

Commission on Peace Officer Standards and Training

2015 SLAA REPORT

December 29, 2015

Michael Cohen, Director
California Department of Finance
915 L Street
Sacramento, CA 95814

Dear Mr. Cohen,

In accordance with the State Leadership Accountability Act (SLAA), the Commission on Peace Officer Standards and Training submits this report on the review of our systems of internal control and monitoring processes for the biennial period ended December 31, 2015.

Should you have any questions please contact Dave Cornejo, Assistant Executive Director-Administrative Services, at (916) 227-2809, dave.cornejo@post.ca.gov.

BACKGROUND

The Commission on Peace Officer Standards and Training (POST), established by the legislature in 1959, sets the minimum selection and training standards for California law enforcement and functions under the direction of the Executive Director (Penal Code Sections 13500-13508 and 13510-13519.15). The Commission is Governor-appointed. The Commission appoints an Executive Director who is responsible for carrying out the organization's mission and goals with an emphasis on leading by example. The mission of POST is to continually enhance the professionalism of California law enforcement in serving its communities. Recognizing that effective law enforcement is the cornerstone of a free and safe society, POST is committed to a vision of the future that ensures quality, integrity, accountability, and cooperation; encourages new ideas; explores and uses appropriate technologies; and delivers relevant, client-based programs and services.

POST provides mandated training, services, and benefits to more than 600 participating agencies, including job-related assessment tools, research on improved officer selection standards, management counseling services, development of new training courses, leadership training programs, and training reimbursement. POST works with more than 800 educational partners and law enforcement-training presenters in the development and delivery of POST-certified training.

Core values guide the actions of POST employees. Management leads by example, conducting day-to-day operations with the highest integrity and professionalism. Roles and responsibilities are well defined. Strong lines of authority, control, collaboration, and communication are maintained throughout eight major bureaus within POST .

POST's primary funding source is from the Peace Officers' Training Fund (POTF) (Penal Code Sections 13500-13553). The POTF is one of the funds that receives monies through the State Penalty Fund (SPF) (Penal Code Section 1464 and Government Code Section 13332.18). Monies from fines and fees levied on individuals convicted of criminal offenses are distributed to various state and local funds—such as the SPF. Revenue into the SPF peaked in 2008-09 and has steadily declined since. Accordingly, revenues deposited into the POTF have also declined. In recent years, the POTF has experienced persistent revenue shortfalls resulting in some of the risks identified in this report.

RISK ASSESSMENT PROCESS

POST's Management Team (MT) is comprised of POST's Executive Director, three Assistant Executive Directors (AEDs), and eight Bureau Chiefs (BCs), representing each individual bureau. The Management Team meets twice per month to identify and discuss significant department-wide issues, risks, and controls. In addition to attending the SLAA training, the Bureau Chiefs and Assistant Executive Directors

attended a department risk assessment meeting that provided information and instructions about the risk assessment process used to help create this report. Each Bureau Chief and their staff then participated in a brainstorming session where they identified and ranked risks based on the severity and likelihood of occurrence. They also discussed and identified the controls which serve to mitigate the risks.

Each bureau completed the SLAA worksheet. The worksheets from each bureau were combined into a single document that was submitted to the Executive Team for review. The Executive Team, comprised of the Executive Director and three Assistant Executive Directors, reviewed the risks and controls presented to them and determined which would be included in the SLAA report and whether new controls needed to be assigned to any of the risks.

In addition to the risk assessment process defined above, management and staff also reviewed and/or used objectives from the 2015 Strategic Plan and the companion 2015 Implementation Plan documents, the 2015 Human Resources Audit, the 2015 Information Technology Audit, and the 2013 FISMA Risk Assessment Report, as part of our overall risk assessment process.

As a result of the 2015 Strategic Plan process, the Implementation Plan Team (IPT) was formed to ensure that the actions and tasks assigned to the goals and objectives defined in the Strategic Plan continue to move forward and/or are completed. The IPT consists of twelve POST staff, including: Assistant Executive Directors, Bureau Chiefs, Law Enforcement Consultants and other staff from various classifications and bureaus. The IPT meets three times per year, two months prior to each Commission meeting, and provides a progress report to all staff including the Commission. While the IPT is responsible for tracking and reporting progress, management is responsible for monitoring and, when appropriate, updating the processes and controls used by staff to complete their assignments.

EVALUATION OF RISKS AND CONTROLS

Compliance- Internal- Resource Limitations

Reduced staffing and travel budget have diminished our abilities to provide services and meet demands and legally mandated requirements to the field (e.g., Compliance Reviews for the 600+ agencies, this includes and impacts large State Agencies such as CHP, DOJ, ABC, DDS, and DCA, Workload Studies, program users, testing, scoring, research, etc.). This creates several significant risks for law enforcement agencies: (1) there may be officers assigned to positions for which they are not either properly trained or legally qualified to hold (2) there is no corrective action plan developed for peace officers and dispatchers who fail to maintain training requirements.

Increase staffing to support internal and external needs, meet demands, and ensure compliance of training requirements.

Once additional funding is secured, POST will

- fill vacant positions (10.5 vacancies as of 12/15)
- research the possibilities of adding new positions or restoring the number of positions from 118 in 2015 back to 125 positions (Note: There are 10 consultants for all of California, a level unchanged since the early 90's, yet the number of agencies entering the POST program has increased approximately 15%)
- restore the travel budget in order to provide services such as compliance reviews, workload studies, test validation studies, item writing workshops, etc.

Once additional funding is secured, POST will

- research and address the issue of peace officers who are improperly assigned to positions
- develop regulations and/or corrective action plans for peace officers and dispatchers who fail to maintain the required training for their position
- develop additional methods to deliver training to make it easier for peace officers and dispatchers to complete and maintain the required training

Reporting- External- Quality control

There are currently over 4,000 POST certified training courses available to law enforcement agencies and new courses are certified daily. There exists no quality control measures to ensure these certified courses are being taught in compliance with POST standards to include student safety. Workload and resource limitations prevent staff from auditing training courses which creates significant risk for POST and POST agencies.

Ensure adequate staff are assigned to course quality assessment duties.

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- research the possibilities of adding new positions or restoring the number of positions from 118 in 2015 back to 125 positions (Note: There are 10 consultants for all of California, a level unchanged since the early 90's, yet the number of agencies entering the POST program has increased approximately 15%)
- restore the travel budget in order to provide services such as compliance reviews, workload studies, test validation studies, item writing workshops, etc.
- ensure adequate staff are assigned the duties of quality assessment to determine if courses are being taught in compliance with POST standards and include student safety

Operations- Internal- Staff—Key Person Dependence, Succession Planning

Loss of institutional knowledge due to heavy reliance on staff who may become temporarily or permanently unavailable. (Retirement, attrition, loss of positions, etc.)

Assess the positions of staff who will be retiring over the next two years and determine if a desk manual should be created or updated for each of those positions.

ONGOING MONITORING

Through our ongoing monitoring processes, the Commission on Peace Officer Standards and Training reviews, evaluates, and improves our systems of internal controls and monitoring processes. As such, we have determined we comply with California Government Code sections 13400-13407.

Roles and Responsibilities

As the head of Commission on Peace Officer Standards and Training, Robert Stresak, Executive Director, is responsible for the overall establishment and maintenance of the internal control system. We have identified Darla Engler, Bureau Chief, Administration, as our designated agency monitor(s).

Frequency of Monitoring Activities

The POST Management Team meets twice per month. Meeting topics include discussion of current and potential internal control issues that need to be addressed. These meetings allow management to discuss issues they have been made aware of and what steps are needed to mitigate the issues. The management team is encouraged to share experiences to further assist each other in addressing the issues that may arise.

Reporting and Documenting Monitoring Activities

POST requires reports from each bureau on a monthly basis. These reports inform management of the monitoring practices being conducted, improvements needed, and the overall monitoring success or weakness within each bureau. This information is summarized and reported to the Executive Director.

POST ensures all staff receives information vital to the effectiveness and efficiency of controls by requiring management to update their staff monthly. This is accomplished by holding regular bureau and all staff meetings, through the Management Team meeting minutes and the monthly POST report, and by creating and/or updating and distributing internal policies and procedures all of which are provided on the POST website and emailed to all staff. POST encourages staff to speak with their supervisor if they discover an issue that should be addressed to better assist POST with fulfilling its mission, goals, and objectives.

Procedure for Addressing Identified Internal Control Deficiencies

Management meets twice per month to review any deficiencies noted in the monthly bureau reports, the tri-annual strategic plan updates, and/or any deficiencies that have been recently identified. The minutes from all Management Team meetings are shared with all POST staff.

POST requires all deficiencies to be mitigated as soon as reasonably or feasibly possible. Deficiencies that cannot be mitigated immediately continue to be discussed and evaluated at the bimonthly management team meetings until the deficiency is adequately addressed.

A report or email announcement is provided to all staff to inform them of policy or procedure changes to assist in the mitigation of the deficiencies discovered.

CONCLUSION

The Commission on Peace Officer Standards and Training strives to reduce the risks inherent in our work through ongoing monitoring. The Commission on Peace Officer Standards and Training accepts the responsibility to continuously improve by addressing newly recognized risks and revising risk mitigation strategies. I certify our systems of internal control and monitoring processes are adequate to identify and address material inadequacies or material weaknesses facing the organization.

Robert Stresak, Executive Director
Commission on Peace Officer Standards and Training

cc: Department of Finance
Legislature
State Auditor
State Library
State Controller
Secretary of Government Operations