oregon, with my niece, and my mom and dad from Anaheim, California, as well as my
husband and my family and my children.

Thank you.

(Applause)

MR. PECINOFSKY: The recipient for the 2010 POST Excellence in Training Award for Organizational Achievement is the California Narcotics Officers’ Association.

Accepting the award on behalf of the association, is Jim Aumond, Director of Training of CNOA.

(Applause)

MR. PECINOFSKY: The CNOA is responsible for the development and presentation of innovative narcotics-related training that has been recognized from within and outside California.

CNOA has a statewide and national impact through its offerings of unique specialized law-enforcement training. The CNOA has presented over 1,400 classes to over 110,000 officers, which equates to a total of 1.5 million training hours. The CNOA offers 43 POST-certified courses ranging from eight to 40 hours in length.

The CNOA is a not-for-profit professional training organization that conducts training-needs assessments for law-enforcement agencies throughout the state. These assessments allow CNOA to tailor its narcotics-related affordable training to address local needs.
For the past 46 years, CNOA has conducted an annual training conference that provides training to over 2,300 officers from throughout California and the United States.

The CNOA manages the Narcotic Educational Foundation of America, a not-for-profit outreach program that provides no-cost training, materials, and instructors to community groups, schools, and partners in anti-drug organizations.

In 1994, CNOA created the Survivors Memorial Fund that provides immediate cash assistance, the amounts ranging from $3,000 to $5,000 to families of peace officers killed in the line of duty. Assistance has been provided to 180 surviving families.

Local, state, and federal agencies have recognized and acknowledged the impact of CNOA in providing high-quality, contemporary training to law enforcement. The California State Bar and other POST-affiliated agencies have certified several training programs in recognition of the high quality of training developed and provided by CNOA.

For these reasons, the California Narcotic Officers’ Association is the winner of the 2010 POST Excellence in Training Award for Organizational Achievement.

(Applause)
MR. AUMOND: Thank you, Mr. Chairman.

On behalf of the California Narcotic Officers’ Association, our 7,000 members, our tireless volunteer regional board members, and, of course, our staff led by our Executive Director Joe Stewart, I’d like to thank the Commission for recognizing our accomplishments.

The CNOA approach to providing affordable, accessible, and regionally relevant training started over 47 years ago with a relatively ragtag group of dope cops that realized that there was no real special training in narcotic enforcement. From the days when there were just two guys flying around the state, doing the training, to where we are today, is attributed to the dedication of our members, the foresight of our executive board -- some members are here today -- who adopted our training doctrine, and, of course, our staff.

Our staff, speaking of them, while everyone in our office is dedicated to our training mission, I’d like to recognize our training assistant, Sandra Barragan, who is sitting in the audience.

And she’s going to kill me for this -- but Sandra, if you would stand up.

(Applause)

MR. AUMOND: Sandra has been in the eye of the storm for the last ten years, and is the major player in most
of our accomplishments.

Once again, I’d like to thank CNOA for allowing me to accept this honor and the Commission for your recognition.

(Applause)

MR. PECINOVSKY: The recipient of the 2010 POST Excellence in Training award for Lifetime Achievement is Retired Captain Richard Wemmer of the Los Angeles Police Department.

(Applause)

MR. PECINOVSKY: While a member of the Los Angeles Police Department, Captain Wemmer focused considerable attention to analyzing the how and why of the wounding and killing of law-enforcement officers. Captain Wemmer began one of the first programs that included interviewing suspects and officers using the information to reenact and film incidents so officers could learn from what went right and from any mistakes that may have occurred.

He has spent a lifetime dedicated to training thousands of officers in the safe and effective use of force and how they can survive a critical assault.

Captain Wemmer is recognized as a subject-matter expert on officer safety tactics, and used his considerable experiences to implement a best-practices
philosophy within the LAPD and the law-enforcement training community.

He has used lessons learned from the incidents he has studied in scenario-based training with an emphasis on reducing the number of officers killed and assaulted.

He was instrumental in developing officer safety scenarios for POST, and has been a LEOKA Committee member for over 30 years.

Captain Wemmer is a coordinator of the Officer Safety Tactics program at Golden West College. The OST program is a comprehensive approach at tactics training. Students are exposed to realistic scenarios that require them to bring a situation to a successful disposition.

He has tailored the OST program to minimize downtime and maximize the training experience for students.

He has imparted his knowledge and experience as an instructor and peace officer. He has played a vital role in the development of officer survival skills training, and offered it to hundreds of basic academy recruits and in-service officers.

He has effectively incorporated the tenets of leadership, ethics, decision-making, and community policing into the training he provides. He has successfully balanced the peace officer’s role of being a humanitarian and a warrior at their moment in time.
He has over 38 years of law-enforcement teaching experience and has been an instructor at Golden West College for over 32 years. He has frequently been recognized for his work in officer safety and tactics training. He has authored several articles related to the killing of peace officers and received commendations throughout the United States for his training in preventing peace-officer deaths and injuries.

He has spent a career training peace officers for the LAPD and around the country.

Captain Wemmer has had a profound effect on officers who have participated in the force-related training he has provided, and has received many letters from the officers he has trained expressing thanks for helping them respond appropriately to deadly-force incidents.

For these reasons, Richard Wemmer is the winner of the 2010 POST Excellence in Training Award for Lifetime Achievement.

(Applause)

MR. WEMMER: Thank you very much for your very kind words. I’m extremely humbled, and I’m proud to be here today.

It would be hard to do justice to all of the people who have supported and assisted me, but allow me to try for a few moments.
First and foremost, if I could have my wife, my
daughter, her new husband, and his parents please stand.

Without my wife and my children’s support and
their understanding of my passion, I could not have
accomplished what I did.

(Applause)

MR. WEMMER: I truly wish that I could have all of
the people here who have provided me the insights to what
went on and took place at that moment in time. And yet
again because of their words, in allowing me to be the
conduit of that information, others became safer. And
nothing is more precious than that in our profession.

I also want to thank the Advisory Committee for
allowing me to come through your process, bringing it to
POST, the Commission today, for the recognition. And
also again to Chief Lowenberg and Steve Ames from Golden
West who brought forth the honor, and to all of my
brothers and sisters at the Los Angeles County Police
Department.

Thank you again for a very special moment in time.

(Applause)

MR. PECINOVSKY: Ladies and gentlemen, please join
with me, once again, to recognize the outstanding
contributions these award recipients have made in
promoting excellence in law enforcement in the training
of peace officers throughout California.

This concludes the 2010 POST Excellence in Training Awards ceremony.

(Applause)

COMMISSIONER LOWENBERG: Ladies and gentlemen,
for those of you who don’t know who I am, I’m Ron Lowenberg. I happen to have the privilege of serving on
the Commission. I believe I’m the senior member of the
Commission, which means I’m an old guy. But I’m also the
dean and director at the Criminal Justice Training Center
of Golden West College. And I don’t know all of these
folks as well as I know Rich Wemmer. Like many of you in
the audience, we all know Rich Wemmer.

But I just wanted to share just a couple of quick
comments with you about the contributions that Rich has
given to California law enforcement.

And, Ed, you did a great job, but I’ve got to tell
you -- you know, Ed mentioned the letters and e-mails we
get, and all of your agencies get those. But I’ve got to
tell you, there is no one that receives the level of
recognition from those people that he has trained over
these last 32 years -- at least the last 32 years at
Golden West College.

And just let me give you a quick example. This
week -- or earlier this week, I received an e-mail from
a senior management position person with the Riverside County Sheriff’s Department that began his law-enforcement career in Orange County and received his initial officer survival training from Rich.

And I won’t bore you with the details of the e-mail. I think it suffices to say that part of that e-mail said, “The reason I’m alive today is because of the training I received from Rich Wemmer.”

What a tribute to California law enforcement and what a tribute to Rich Wemmer.

Another little bit of information you may not know about Rich, Rich has such a passion for this career field, for this profession, for the tradition, that Rich decided, at the Center, that we needed a law-enforcement art and history project.

Now, being a public institute, you’re probably asking yourself about this time, “How did you fund this project?”

Well, Rich, in the only way that Rich can do it, convinced our 165 adjunct faculty members to donate money.

“Guido” is his middle name.

So in recognition of how much we appreciate what Rich does at Golden West College at the Criminal Justice Training Center, I have a little something I’d like to
present to Rich.

And again, thank you, Chairperson Doyle, Executive Director Paul Cappitelli, and Ed Pecinovksy for allowing me to have the mike for a few moments.

But I’d like to give you our latest challenge coin. We have our regular little challenge coin. This is our special three-inch challenge coin. And you’re one of the first individuals to receive this particular challenge coin. It’s going to the right guy.

Rich Wemmer, thank you very much.

CHAIR DOYLE: Okay, we’re back to the agenda.

And this is the point that the public can comment on items that are on the agenda or not on the agenda. Members of the public who wish to speak are asked to limit their remarks to no more than five minutes.

Please be advised that the Commission cannot take any action on items not on the agenda.

Is there anyone in the audience that wishes to address the Commission?

(No response)

CHAIR DOYLE: Seeing none, the next item, Item A, Approval of the Minutes of the February Commission Meeting.

Is there a motion to approve the minutes?

COMMISSIONER LOWENBERG: Move it.
COMMISSIONER McDONNELL: Second.

CHAIR DOYLE: Do you want them to say their names?

COMMISSIONER LOWENBERG: I’m sorry, moved by Lowenberg.

COMMISSIONER McDONNELL: Second by McDonnell.

CHAIR DOYLE: All those in favor?

(A chorus of “ayes” was heard.)

CHAIR DOYLE: Item B is the Consent Calendar. Do any of the commissioners want to pull something from the Consent Calendar?

COMMISSIONER LOWENBERG: Mr. Chair, I’d like to pull Items B.8 and B.9 for questions and discussions.

CHAIR DOYLE: Okay, is there a motion to move the other items on the consent calendar?

COMMISSIONER LINDEN: So moved. Linden.

CHAIR DOYLE: Is there a second?


CHAIR DOYLE: All those in favor?

(A chorus of “ayes” was heard.)

CHAIR DOYLE: B.8.

MR. CAPPITELLI: Mr. Chairman, I believe Mr. Deal will come forward and present this. And Mr. Stresak will be on standby.

CHAIR DOYLE: Okay.

MR. CAPPITELLI: Or did I get the order reversed?
Oh, Mr. Stresak will be coming forward to make that presentation.

Thank you.

CHAIR DOYLE:  This is Report on the Test-Security Breach at Rio Hondo Academy.

MR. STRESAK:  Mr. Chair, Honorable Commissioners, my name, for the record, is Bob Stresak. I’m the bureau chief at Standards and Evaluations Bureau at POST.

Submitted for your review is the final report of the investigative efforts conducted at the Rio Hondo Academy.

Probably the two significant points to be made up-front is that, number one, we never found a smoking gun. But more importantly, the result of this incident was a confluence of three issues: Number one was the antiquated testing system that we have, our inability to audit it effectively; the complacency at the college; and, most significantly to this incident, was flagrant disregard for the Law Enforcement Code of Ethics by an individual or individuals.

The academy -- Rio Hondo Academy -- currently remains on probationary status. It still is suspended. They will be allowed to continue in an extended modular format. And that has been done to allow the academy to be incrementally evaluated as they progress.

The belief was that perhaps an intensive academy
might provide new staff and new administration with some challenges.

So an incremental approach to the implementation of bringing the academy back up to operational level will allow us to evaluate in one-third, one-third, one-third, if you will, components, to see if they can progress to the next one.

The academy is currently eliciting applications for the position of dean. I understand they are down to four applicants right now and that the College Board of Trustees will confirm a new dean sometime in July.

We have looked at our own internal processes. The report concludes with some recommendations to, number one, obviously update our testing process; number two, look at how we test; number three, look at the issue of non-affiliated students attending community college; and especially in post-9/11 days, what can we do to perhaps improve the level of standards that they should meet before they’re allowed to be exposed to law-enforcement tactics and operations.

That would be essentially the report, the kind of nuts and bolts of the report. But I remain available here for questions. I’m sure there are a few.

CHAIR DOYLE: Commissioner Lowenberg?

COMMISSIONER LOWENBERG: Mr. Chair, I asked you to
pull this item because this is a very comprehensive report. I want to congratulate staff and specifically Bob for a very comprehensive and telling report.

It appears to me that there was no holds barred. And I think in a situation like this, clearly, that’s the right thing to do.

I would like to draw my fellow commissioners’ attention to page 13, at the bottom of the page, the last paragraph. It’s talking about the 2008 BCCR. And it indicates, in the last sentence, "A final report was never submitted to the college or academy administration."

Again, I’m not trying to be overly critical of staff; but could I have someone explain to me why that never happened?

MR. CAPPITELLI: Mr. Chairman, Commissioner Lowenberg, this was just an oversight on staff’s part. It was a breakdown administratively. We’re aware of it, and we have taken steps to prevent that from occurring in the future.

I might want to point out that the written report apparently never made it. However, the exit interview regarding the BCCR was conducted; and so there was a briefing that was given as to the areas that needed to be addressed. But it is completely -- staff takes
POST Commission Meeting, June 23, 2011

responsibility for the fact that it did not get to them.

COMMISSIONER LOWENBERG: Thank you, Executive
Director Cappitelli, for that honest response.

It was not my intent to embarrass staff or anyone else. It just seems to me that we, as the Commission, have a responsibility, when we see these kinds of things, to bring it to staff’s attention.

And can I assume then that this oversight has been corrected, and this hopefully will not occur in the future?

MR. CAPPITELLI: You can be sure of that, sir.

COMMISSIONER LOWENBERG: Thank you very much.

The other question I had -- and Bob touched on it a little bit -- and sometimes we have the benefit of dispelling rumors, and I’m certainly not here to tell Rio Hondo how to do their job, and I was telling my fellow commissioners earlier this morning that I find myself in a bit of a delicate situation in my dual role as a commissioner and a dean and director of the Criminal Justice Training Center. And we at the Criminal Justice Training Center at Golden West College offered early on to help Rio Hondo in any way we could. And clearly, these kinds of situations, you know, hopefully won’t happen again, but could happen to anyone. So I don’t want to be overly critical. But rumor has it that the
college is recruiting for and is going to hire the academy coordinator in advance -- or director in advance of the dean. And, again, it’s really probably none of our business how the college does their business. But based on what I see in this report, it’s pretty telling to me that it would be the best strategy -- you know, with all due respect -- that they hire the dean first and the academy coordinator and director second.

So if anybody has access to those folks, maybe POST staff, that they might want to ask that question, and that it came up here at the Commission meeting.

And again, I’m not here to tell them how to do their job; but it just seems to me, based on what we see in this report, that having a dean on board first is critical to having that person -- he or she -- have the opportunity to build his or her staff.

And I think some of my fellow commissioners have other questions. I will stop to allow them to do that.

Thank you.

MR. STRESAK: A quick comment on that. Thank you, Commissioner, for that insight.

And it’s my understanding that the college is proceeding with the selection of the dean of public safety first.

COMMISSIONER LOWENBERG: Great. Thank you.
CHAIR DOYLE: Commissioner Linden?

COMMISSIONER LINDEN: Thank you, Mr. Chair.

Just a quick question on process.

When any academy has an inspection and a report that might have findings that indicate that corrections are needed, especially some of the 2008 findings were quite serious having to do with test security and access, is there a specific timeline that an academy is given to correct? I guess the question is, do we have a sound process in place to check back and make sure that they have corrected those deficiencies? In general, not necessarily associated with Rio Hondo.

MR. CAPPIETTI: Yes, Commissioner Linden, I’m going to ask Assistant Executive Director Deal to come forward.

CHAIR DOYLE: Is that contained in B.9?

MR. CAPPIETTI: Is that contained in Item B.9?

MR. DEAL: Let Frank do that. He could give you the description of the process by which we directly follow.

MR. CAPPIETTI: Okay, our Bureau Chief Frank Decker will do that.

CHAIR DOYLE: Is that B.9? Is that what you will cover, Frank?

MR. DECKER: Good morning. I’m Frank Decker from Basic Training Bureau.

Bob has already covered part of B.9. I can
supplement what he just said.

CHAIR DOYLE: Just for a point of order, I was going
to clear and get a motion on B.8 and then go into B.9, if
that’s okay with everybody.

COMMISSIONER LINDEN: Yes, that’s fine. And I know
B.9 describes the specific recertification process with
Rio Hondo.

I think my question was just more general, and maybe
more related to B.8 --

CHAIR DOYLE: Okay, sure.

COMMISSIONER LINDEN: -- with the 2008 report.

And I don’t need a lot of detail. I mean, I trust
staff.

For me, it raised the question of, do we have a
process that is normally followed to make sure that
deficiencies are corrected when found in reports.

MR. CAPITELLI: We do have a process. In fact,
that process has been refined within the last two years
and perfected. And there is a timeline by which the
academy is to address the problems. And there is also
follow-up by staff to ensure that those issues are
corrected.

COMMISSIONER LINDEN: Okay, thank you.

COMMISSIONER SOBEK: Mr. Chair, one question.

CHAIR DOYLE: Commissioner Sobek?
COMMISSIONER SOBEK: I read the report, and the only concern I have is, in one sentence: “There is no conclusive evidence that was developed that proved culpability by anyone.”

Does that mean that no one is going to get punished for this?

I mean, it seems to me -- I’m an instructor. It seems to me that you know what you know. And giving test questions is definitely a violation of a lot of things.

So are we saying that no one is going to get punished for any of this on staff at the college?

MR. STRESAK: With a limited scope, we do not have evidence that would identify a single person as being solely culpable for the compromise to that extent of 500 questions.

We have one instructor that did remove a hard-copy test, PC 832 test, take it to a different location, and distribute that. But in terms of identifying who may have been responsible for the distribution of 500 test questions, I’m not sure we’ll ever be able to identify that individual.

If you take into account that the testing process has points of vulnerability, and then you take into account that there was lax -- or complacency with test security measures at that college, anybody who had those
two components were provided with a sufficient opportunity to download a test, perhaps scan it into a PDF file, and then transfer it into a PowerPoint presentation. Within that academy network, that could have occurred anywhere. That could have even occurred at someone’s individual residence.

In terms of pursuing that, without filing a criminal report, we have limited authority to pursue those avenues.

COMMISSIONER SOBEK: Okay, thank you.

COMMISSIONER HAYHURST: Mr. Chair?

On that same line, Bob, a question: Are any of these instructors going to be able to come back to Rio Hondo, and are any of these instructors currently employed by the agency? Because it seems to me like they’re all somewhat culpable, and there is an ethics and integrity issue that I think would come into play, whether or not they were completely culpable or not. They were aware.

MR. STRESAK: To answer the first part of your question, we’ve made it abundantly clear to the college administration that we would not interfere with personnel matters, you know, unless there was extant of egregious evidence that would indicate culpability.

So the college has taken action to terminate
individuals, but not at our direction and not at our input.

The remainder of those individuals are entitled to due process. And if there was administrative remedies pursued for those instructors, I don’t know.

I do know that if we had some information for sworn officers that were instructors, we would pass that on to the executive of that agency for further action.

And then one other quick comment: That we briefed the Academy Consortium on this incident. We’ve made presentations to the Instructor Advisory Council, addressing instructor integrity issues. We’ve improved what you’ve addressed already, Commissioner, the BCCR distribution protocol and reemphasized that the office of the college president receives copies.

We’ve made presentations to the plenary session of the instructor symposium, statewide symposium. We’ve made presentations to the statewide training managers’ meetings. And we’ve created a task force that will look internally at our own testing protocols or test-security agreements, and how we can improve test-security agreements between our academies in the POST testing process.

And we’ve also initiated the feasibility study report to begin to acquire a new testing program. So
we’ll be interviewing vendors in the near future.

And that concludes my presentation.

COMMISSIONER ALLEN: I want to -- as Ron did, Bob, I think this was an outstanding piece of work that you were involved in, and the staff. And I’m very appreciative. So I just wanted to make that comment.

MR. STRESAK: Thank you for your kindness, and I appreciate it. It was a team effort.

Thank you.

CHAIR DOYLE: Any other questions of Bob? Frank?

MR. DECKER: Do I have B.9 then?

CHAIR DOYLE: Sure.

No more questions?

(No response)

CHAIR DOYLE: Is there a motion to prove B.8?

COMMISSIONER LOWENBERG: I’ll move. Lowenberg moves to approve B.8.

COMMISSIONER ALLEN: Allen, second.

CHAIR DOYLE: All those in favor?

(A chorus of “ayes” was heard.)

CHAIR DOYLE: Okay, Item B.9.

MR. DECKER: When Rio Hondo was suspended on breach of test security, there were two classes in session, basic training classes: Intensive format full-time
academy class, and an extended format Module 1. The suspension impacted 127 students who were enrolled in the classes at that time.

Students were interviewed as part of the investigation, and the investigators were of the joint opinion that the students believed the study guide was approved by the college and they were not aware that it contained actual test questions.

Staff determined that the students should be allowed to continue the training, but that it was necessary to transfer both classes to another academy for completion.

The Executive Director contacted Sheriff Lee Baca who agreed to conduct training for both classes at the Los Angeles Sheriff’s Department Academy.

Staff reviewed the training that they had received up to that point in time, and developed extension courses to allow them to continue their training. This was an in-depth analysis, so we could make sure that all of the minimum requirements that we wanted fulfilled for the regular basic course were covered. And we went back and addressed some of the skills areas in their entirety, to make sure that they were properly conducted.

Both classes were transferred to the Los Angeles Sheriff’s Department and have since completed training. College administration provided full and complete
cooperation during the course of the investigation and the process of transferring the classes.

Subsequent to the investigation, the president of the college pledged that they would present courses in accordance with Commission regulations and procedures. The college has presented a reorganization plan for the public safety department that was designed to provide more oversight to the police academy, and plans were announced to appoint a new academy director and the position was advertised.

The college requested that the suspension be lifted and to allow them to start basic training again. Based on the actions and assurance of the college administration, the Executive Director decided to authorize the college to present a basic course on a probationary basis.

Staff met with representatives from the college, including the vice president, president, and the dean. And during the meeting, we reviewed the requirements for presentation of basic courses, the reinstatement, and conditions of probation.

The college representatives provided assurance they would adhere to the conditions. These conditions are specified in Attachment A and are quite lengthy and very specific.
The college is working closely with their advisory committee and the Los Angeles County Chiefs’ Association to restructure the program.

As Bob mentioned, a selection process for the director position has been started. And we understand the finalists are currently being evaluated.

After the director is selected, new academy coordinators will be hired; and the college administration has also contacted staff regarding training for an entire new group of instructors.

As a condition of probation, Rio Hondo will only present the regular basic course in the modular format as an extended format course.

As was mentioned previously, the three-part format to the regular basic course modular system will allow us to evaluate each component internally. They will start with a Module III; and during the course of the presentation and subsequent to that, staff will conduct an evaluation.

If they have properly presented Module III, they will be allowed to continue to Module II, which will also be evaluated in the same format. And if that is successful, they will be allowed to continue on to Module I.

The advantage to the modular format being in the
three-part component is that if there is an issue that comes up with the presentation, the students will receive credit for the training they received up to that point in time, and they will not be in a similar situation that the students involved in the two previous classes faced.

If Rio Hondo successfully completes the entire modular format, then consideration will be given to allow them to return to other forms of basic training.

COMMISSIONER LOWENBERG: Mr. Chair?

CHAIR DOYLE: Mr. Lowenberg?

COMMISSIONER LOWENBERG: It appears to me that in the conditions of probation, that maybe they’re -- and these are very comprehensive, and again, kudos to staff -- but it appears to me that it was very clear from our earlier discussion of B.8 and the report, that one of the things that appeared to be missing was an ability for the instructors and staff and administration to communicate on a regular basis. It was pointed out more than once in the report.

Maybe a question of staff: Would it be possible to include in the conditions of probation that maybe require and/or strongly suggest that regular instructor meetings between staff, including RTOs, be conducted on at least an annual basis?

That’s my question.
MR. CAPPITELLI: Commissioner, if your question is, can we do that? Absolutely.

COMMISSIONER LOWENBERG: Yes, thank you.

I would suggest that that be done.

MR. CAPPITELLI: Yes.

COMMISSIONER McGINNESS: Is annually sufficient, realistically?

COMMISSIONER LOWENBERG: Well, no, probably not. But I wanted to --

COMMISSIONER McGINNESS: Quarterly probably would be --

COMMISSIONER LOWENBERG: While on probation, maybe quarterly would be more appropriate.

COMMISSIONER McGINNESS: Quarterly.

COMMISSIONER LOWENBERG: Thank you, John.

MR. CAPPITELLI: Might I offer a suggestion? Staff can go back and develop some wording that will capture the issue rather than try to determine a particular time.

Would that be acceptable?

COMMISSIONER LOWENBERG: Thank you.

MR. CAPPITELLI: Thank you, sir.

MR. DECKER: Part of our discussions with the college administration, our plans are to take a team down there for a minimum of a one-day period. We’re bringing
all of their newly assigned staff together for a training session just to kick things off.

CHAIR DOYLE: Other comments? Questions?

(No response)

CHAIR DOYLE: Is there a motion to accept B.9?

COMMISSIONER LOWENBERG: Move to approve B.9.


CHAIR DOYLE: All those in favor?

(A chorus of "ayes" was heard.)

CHAIR DOYLE: Thank you.

Before Item C, I’d like to introduce our newest commissioner, Larry Wallace, representing the Attorney General.

And Larry, as part of the initiation -- you don’t have to pay anything, but we would like you to introduce yourself to the audience of the Commission.

COMMISSIONER WALLACE: Well, first of all, I want to apologize for being late. My prior meeting ran late. But I’m very happy to be here.

I look forward to working with the Commission.

I’ve been in law enforcement for approximately 25 years. I started out at the Berkeley Police Department and worked narcotics. And that’s how I got affiliated with the Department of Justice.

I spent ten years with the San Francisco Bureau of
Narcotic Enforcement. And I see some fellow
commissioners here that I did a lot of work with.

I was afforded the opportunity to go work for then
District Attorney Kamala Harris. With the District
Attorney’s office in San Francisco, I worked there for
six years as a deputy chief, overseeing special
operations and trial preparations.

And I’m here now today as a new director of law
enforcement. And like I say, I’m happy to be here. And
we look forward to our working relationship over the next
four years.

CHAIR DOYLE: Welcome.

Thank you.

Item C, Commissioner McGinness, Chairman of the
Finance Committee.

COMMISSIONER McGINNESS: Thank you, Mr. Chairman.

The Finance Committee met yesterday with POST staff,
most notably Assistant Director Dick Reed and
Administrative Services Bureau Chief Darla Engler, and
reviewed the financial report for fiscal year 2010-2011
through the end of May.

The Committee received and reviewed the financial
report for the first 11 months. And the overall news is
that, unlike many people who are dealing with budgets in
their daytime jobs, POST is actually looking to be in
pretty good shape. The report indicates revenue is approximately $7 million lower than the amount received in the previous year, and about 8.5 lower than the amount projected for this year.

However, about $5 million of that decrease can be attributed to the fact that the driver training penalty assessment fund has been slow coming in this year. So staff expects to end the fiscal year with about $50.3 million, that’s about $3 million less than last year’s revenue. The report also indicates that ‘10-11 the number of reimbursable trainees and their training reimbursement was significantly less: 28 and 24 percent, respectively. And, of course, the belief is that that is reflective of the fact that many law-enforcement agencies are laying people off and not availing themselves of the training opportunities.

We reviewed the projected expenditures for the balance of this fiscal year; and staff estimates that by the end of the year, the balance will be significantly less than currently shown as a result of staff actions taken following the Commission’s meeting in February and direction given then.

Correspondingly, the Committee approved agenda Item W.2, which you’ll have a chance to review here today, to extend the ’10-11 contracts.
The review of the proposed ‘11-12 budget: Staff noted that the threat of losing the program 30 peace officer training reimbursement funds from the POST budget was addressed in the Governor’s changes to the realignment proposal. And the POST budget as submitted is expected to be approved by the Legislature.

We did approve and recommend passage of agenda items G, L, N, P, Q, and R on the regular Commission agenda, which total about $2,745,916. As to our funds to support all expenditure items on the Commission agenda, the Committee recommends the approval of all items to the Commission.

The issue of reimbursement funds to the field staff provided a report on proposals to provide additional reimbursements to the field using ‘10-11 funds. And the Committee strongly recommends approval by the Commission to settle up some of those issues.

The contracting procedures took on an interesting conversation; and, frankly, we failed to reach consensus and come up with a recommendation. I think we got fairly close, and we came up with a couple of different proposals, which I kind of would describe as a distinction without a difference.

The flavor of the dialogue was that it appears as though the current system, the current language, works
effectively. And there’s a little bit of a, “If it’s not
broke, don’t try to fix it,” attitude that was reflected.

Frankly, the split was whether to just let it go as
it is now, until and unless such time was to present that
there was a need to make a change and address it at that
time, or to specifically calendar it for a subsequent
meeting.

And as a result of a lack of consensus on that, we
took no action on that.

And then finally, staff reported a report on a
proposal for extending 2010-11 contracts. The Committee
recommends approval by the Commission.

And that’s our report.

CHAIR DOYLE: Good.

COMMISSIONER HAYHURST: Mr. Chair, I’d like to be
heard, if I may.

CHAIR DOYLE: Sure, Commissioner Hayhurst.

COMMISSIONER HAYHURST: On Item 6, the POST
contracting procedures. A little different take on it.

What I was asking of the Financial Committee on it,
was not to necessarily make a decision on it today, but
to bring it back after we’ve had a little more time to
understand all the language in it. There’s a lot of
codes and stuff in there. And rather than bring it back
at a time when there might be some questions again in
the future, give us all a chance to look up some of these
codes that’s in there. The POST internal manual and
stuff has a lot of different items and stuff in there.
I’d like to have the opportunity to make an informed
decision on it and bring it back in October, because it’s
not going to change anything at this date and time if we
remain at status quo. But if we just give the rubber
stamp and say, “We’re done with it,” and unless somebody
else complains in the future or has some questions in the
future, then we’ll bring it back.

I’d like to bring it back in October, when we’ve all
had a chance to review it a little bit more. At least
I know I need some more time. And that was my take on
it.

Thank you, Mr. Chair.

CHAIR DOYLE: Other comments or questions?

(No response)

CHAIR DOYLE: Okay, is that a motion to --

COMMISSIONER HAYHURST: I’d like to make a motion --

CHAIR DOYLE: Well, let me finish, Commissioner.

Is that a motion to accept the Finance report with
the provision that this particular item we bring back in
October?

COMMISSIONER HAYHURST: Very good, Mr. Chair. Yes,
sir.
CHAIR DOYLE: So that’s the motion.

Is there a second?

COMMISSIONER SMITH: Second. Smith.

CHAIR DOYLE: All those in favor?

(A chorus of “ayes” was heard.)

CHAIR DOYLE: The motion passes.

Thank you, Commissioner McGinness.

COMMISSIONER McGINNESS: Thank you.


I think we talked about this last meeting, and there was an interest in doing something other than doing an evaluation of the executive director every year, and maybe doing that every other year?

MR. CAPPITELLI: Mr. Chairman, this is because we had to modify a Commission policy. So this is the policy change that is commensurate with that discussion.

CHAIR DOYLE: Okay.

COMMISSIONER LOWENBERG: Unless my fellow commissioners need to ask questions, I’m prepared to move Item D.

COMMISSIONER SOBEK: Second.

COMMISSIONER HAYHURST: Second.

CHAIR DOYLE: Okay, there was a motion by
Commissioner Lowenberg, and there was a tie between --
so I’ll pick up Commissioner Sobek.

COMMISSIONER SOBEK: Go ahead, Floyd.

COMMISSIONER HAYHURST: Whichever is easiest for the
recorder.

CHAIR DOYLE: All those in favor?

(A chorus of “ayes” was heard.)

CHAIR DOYLE: Item E, Basic Training Bureau Report
on Proposed Changes to Training and Testing
Specifications for Peace Officer Basic Courses.

Does any commissioner want a report on this item?

COMMISSIONER SOBEK: Motion to move.

CHAIR DOYLE: That’s a motion by Commissioner Sobek.

Second?

COMMISSIONER LUNDGREN: Second. Lundgren.

CHAIR DOYLE: All those in favor?

(A chorus of “ayes” was heard.)

CHAIR DOYLE: Item F, Report on Proposed Changes to
the Basic Course Waiver Process Application Form.

Is there a report required, or is there a motion?

COMMISSIONER SOBEK: Motion to move. Sobek.


CHAIR DOYLE: All those in favor?

(A chorus of “ayes” was heard.)

CHAIR DOYLE: Item G, Executive Office Request
Approval to Accept Fiscal Year 2011 Homeland Security
Grant Funds and Authorize Contracts to Expend Funds.

I had asked the Executive Director if we could get
a report on exactly what we were proposing to train.

So thank you, Mike.

MR. CAPPITELLI: Mr. DiMiceli will present that.

MR. DiMICELI: Good morning.

Connie and Marie are passing out a page from the
grant application that we submitted to CalEMA which
describes five projects that we anticipate using the
grant funds to complete.

Very frankly, my approach is: They give me the
money and then I’ll figure out what we’re going to do
with it. But you’ve got to put something on the grant
application, so these are five good ideas.

The first three, A, B, and C that are described
there, have been on our calendar for some time. The last
two projects are available for substitution, if you will.

As you will recall, two and a half years ago
Assembly Bill 587 appropriated to the Commission
$2.5 million from the 9/11 memorial license plate fund,
and $2.5 million to the fire service specifically for
terrorism-related training.

We’re essentially at the end of that two-and-a-half
year period, or three fiscal-year period. CalEMA called
us and said, some more money is available if you’ll give
us some thoughts and submit a grant application. And so
that’s where we are with this.

They need to encumber the money by the 30th of this
month. We’re processing paper and answering questions.
I don’t really know whether we’ll get as much as $500,000
or something less. But in our conversation with them,
they said, “We’ll have as much as $500,000.”

So, you know, like the contractor, “You tell me how
much I can spend. I’ll give you an estimate for the
whole thing.” So there are we are.

CHAIR DOYLE: Thank you.

Any other questions?

COMMISSIONER SOBEK: Are we in competition with
anybody on that grant?

MR. DiMICELI: No. The legislation initially
specified it can only be used for law enforcement and
fire. And we’re the law-enforcement guy in the room.

CHAIR DOYLE: Is there a motion to accept?

COMMISSIONER McGINNESS: So moved. McGinness.

And this did get the recommendation of the Finance
Committee.


CHAIR DOYLE: Please call the roll.

MS. PAOLI: Allen?
COMMISSIONER ALLEN: Yes.

MS. PAOLI: Larry Wallace?

COMMISSIONER WALLACE: Yes.

MS. PAOLI: Tom Anderson?

(No response)

Ms. PAOLI: Lai Lai Bui?

VICE CHAIR BUI: Yes.

MS. PAOLI: Cooke?

COMMISSIONER COOKE: Yes.

MS. PAOLI: Doyle?

CHAIR DOYLE: Yes.

MS. PAOLI: Dumanis?

(No response)

Ms. PAOLI: Hayhurst?

COMMISSIONER HAYHURST: Yes.

MS. PAOLI: Linden?

COMMISSIONER LINDEN: Yes.

MS. PAOLI: Lowenberg?

COMMISSIONER LOWENBERG: Yes.

MS. PAOLI: Lundgren?

COMMISSIONER LUNDGREN: Yes.

MS. PAOLI: McDonnell?

COMMISSIONER McDonnell: Yes.

MS. PAOLI: McGinness?

COMMISSIONER McGINNESS: Yes.
MS. PAOLI:  Smith?

COMMISSIONER SMITH:  Yes.

MS. PAOLI:  Sobek?

COMMISSIONER SOBEK:  Yes.

MS. PAOLI:  Soubirous?

COMMISSIONER SOUBIROUS:  Yes.

CHAIR DOYLE:  Thank you.

The motion passes.

Item H, Report on Composition of POST Advisory Committee.

I understand there was discussion at the Advisory Committee yesterday. I was absent.

Laura?

MS. LORMAN:  Yes. We had a fruitful discussion. And the Advisory board did vote with four against to recommend not to fill the position once occupied by COPS.

There was discussion prior to the vote of continuing the position with either CCLEA, CLEARS, or CCUPCA, which is a college and university chiefs association.

Also the Advisory Committee wanted to bring forth that if the Commission chooses to continue the position, the nomination period should be reopened.

CHAIR DOYLE:  So is it the recommendation of the Advisory Committee not to fill this position?

MS. LORMAN:  Yes.
CHAIR DOYLE: Okay, Commissioners?

COMMISSIONER HAYHURST: I’d like to be heard on that, Chair.

CHAIR DOYLE: Commissioner Hayhurst?

COMMISSIONER HAYHURST: I did attend, and I do have some questions on it.

Back in -- and staff did a fine job, as they always do. Back in 2006-2007, we did have this before us to change the composition of the Advisory Committee. And it was handled by a subcommittee of commissioners.

It was discussed at the last Commission meeting of the commissioners that would be -- my name was thrown out, Lundgren, McDonnell, and Smith.

And I’m just curious as to whether we’re going to start doing things now differently than what we did in ’06 and ’07, at the advice of the Commission last time, if we’re changing, like I said, the way we’re doing that. And also two meetings ago, the Commission concurred to add a person to the Advisory Committee as opposed to remove one, which we did. We added a person to it. And now, after that, it’s brought back to us to remove.

So I think that we should either stay with the rules that we were doing in ’06 and ’07, or make sure that we’re going to follow the same rules in the future, whichever way we are going to do it.
POST Commission Meeting, June 23, 2011

If we’re going to have the Advisory Committee advise us to do it, what their recommendation is, either stick with that policy but not go back and forth.

And my suggestion would be to table this item, send it back out to the Advisory Liaison Committee, which is comprised of the commissioners, to bring back to this body in October and open it up.

CHAIR DOYLE: Commissioner Lowenberg?

COMMISSIONER LOWENBERG: With all due respect to my fellow commissioner, Mr. Hayhurst, it’s probably not the first time or the last time we’re going to disagree; but I do respect his point of view.

I think his take on it is slightly different than mine. I believe I was chair of the Commission that last time we had this discussion. Frankly, now that I think about it, I might have been the chair at the time before, when we talked about this issue. If you’ve been on this Commission long enough, these issues have a tendency to resurface.

But, anyway, that being said, I think the Advisory Committee did a nice job of -- at least from what I heard -- did a nice job of evaluating all the information. Everyone on this commission knows where I stand on this issue. And I’m prepared to advance a motion to approve the recommendation of our Advisory
CHAIR DOYLE: Commissioner Linden?

COMMISSIONER LINDEN: Mr. Chair, I’ll second the motion with a comment that I actually -- I think it is appropriate that the Advisory Committee have that level of in-depth conversation and consideration from the many different perspectives that comprise the Advisory Committee about, should there be changes, should there be differences, what to do with this particular position. I think they’re actually in the best position to look at their own composition and their own makeup, and to identify gaps or augmentations that might be needed to that committee.

So I appreciate the discussion they had and their recommendation. And I trust, given the composition of the Advisory Committee, that it was thoughtful and carefully considered.

CHAIR DOYLE: Any other comments on the motion?

(No response)

CHAIR DOYLE: Okay, there’s a motion and a second. All those in favor?

(A chorus of “ayes” was heard.)

CHAIR DOYLE: Those opposed?

COMMISSIONER HAYHURST: Aye.

COMMISSIONER SOBEK: Aye.
COMMISSIONER LUNDGREN:  Aye.
COMMISSIONER SOUBIROUS:  Aye.
CHAIR DOYLE:  Interesting.
VICE CHAIR BUI:  Can you restate the motion please?
CHAIR DOYLE:  The motion was essentially to adopt the recommendation of the Advisory board.
COMMISSIONER LINDEN:  Which is not to fill the position?
CHAIR DOYLE:  Which is not to fill the position.
MS. PAOLI:  Can I have the names who --
CHAIR DOYLE:  Sure, why don’t we -- those who favor the motion, raise your hand?
(A show of hands.)
CHAIR DOYLE:  Do you have that?
MS. PAOLI:  (Nodding.)
CHAIR DOYLE:  Those who oppose, raise your hand?
(A show of hands.)
CHAIR DOYLE:  I believe the motion passes.
VICE CHAIR BUI:  What was the count?
MS. PAOLI:  4 to 10.
MR. CAPPITELLI:  Why don’t we do a roll call?
May I suggest we do a roll call?
CHAIR DOYLE:  Let’s do a roll call.
MR. CAPPITELLI:  Thank you, Mr. Chair.
MS. PAOLI:  Allen?
COMMISSIONER ALLEN: Yes.

MS. PAOLI: Wallace?

COMMISSIONER WALLACE: May I abstain on this? I don’t have enough information.

MS. PAOLI: Anderson?

(No response)

Ms. PAOLI: Bui?

VICE CHAIR BUI: No.

MS. PAOLI: Cooke?

COMMISSIONER COOKE: Yes.

MS. PAOLI: Doyle?

CHAIR DOYLE: Yes.

MS. PAOLI: Dumanis?

(No response)

Ms. PAOLI: Hayhurst?

COMMISSIONER HAYHURST: No.

MS. PAOLI: Linden?

COMMISSIONER LINDEN: Yes.

MS. PAOLI: Lowenberg?

COMMISSIONER LOWENBERG: Yes.

MS. PAOLI: Lundgren?

COMMISSIONER LUNDGREN: No.

MS. PAOLI: McDonnell?

COMMISSIONER McDonnell: No.

MS. PAOLI: McGinness?
COMMISSIONER McGINNESS: Yes.

MS. PAOLI: Smith?

COMMISSIONER SMITH: Yes.

MS. PAOLI: Sobek?

COMMISSIONER SOBEK: No.

MS. PAOLI: Soubirous?

COMMISSIONER SOUBIROUS: No.

MS. PAOLI: Seven yeses and six noes.

CHAIR DOYLE: Okay, the motion passes.

Item I, Report on the Update of the POST Strategic Plan.

Does a commissioner want a report?

(No response)

CHAIR DOYLE: Is there a motion to adopt or accept Item I?

COMMISSIONER McGINNESS: Move to adopt. McGinness.


CHAIR DOYLE: McDonnell?

COMMISSIONER LUNDGREN: Sorry, can we go back to discussion?

CHAIR DOYLE: Sure, of Item I or Item H?

COMMISSIONER LUNDGREN: Item I. I’ve moved on.

CHAIR DOYLE: Sure. I’m sorry, I thought that --

COMMISSIONER LUNDGREN: I’ve moved on to Item I.

CHAIR DOYLE: Sure. Commissioner Lundgren?
COMMISSIONER LUNDGREN: Thank you, sir.

It appears we’ve continued this a couple times. And I understand that staff is just inundated with all kinds of stuff. And I don’t have a problem with continuing it. But my worry is, we just keep kicking that can down the road. And at some point, we need to address it.

So is there a plan or some type of schedule that we are going to come back to this?

MR. CAPPITELLI: Yes, well, to speak to the point, in a broad sense, the plan that we had for last year was to focus on restructure and reorganization within POST rather than move forward with the Strategic Plan.

And, as you know, we’ve not had the ability to hire any new staff since August of last year. And every time somebody leaves, we cannot replace that position. So we’ve not had the ability to do the restructuring and the reorganization because we don’t know how many personnel that we have.

We are in the process right now of waiting to hear back from the administration on our request for exemption so that we could perhaps resume hiring, but we have yet to receive word on that.

With respect to the Strategic Plan, as outlined in the report, there are still a significant number of items that are already in progress, and a number of items that
we have, that we have set aside, that we could continue
to work on.

So I don’t want you to get the false perception that
we are, in your words, kicking the can down the road.
All we’re saying is, we have ample work with the
Strategic Plan initiatives that we have. And the process
that we would have to go through to develop new
initiatives and new objectives would be very time-
consuming, very costly, and would create additional
workload for a diminishing staff.

CHAIR DOYLE: Any other comments?

(No response)

CHAIR DOYLE: There’s a motion and a second.

All those in favor?

(A chorus of “ayes” was heard.)

CHAIR DOYLE: Item J, report on input by Finance and
Advisory Committees.

Did everybody review the report? Would anyone like
a staff report?

COMMISSIONER McGINNESS: Move.

CHAIR DOYLE: Motion?

McGinness?

COMMISSIONER McGINNESS: I was going to move.

COMMISSIONER LINDEN: He got it.

And I’ll second. I think this fixes something that
I think needs fixing.

CHAIR DOYLE: McGinness and Linden.

All those in favor?

(A chorus of “ayes” was heard.)


Is that the one you were going to --

MR. CAPPITELLI: Mr. Chairman, this is just a request to not enforce one aspect of this regulation change. The regulation change had already been vetted and was ready to go, be pressed into the field. And we received some concerns at the eleventh hour. And staff has prepared this report asking the Commission to suspend the one section of this that deals with the charges to instructors who are providing instruction while on duty.

Staff can provide a report, if you’d like, either Mr. Pecinovsky or Mr. DiMiceli or somebody can come forward, if you’d like.

COMMISSIONER LINDEN: I’d like to hear a little bit.

I’m not sure I understood what the concerns were, you know, if somebody’s being paid by their agency. I didn’t quite get it from the report.

MR. CAPPITELLI: Sure. Mr. DiMiceli will spell it out.

MR. DiMICELI: As the staff was revising this
regulation which specifically refers to the budget that is a part of the tuition-based core certification, there was some discussion about the use of funds, POST reimbursement, in the situation where a certified course is taught within an agency, to the agency’s own staff, using that agency’s personnel who are on duty and assigned to training. And essentially, the Commission, in those cases, is reimbursing the agency for costs of the training that essentially the agency doesn’t have.

And so the one sentence which is bolded and underlined in your report was added to the regulation, which was then approved and is to become effective the 1st of July, having passed through all of the administrative processes, that would prohibit the charge in the budget for agency instructors who are teaching on duty.

It seemed like a good idea at the time. When the bulletin came out, staff received a variety of comments from various of the training managers asking, did we think of this or that? And when we dropped back and looked at it, we recognized that it would apply in all cases. It would apply to those courses that are open to -- you know, where the door is open, the “You all come” kind of a situation. And somebody has agency staff who are teaching on duty, may or may not be assigned to
the training function.

And what we realized most recently was that that leaves with the presenter the entire burden of that presentation, and does not share the cost of that training with those outside agencies, if you will, who are participating. Probably not in all respects the fairest approach to handling the burden of training.

And so what staff is asking is for permission, essentially, to suspend the imposition and enforcement of that one aspect of the regulation while we drop back and look at it again and see if we can either craft language that is more practical and realistic in training across the board.

COMMISSIONER LINDEN: So the unintended consequence is that it would prohibit -- so my agency hosts a class, I’m providing the cost of the instructor, and four other agencies want to send people; it would prohibit any sort of cost-sharing or other agencies reimbursing me for part of those costs?

MR. DiMICELI: Exactly.

COMMISSIONER LINDEN: Okay, I get it.

COMMISSIONER McGINNESS: Or if you have to replace that instructor with overtime, I would assume?

MR. DiMICELI: What would happen is, if you have a certified class, a certified course to your department,
and you’re teaching it wherever -- across the street -- and you have your instructor who is teaching in the class, and there are people from the entire region who are the participants, you’re responsible for the entire cost of instruction, which means that in the budget for that course that establishes the tuition, where there is an instructor cost, there is zero. And the net effect of that is that you bear the entire cost of instruction, and that all of those folks who participate in the training are not going to share that cost, even though they’re benefiting from the training.

COMMISSIONER LINDEN: And I can see how that could discourage agencies from being willing to host and provide instructors if they’re not getting any offset to that instructor’s time. You know, presumably if they’re on duty, they could be doing something else as part of their regular job. So, yes, I get it.

MR. CAPPITELLI: One more comment. It’s particularly problematic for those agencies who have staff that are dedicated to training because they have a significant number of personnel that, on a daily basis, they have to be conducting in-service training just to stay current with all of the mandates and all the requirements.

COMMISSIONER LINDEN: Mr. Chair, I’ll move the
suspension of the enforcement of that provision.

CHAIR DOYLE: Okay, is there a second?

COMMISSIONER: Allen, second.

COMMISSIONER HAYHURST: Second.

CHAIR DOYLE: Allen second?

All those in favor?

(A chorus of "ayes" was heard.)

CHAIR DOYLE: Item L, Learning Technology Resource

Bureau, Contract Request for Analysis and Feasibility

Study of Gaming Engine Use in Law-Enforcement Training.

MR. CAPPITELLI: Mr. Chairman?

CHAIR DOYLE: Yes.

MR. CAPPITELLI: If I may set the stage for a
discussion, I’m going to ask Jan Bullard, Bureau Chief
from our Learning Technology Resources Bureau, to come
forward.

Directing the Commission’s attention back to 2007,
when I first accepted this position, one of the
priorities that the Commission established was the need
to move forward in the arena of technology as it relates
to training. And we’ve been doing that for the last few
years, as evidenced by a number of other policies items
that have been before this commission. And you have
approved and we received tremendous support for that.

Now, we find ourselves in a position where -- and
one more thing, the last large technology purchase that we did obviously was the driving simulators. And now we’re getting ready to go into the force-option simulation replacement. And so with that, we also find ourselves in this position where, because of the downturn in the number of trainees that are responding that are utilizing the reimbursement mechanism, we stand a chance of having funds -- unused funds, unexpended funds revert back to our reserve; and the larger the reserve grows, the larger it becomes a target and becomes attractive in a time of fiscal need.

So with that, I ask staff to identify projects in areas that we could be looking towards the future with respect to the technology in other areas. One of the other priorities is driver training and driver safety.

And what you have right now that Jan is going to present to you on Item L, is a proposal to invest in the next generation of training as it results to the use of technology.

So with that, Jan?

MS. BULLARD: Thank you, Executive Director.

Good morning, Mr. Chairman, Commissioners.

The primary mission of the Learning Technology Resources Bureau is the research of advanced technology and its application to law-enforcement training.
POST Commission Meeting, June 23, 2011

So based on that prism, all of our LTR staff follow the work that occurs in this field. And what they’ve noticed is a great many of the industry leaders are focusing on the development of training in a 3D environment, utilizing gaming engines. And what this does is create a more realistic, very dynamic, and very effective learning experience for the students.

So LTR conducted some of their own research, and they’ve looked at a lot of gaming models. And they’ve identified some that are very promising in their application to law-enforcement scenarios.

The majority of -- I say “kids” -- the majority of people going into law enforcement today and many of them that are already in law enforcement, are very familiar with and honestly they are very comfortable with high-quality game environments, and they really enjoy learning in that kind of an environment.

Game design is the next evolutionary step in training. And a game structure that we link directly with learning objectives, such as a simulation, have already proven to be extremely effective.

Staff would like to recommend that we pursue the research into the possibility and potential of applying this kind of technology into law-enforcement training. And we would like to do that in a three-phase method:
The analysis, prototyping, and pilot testing.

The analysis phase is what is being covered today in your agenda item, and it is absolutely imperative for the success of the entire project.

Now, this is going to be a very in-depth study to identify among many, many things, what is out there in the way of training needs that can be feasibly addressed by this type of technology, and what’s out there now currently in the way of engines and environments that is conducive to or could be adapted to meeting those needs.

We would like to collaborate and partner with a public entity such as the University of Central Florida, who are phenomenal in this type of area.

And we have wanted to do this for a long period of time. As the Executive Director said, the reason that we’re asking for approval at this particular time is because we do have the opportunity to utilize unspent student reimbursement funds, which will cover the entire cost of this analysis phase.

Now, our fiscal predictions are that in the next three to five years, we will probably still have some type of funding available to us in that, which means if we were actually to start this project right now, we could potentially be able to complete an entire three-year project. And if it proves out, have a product
in a cost-neutral method, utilizing these unspent training funds.

We’ve broken down the actual cost of the analysis phase, and that is Attachment A to your agenda item.

MR. CAPPITELLI: May I offer one additional comment, Mr. Chair?

CHAIR DOYLE: Sure.

MR. CAPPITELLI: Simultaneously to this, staff has worked on -- and it is embedded in the agenda items, I want to call your attention to it. Staff is also working on revisiting and retooling our business model for reimbursement to accommodate what we consider now to be the new normal, which are reduced number of officers attending training. And we want to provide a greater subsidy for those.

So this was our offering for this fiscal year, to try to move forward and expend the funds that would otherwise revert to the reserve. We’re also taking other measures contained in the report here.

I realize this is a pretty big price tag. But when you look at the technology involved -- and some of you may have had the opportunity to be here yesterday at the Advisory Committee meeting to see the demonstration. It’s pretty impressive as to the potential here. So that’s for your consideration.
Laura, do you have a comment?

MS. LORMAN: Yes, which leads right to, I want to make a comment that we did see a presentation at the Advisory Committee yesterday. And I think I’m speaking for everyone on the Committee, that we were very pleased with the direction that POST is taking in the use of the gaming engine for the training. It was very, very impressive.

CHAIR DOYLE: Commissioner Bui?

VICE CHAIR BUI: I have a question.

Are we going to look into eventually incorporating the driver’s training into this, so that we can start phasing out or getting rid of those bulky driving simulators?

MS. BULLARD: Commissioner, this is not for the purpose of supplanting the manipulative skills training devices.

We’re looking at this type of an environment and functionality for decision-making, interactive -- you could give them a domestic-violence crime, interview, evidence collection. So this is not meant to take the place of the actual simulators.

COMMISSIONER BUI: I thought the simulators were meant for building decision-making.

MS. BULLARD: In manipulative skills: in the
driving, the shooting. This is for, if you wanted to
take a domestic-violence course, you could be dispatched
to the call, you can get to the call, and we can build in
complexity that on the way, you see something and have to
make a decision to stop or not. Or you get into an
interview situation where you can now have a very
realistic avatar character coming back to you and reading
body language.

So it’s not for manipulative skills.

COMMISSIONER LINDEN: It’s sort of a different use
of simulation --

MS. BULLARD: Exactly.

COMMISSIONER LINDEN: -- augmenting what we already
have.

MS. BULLARD: Exactly.

MR. CAPPITELLI: One more thought. One of the
visions that we have for this is, for people that are
hobbyists in gaming, they actually log on to their
computer and actually go into gaming rooms where other
people log in from other places. And they compete
against one another and assist one another in different
tactical situations. That’s part of what would come out
of this.

But in answer to your question, Commissioner Bui,
the driving simulation really speaks to the issue of the
hazards of driving and judgment and decision-making solely to driving.

This covers a vast array of areas. And it’s not just sitting in a simulator itself. It may also be going onto a computer, getting into the gaming environment, logging on with others. So there’s great potential. And we’ve yet to find a commercial product that is out there, that is solely for the law-enforcement arena, that does this for this topic.

I know that there is a product -- and Commissioner Lowenberg has it in his shop -- that deals with the use of 3D technology in a tactical situation for SWAT training and those kinds of things. This expands the number of uses for that. It goes into a number of different areas.

COMMISSIONER BUI: Sure.

CHAIR DOYLE: Yes, Commissioner Lundgren?

COMMISSIONER LUNDGREN: You know, I watched that simulation yesterday. And I think it’s hard -- I’m not saying all of you are as old as I am, but it’s hard when you come from the type of training we came through, to look that far into the future. But I do have kids and I watch them do this, and it’s total amazement.

So I really think that it is a high price tag. And this is just the first phase.
Is there a projected cost down the road of what the final product may cost?

MS. BULLARD: I would love to say, yes, I know exactly what it’s going to cost when it’s over; but honestly, it’s the analysis phase that’s going to direct us because it’s whatever is developed out of the analysis phase that becomes worthy of prototyping, or moves us into how many types of engines we may have to prototype that’s going to make that cost. It is not inexpensive to do this type of technology.

And I would hate to throw out a number and then have the Commission come back and say, you know...

So I can come back to the Commission with the results -- and we intend to come back to the Commission -- with our findings and, obviously, data that will bring us an accurate estimate of the costs to move forward into phases two and three.

And what my assumption is, is that we might be able to bring you a menu. You know, if you want to spend this much, we might be able to get this. If you want to spend this much, we can get this, this, and this. And you can have column A and column B. And we can take it from there. But we can bring that to the table before we move on and get approval for moving into phases, too.

COMMISSIONER LUNDGREN: The second part of that is,
I thank you for that. That’s a fair statement: “I don’t know.”

However, I think it would be remiss of us if we didn’t explore this type of training available. And, you know, we’re all moving towards the ends of our careers, and we really need to look at the type of training that these guys coming in are going to utilize.

So I think that -- I’m apprehensive just because it’s so far out there; but at the same time, I think it’s something we need to explore and spend the money to figure out if -- it’s money well spent, let me just put it that way.

COMMISSIONER McGINNESS: Move to approve.

McGinness.

CHAIR DOYLE: McGinness.

Is there a second?

COMMISSIONER SOBEK: Second. Sobek.

CHAIR DOYLE: Is that for the part that some are at the end of their careers? Or is that --

MR. McGINNESS: I’m looking back at mine.

CHAIR DOYLE: Okay, roll-call vote.

MS. PAOLI: Allen?

COMMISSIONER ALLEN: Yes.

MS. PAOLI: Tom Anderson?

(No response)
POST Commission Meeting, June 23, 2011

Ms. PAOLI: Bui?

VICE CHAIR BUI: Yes.

MS. PAOLI: Cooke?

COMMISSIONER COOKE: Yes.

MS. PAOLI: Doyle?

CHAIR DOYLE: Yes.

MS. PAOLI: Dumanis?

(No response)

Ms. PAOLI: Hayhurst?

COMMISSIONER HAYHURST: Yes.

MS. PAOLI: Linden?

COMMISSIONER LINDEN: Yes.

MS. PAOLI: Lowenberg?

COMMISSIONER LOWENBERG: Yes.

MS. PAOLI: Lundgren?

COMMISSIONER LUNDEGREN: Yes.

MS. PAOLI: McDonnell?

COMMISSIONER McDONNELL: Yes.

MS. PAOLI: McGinness?

COMMISSIONER McGINNESS: Yes.

MS. PAOLI: Smith?

COMMISSIONER SMITH: Yes.

MS. PAOLI: Sobek?

COMMISSIONER SOBEK: Yes.

MS. PAOLI: Soubirous?
COMMISSIONER SOUBIROUS: Yes.

MS. PAOLI: Wallace?

COMMISSIONER WALLACE: Yes.

CHAIR DOYLE: It passes.


Any comments by the Commission?

(No response)

CHAIR DOYLE: Report required?

(No response)

CHAIR DOYLE: No? Is there a motion?

COMMISSIONER McGINNESS: So moved. McGinness.

CHAIR DOYLE: Second?

We’re looking for somebody to -- Bui?


CHAIR DOYLE: Okay. All those in favor?

(A chorus of “ayes” was heard.)


Any comments?

(No response)

CHAIR DOYLE: Is there a motion?

COMMISSIONER McGINNESS: So moved.
COMMISSIONER LOWENBERG: Second. Lowenberg.

CHAIR DOYLE: Roll-call vote?

MS. PAOLI: Did we have a motion by Hayhurst?

COMMISSIONER McGINNESS: McGinness.

MS. PAOLI: And the second?

COMMISSIONER LOWENBERG: Lowenberg.

MS. PAOLI: Allen?

COMMISSIONER ALLEN: Yes.

MS. PAOLI: Anderson?

(No response)

Ms. PAOLI: Bui?

VICE CHAIR BUI: Yes.

MS. PAOLI: Cooke?

COMMISSIONER COOKE: Yes.

MS. PAOLI: Doyle?

CHAIR DOYLE: Yes.

MS. PAOLI: Dumanis?

(No response)

Ms. PAOLI: Hayhurst?

COMMISSIONER HAYHURST: Yes.

MS. PAOLI: Linden?

COMMISSIONER LINDEN: Yes.

MS. PAOLI: Lowenberg?

COMMISSIONER LOWENBERG: Yes.

MS. PAOLI: Lundgren?
COMMISSIONER LUNDGREN: Yes.

MS. PAOLI: McDonnell?

COMMISSIONER McDonnell: Yes.

MS. PAOLI: McGinness?

COMMISSIONER McGinness: Yes.

MS. PAOLI: Smith?

COMMISSIONER SMITH: Yes.

MS. PAOLI: Sobek?

COMMISSIONER SOBEK: Yes.

MS. PAOLI: Soubirous?

COMMISSIONER SOUBIROUS: Yes.

MS. PAOLI: Wallace?

COMMISSIONER WALLACE: Yes.

CHAIR DOYLE: The motion passes.

Item 0, Report on Proposed Changes to POST Regulation 1009, Triennial Recertification of Academy Instructors.

Comments by the Commission?

COMMISSIONER SOBEK: Motion to move. Sobek.

CHAIR DOYLE: Sobek.

Second?


CHAIR DOYLE: McGinness.

All those in favor?

(A chorus of “ayes” was heard.)
CHAIR DOYLE: Since we have a little ways to go, let’s take a five-minute break.

(Recess taken from 11:31 a.m. to 11:39 a.m.)

CHAIR DOYLE: Okay, Item P. The next item on the agenda is Report on Acceptance of Additional Grant Funds. Would any commissioners like to discuss this or like a report?

(No response)

CHAIR DOYLE: Is there a motion?

COMMISSIONER McGINNESS: So moved.

CHAIR DOYLE: So moved. McGinness. Second?

COMMISSIONER LUNDGREN: Lundgren.

CHAIR DOYLE: Lundgren. Roll call?

MS. PAOLI: Allen?

(No response)

MS. PAOLI: Tom Anderson?

(No response)

Ms. PAOLI: Bui?

VICE CHAIR BUI: Yes.

MS. PAOLI: Cooke?

COMMISSIONER COOKE: Yes.

MS. PAOLI: Doyle?

CHAIR DOYLE: Yes.
MS. PAOLI: Dumanis?

(No response)

Ms. PAOLI: Hayhurst?

COMMISSIONER HAYHURST: Yes.

MS. PAOLI: Linden?

COMMISSIONER LINDEN: Yes.

MS. PAOLI: Lowenberg?

COMMISSIONER LOWENBERG: Yes.

MS. PAOLI: Lundgren?

COMMISSIONER LUNDGREN: Yes.

MS. PAOLI: McDonnell?

COMMISSIONER McDonnell: Yes.

MS. PAOLI: McGinness?

COMMISSIONER McGINNESS: Yes.

MS. PAOLI: Smith?

COMMISSIONER SMITH: Yes.

MS. PAOLI: Sobek?

COMMISSIONER SOBEK: Yes.

MS. PAOLI: Soubirous?

COMMISSIONER SOUBIROUS: Yes.

MS. PAOLI: Wallace?

COMMISSIONER WALLACE: Yes.

CHAIR DOYLE: Item Q, Report on Acceptance of Additional Grant Funds for Tribal Training.

Commissioners, any comments?
(No response)

CHAIR DOYLE: Report?

(No response)

CHAIR DOYLE: No?

Motion?

COMMISSIONER McGINNESS: So moved. McGinness.

COMMISSIONER MCDONNELL: Second.


Roll call.

MS. PAOLI: Allen?

(No response)

MS. PAOLI: Tom Anderson?

(No response)

Ms. PAOLI: Bui?

VICE CHAIR BUI: Yes.

MS. PAOLI: Cooke?

COMMISSIONER COOKE: Yes.

MS. PAOLI: Doyle?

CHAIR DOYLE: Yes.

MS. PAOLI: Dumanis?

(No response)

Ms. PAOLI: Hayhurst?

COMMISSIONER HAYHURST: Yes.

MS. PAOLI: Linden?

COMMISSIONER LINDEN: Yes.
MS. PAOLI: Lowenberg?

COMMISSIONER LOWENBERG: Yes.

MS. PAOLI: Lundgren?

COMMISSIONER LUNDGREN: Yes.

MS. PAOLI: McDonnell?

COMMISSIONER McDonnell: Yes.

MS. PAOLI: McGinness?

COMMISSIONER McGINNESS: Yes.

MS. PAOLI: Smith?

COMMISSIONER SMITH: Yes.

MS. PAOLI: Sobek?

COMMISSIONER SOBEK: Yes.

MS. PAOLI: Soubirous?

COMMISSIONER SOUBIROUS: Yes.

MS. PAOLI: Wallace?

COMMISSIONER WALLACE: Yes.

CHAIR DOYLE: Item R, Report on Acceptance of Fiscal Year 2011-12 Violence Against Women Grant Funds.

Commissioners?

(No response)

CHAIR DOYLE: Report requested?

COMMISSIONER SOBEK: Motion to move. Sobek.

CHAIR DOYLE: Second?

COMMISSIONER McDonnell: Second.

CHAIR DOYLE: McDonnell second.
Roll call.

MS. PAOLI: Allen?

COMMISSIONER ALLEN: Yes.

MS. PAOLI: Anderson?

(No response)

Ms. PAOLI: Bui?

VICE CHAIR BUI: Yes.

MS. PAOLI: Cooke?

COMMISSIONER COOKE: Yes.

MS. PAOLI: Doyle?

CHAIR DOYLE: Yes.

MS. PAOLI: Dumanis?

(No response)

Ms. PAOLI: Hayhurst?

COMMISSIONER HAYHURST: Yes.

MS. PAOLI: Linden?

COMMISSIONER LINDEN: Yes.

MS. PAOLI: Lowenberg?

COMMISSIONER LOWENBERG: Yes.

MS. PAOLI: Lundgren?

COMMISSIONER LUNDGREN: Yes.

MS. PAOLI: McDonnell?

COMMISSIONER McDONNELL: Yes.

MS. PAOLI: McGinness?

COMMISSIONER McGINNESS: Yes.
MS. PAOLI: Smith?

COMMISSIONER SMITH: Yes.

MS. PAOLI: Sobek?

COMMISSIONER SOBEK: Yes.

MS. PAOLI: Soubirous?

COMMISSIONER SOUBIROUS: Yes.

MS. PAOLI: Wallace?

COMMISSIONER WALLACE: Yes.

CHAIR DOYLE: Thank you.

Committee Reports, Item S, Advisory Committee.

Laura Lorman?

MS. LORMAN: Really, nothing more to add than what was discussed during the meeting today about our discussions on the makeup of the board and using the gaming search engine; and also we did have a very good, I think, discussion on the issue at Rio Hondo.

CHAIR DOYLE: Okay. Does that require a motion?

No?

MR. CAPPITELLI: No.


Commissioner Lundgren?

COMMISSIONER LUNDGREN: Yes, sir. Thank you.

The Commission has two legislative bills that we need to bring to the Commission for action.

I want to ask Karen Lozito to come up. Absolutely.
The first is AB 770, Torres, Emergency Telephone Systems.

Does anyone have any questions?

CHAIR DOYLE: Would we ask you or would we ask Karen?

COMMISSIONER LUNDGREN: You can ask me, but I’m going to ask Karen. Karen.

CHAIR DOYLE: No questions of -- okay.

COMMISSIONER LUNDGREN: This morning, the committee changed its position from “neutral” to “support.”

And the other Assembly Bill was 308, Criminal Investigations, Eyewitness Identification, where at the last committee meeting, we took an “oppose” position unless amended.

That bill was sent to Ammiano, recommending changes; the changes were made. And the committee recommends a “neutral” position.

CHAIR DOYLE: Well, and that’s -- just to -- because Ammiano made the changes that POST requested.

COMMISSIONER LUNDGREN: Ammiano made the changes POST asked for.

CHAIR DOYLE: Because we had a lot of discussion. As most of you know, most police agencies oppose that piece of legislation. But I can understand POST taking a neutral position because he did make the changes that
were requested.

COMMISSIONER LUNDGREN: That’s correct.

COMMISSIONER LINDEN: Mr. Chair, I’ll move that the Commission take a “support” position on AB 770 and a “neutral” position on AB 308.


CHAIR DOYLE: All those in favor?

(A chorus of “ayes” was heard.)

CHAIR DOYLE: Thank you.

COMMISSIONER LUNDGREN: We also have several other pieces of legislation here for information only, that are on your agenda.

Does anyone have any questions?

MS. LOZITO: And there’s also the legislative proposal.

COMMISSIONER LUNDGREN: Oh, that’s correct.

Please brief us on that.

MS. LOZITO: Okay, thank you.

In the last meeting, the Commission approved a request for staff to work on legislation, to allow us the option to decline environmental crimes training funds. The Commission approved that. And that bill is included -- or our wording is included in Senate Bill 428, the Public Safety Omnibus bill.

So that’s really just an update, to let you know
that staff has moved forward with your approval.

CHAIR DOYLE: Is that it, Commissioner Lundgren?

COMMISSIONER LUNDGREN: To the best of my knowledge.

MS. LOZITO: Thank you.

CHAIR DOYLE: Item U is correspondence to POST and from POST. It’s in your book.

Item V is Old Business.

MR. CAPPITELLI: No old business.

CHAIR DOYLE: No old business?

Item W is New Business, Development of Technology-Based Training Platform Presentation.

MR. CAPPITELLI: That one has been deleted.

CHAIR DOYLE: Okay, the next is Report on Proposal for Extending 2010-2011 Contracts.

MR. CAPPITELLI: Yes. Mr. Chairman, this is contained in Tab W.

And we’ll be glad to give a report if you’d like one.

CHAIR DOYLE: Okay, any Commission discussion or want a report from staff?

(No response)

CHAIR DOYLE: Is there a motion?

COMMISSIONER LUNDGREN: Motion to approve. Lundgren.

CHAIR DOYLE: Second?

CHAIR DOYLE: All those in favor?

(A chorus of “ayes” was heard.)

COMMISSIONER SOBEK: It’s roll call.


Sorry.

MS. PAOLI: Allen?

COMMISSIONER ALLEN: Yes.

MS. PAOLI: Anderson?

(No response)

Ms. PAOLI: Bui?

VICE CHAIR BUI: Yes.

MS. PAOLI: Cooke?

COMMISSIONER COOKE: Yes.

MS. PAOLI: Doyle?

CHAIR DOYLE: Yes.

MS. PAOLI: Dumanis?

(No response)

Ms. PAOLI: Hayhurst?

COMMISSIONER HAYHURST: Yes.

MS. PAOLI: Linden?

COMMISSIONER LINDEN: Yes.

MS. PAOLI: Lowenberg?

COMMISSIONER LOWENBERG: Yes.

MS. PAOLI: Lundgren?
COMMISSIONER LUNDGREN: Yes.

MS. PAOLI: McDonnell?

COMMISSIONER McDONNELL: Yes.

MS. PAOLI: McGinness?

COMMISSIONER McGINNESS: Yes.

MS. PAOLI: Smith?

COMMISSIONER SMITH: Yes.

MS. PAOLI: Sobek?

COMMISSIONER SOBEK: Yes.

MS. PAOLI: Soubirous?

COMMISSIONER SOUBIROUS: Yes.

MS. PAOLI: Wallace?

COMMISSIONER WALLACE: Yes.

CHAIR DOYLE: Thank you.

COMMISSIONER SMITH: I do have a question.

CHAIR DOYLE: Sure.

COMMISSIONER SMITH: On the chart, Item No. 1, delivery LEDS and Force Option, is that various presenters? Is that a bunch of different presenters, or is it one particular --

MR. CAPPITELLI: Yes. And if necessary, we could have staff elaborate on that.

COMMISSIONER SMITH: No, that’s okay, as long as -- that’s why the presenter wasn’t listed, because it was just multiple?
MR. CAPPITELLI: Yes, various presenters.

CHAIR DOYLE: Okay, the next item is election of new officers for fiscal year '11-12.

Is that a committee that --

MR. CAPPITELLI: Well, I think we could do it that way, or you could open the floor for nominations.

CHAIR DOYLE: Okay, so we do that. Good.

All right. So election of new officers.

Yes, I think we do a thing where there’s a committee and people make recommendations, and then we bring it back the next time.

MR. CAPPITELLI: Maybe so.

COMMISSIONER SOBEK: It’s either the chair or the vice chair and upcoming chair, or -- wait...

CHAIR DOYLE: Well, the vice-chair is the upcoming chair.

COMMISSIONER LINDEN: Past chair.

MR. CAPPITELLI: That’s right. Past chair. Sorry, I’m thinking of something else.

CHAIR DOYLE: So it’s the chair, the vice-chair, and the --

COMMISSIONER SOBEK: Past chair.

CHAIR DOYLE: -- past chair. Okay.

COMMISSIONER SOBEK: It would be you, I, and Lai Lai.
CHAIR DOYLE: Okay, so I would guess that between now and October --

What are you shaking your head about? This is going to be a wonderful thing, you know.

VICE CHAIR BUI: It’s crazy, that’s all I have to say.

CHAIR DOYLE: So I guess between now and October, people can contact any one of us and make suggestions; and then at the next meeting in October in San Francisco, that’s when we will entertain nominations.

COMMISSIONER SOBEK: I think if we just remind everybody, or the fellow commissioners, to keep in mind that some -- a couple years ago we agreed that it would be every other year, you know, maybe a management or labor position, so...

CHAIR DOYLE: I think we’ve been doing -- I don’t think we took anything formal, but I think we sort of --

COMMISSIONER SOBEK: Just kind of keep in mind, that’s all.

COMMISSIONER LOWENBERG: Actually we returned to that. We used to do it that way. We’re always sensitive to that. And then it got changed under another administration, and now it’s back. So thank you.

CHAIR DOYLE: So now we have the gentlemen-gentlewomen agreement?
COMMISSIONER LOWENBERG: Correct.

CHAIR DOYLE: Okay. Future commission dates, those are in your book also.

And now, we will convene in closed session, a discussion of litigation matters.

And so is that just commissioners and staff?

MR. CAPPITELLI: Yes. Just commissioners.

And once we are through with closed session, we’ll resume the meeting for a brief second just to make a quick announcement for the record and then we’ll be adjourned.

So members of the audience, if you’d like to please leave so we can do the closed session.

(The Commission met in executive closed session from 11:49 a.m. to 12:10 p.m.)

CHAIR DOYLE: We’re back in session.

The POST commission met in closed session. There is nothing to report.

So that means the meeting is adjourned.

Do we need a motion to adjourn?

MR. CAPPITELLI: I don’t think we do.

CHAIR DOYLE: No? The meeting is adjourned.

Thank you.

(The gavel was sounded.)

(The Commission meeting concluded at 12:10 p.m.)
REPORTER’S CERTIFICATE

I hereby certify:

That the foregoing proceedings were duly reported by me at the time and place herein specified; and

That the proceedings were reported by me, a duly certified shorthand reporter and a disinterested person, and was thereafter transcribed into typewriting.

In witness whereof, I have hereunto set my hand on July 12th, 2010.

___________________________________
Daniel P. Feldhaus
California CSR #6949
Registered Diplomate Reporter
Certified Realtime Reporter