

STATE OF CALIFORNIA  
COMMISSION ON  
PEACE OFFICERS STANDARDS AND TRAINING

POST COMMISSION MEETING

§ 111.1

TIME: 10:00 a.m.

DATE: Thursday, October 22, 2009

PLACE: Courtyard Marriott Hotel  
1782 Tribute Road  
Sacramento, California

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

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Reported by:

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**A P P E A R A N C E S**

**COMMISSIONERS PRESENT**

MICHAEL SOBEK  
*(Commission Chair)*  
San Leandro Police Department

ROBERT T. DOYLE  
*(Commission Vice-Chair)*  
Marin County Sheriff's Department

LAI LAI BUI  
Special Investigations Division  
Sacramento Police Department

COLLENE CAMPBELL  
Memory of Victims Everywhere

BONNIE DUMANIS  
San Diego County District Attorney

DEBORAH LINDEN  
City of San Luis Obispo

RICK LOPES  
for JERRY BROWN  
Attorney General's Office

RONALD LOWENBERG  
Golden West College Criminal Justice Training Center

JEFFREY LUNDGREN  
Riverside County Sheriff's Department

JOHN MCGINNESS  
Sacramento County Sheriff's Department

LAURIE SMITH  
Santa Clara County Sheriff's Department

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A P P E A R A N C E S

POST ADVISORY COMMITTEE MEMBERS PRESENT

NICKI WOODS  
(*POST Advisory Committee Chair*)  
California Organization of Police and Sheriffs

BRENT NEWMAN  
(*POST Advisory Committee Vice-Chair*)  
California Highway Patrol

ALEX BERNARD  
Public Member

JIM BOCK  
California Specialized Law Enforcement

JOE FLANNAGAN  
Peace Officers' Research Association of California

RICHARD LINDSTROM  
California Academy Directors Association

LAURA LORMAN  
Women Peace Officers Association of California

JEFF MILLER  
California Police Chiefs' Association

TIM WILLMORE  
California Association of Police Training Officers

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POST STAFF PRESENT

PAUL CAPPITELLI  
Executive Director  
Executive Office

MARIE BOUVIA  
Executive Secretary  
Executive Office

**A P P E A R A N C E S**

**POST STAFF PRESENT**

*Continued*

JAN BULLARD  
LEC II  
Training Delivery Services Bureau

RON CROOK  
Director, Television Communications Center  
Specialist, Training Program Services Bureau

FRANK DECKER  
Bureau Chief  
Basic Training Bureau

MICHAEL DiMICELI  
Assistant Executive Director  
Field Services Division

JOHN DINEEN  
Bureau Chief  
Center for Leadership Development Bureau

KAREN HIGHTOWER  
Administrative Assistant  
Executive Office

DIANE HREPICH  
Personnel Selection II  
Standards & Evaluation Services Bureau

MICHAEL HOOPER  
Bureau Chief  
Training Program Services Bureau

JENNIFER IMLAY  
Staff Services Analyst  
Information Services Bureau

PATTI KAIDA  
Staff Services Analyst  
Information Services Bureau

A P P E A R A N C E S

POST STAFF PRESENT

*Continued*

KEN KRUEGER  
Bureau Chief  
Standards and Evaluation Services Bureau

THOMAS LIDDICOAT  
Bureau Chief  
Administrative Services Bureau

KAREN LOZITO  
LEC II  
Center for Leadership Development Bureau

CONNIE PAOLI  
Associate Governmental Program Analyst  
Information Services Bureau

EDMUND PECINOVSKY  
Bureau Chief  
Training Delivery and Compliance Services Bureau

RICHARD REED  
Assistant Executive Director  
Administrative Services Division

DAVE SPISAK  
Bureau Chief  
Information Services Bureau

BOB STRESAK  
Bureau Chief/Legislative Liaison  
Executive Office

KENNETH L. WHITMAN  
Special Consultant  
Executive Office

RON WOOD  
Bureau Chief  
Management Counseling Services Bureau

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**A P P E A R A N C E S**

**AUDIENCE MEMBERS PRESENT**

ROLFE APPEL  
Yuba College

RAMON BARBOA  
California Emergency Management Agency

SKIP CARTER  
Deputy Commissioner  
California Highway Patrol

RON COTTINGHAM  
President  
Peace Officers' Research Association of California

MICHAEL FRASER  
Chief  
Pleasanton Police Department

MIKE GORELLI  
California Highway Patrol

YVETTE HARMON  
POST Coordinator  
California Highway Patrol

R.C. SMITH  
Sacramento County Sheriff's Department

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1                   **Thursday, October 22, 2009, 10:03 a.m.**

2                   **Sacramento, California**

3                   § ¨¨¨

4                   CHAIR SOBEK:   Okay, my name is Mike Sobek, the chair  
5 of the Commission.  I'd like to call this meeting to  
6 order.

7                   I would like to introduce the Color Guard, Honor  
8 Guard of the Citrus Heights Police Department, who will  
9 present the colors for us.

10                  If everybody could stand, please.

11                  *(The Color Guard presented the flag.)*

12                  CHAIR SOBEK:  Please join me in the Pledge of  
13 Allegiance.

14                  *(The Pledge of Allegiance was recited.)*

15                  CHAIR SOBEK:  Ladies and gentlemen, please remain  
16 standing and would you join me in a moment of silence  
17 for honoring the officer, Sergeant Steve May, of Modesto  
18 Police Department who succumbed to a long injury  
19 resulting from a car collision who died recently.

20                  Please have a moment of silence for him, and  
21 everybody who has been killed in the line of duty this  
22 past year, and our military who has risked their lives  
23 and who have been killed in the military this past year.

24                  *(Moment of silence.)*

25                  *(The Color Guard exited the room.)*

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1 CHAIR SOBEK: Thank you very much.

2 Let's give a hand to the Citrus Heights Police  
3 Department Honor Guard.

4 *(Applause)*

5 CHAIR SOBEK: We thank them very much and their  
6 department for coming today.

7 How about roll call of the commissioners?

8 MS. HIGHTOWER: Sobek?

9 CHAIR SOBEK: Here.

10 MS. HIGHTOWER: Batts?

11 *(No response)*

12 MS. HIGHTOWER: Bui?

13 *(No response)*

14 MS. HIGHTOWER: Campbell?

15 COMMISSIONER CAMPBELL: Here.

16 MS. HIGHTOWER: Doyle?

17 COMMISSIONER DOYLE: Here.

18 MS. HIGHTOWER: Dumanis?

19 COMMISSIONER DUMANIS: Here.

20 MS. HIGHTOWER: Hayhurst?

21 *(No response)*

22 MS. HIGHTOWER: Linden?

23 COMMISSIONER LINDEN: Here.

24 MS. HIGHTOWER: Lowenberg?

25 COMMISSIONER LOWENBERG: Here.

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1 MS. HIGHTOWER: Lundgren?

2 COMMISSIONER LUNDGREN: Here.

3 MS. HIGHTOWER: McGinness.

4 COMMISSIONER MCGINNESS: Here.

5 MS. HIGHTOWER: Perea?

6 *(No response)*

7 MS. HIGHTOWER: Smith?

8 COMMISSIONER SMITH: Here.

9 MS. HIGHTOWER: Lopes?

10 COMMISSIONER LOPES: Here.

11 MS. HIGHTOWER: We have a quorum.

12 CHAIR SOBEK: We have a quorum. Thank you very  
13 much.

14 I'd like to introduce to my right, your left, our  
15 executive director, Paul Cappitelli; and on my left, our  
16 Advisory Chair, Nicki Woods. And our legal counsel is  
17 not here the other day.

18 MR. CAPPITELLI: Yes, Mr. Chair, Members of the  
19 Commission, Mr. Scally called yesterday and said that  
20 barring any immediate need, he could be here in a  
21 moment's notice. But he asked if he could be excused  
22 today. He has a lot of other things that he needs to  
23 work on, so...

24 CHAIR SOBEK: Very good.

25 How about audience introductions?

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We'll start on my far right over here.

MR. WILLMORE: Tim Willmore representing CAPTO.

MR. CARTER: Skip Carter, California Highway Patrol.

MR. MILLER: Jeff Miller, POST Advisory Committee, representing the California Police Chiefs Association.

MR. NEWMAN: Brent Newman, POST Advisory Committee, representing CHP.

MR. BERNARD: Alex Bernard, POST Advisory Committee, public member.

MS. LORMAN: Laura Lorman, POST Advisory Committee, representing Women's Peace Officers Association.

MR. BOCK: Jim Bock, POST Advisory, representing Specialized Law Enforcement.

MR. FLANNAGAN: Joe Flannagan, Advisory Committee, representing PORAC.

MR. LINDSTROM: Richard Lindstrom, Advisory Committee, representing the California Academy Directors Association.

MR. COTTINGHAM: Ron Cottingham, PORAC, President.

MS. BOUVIA: Marie Bouvia, POST staff.

MR. DiMICELI: Mike DiMiceli, POST staff.

MR. REED: Dick Reed, POST staff.

MR. SMITH: R.C. Smith, Sacramento Sheriff's Department.

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1 MR. APPEL: Rolfe Appel, Yuba College.  
2 MR. PECINOVSKY: Ed Pecinovsky, POST staff.  
3 MR. LIDDICOAT: Tom Liddicoat, POST staff.  
4 MS. HARMAN: Yvette Harmon [*phonetic*], POST  
5 Coordinator for CHP.  
6 MR. GORELLI: Mark Gorelli [*phonetic*], California  
7 Highway Patrol.  
8 MR. WOOD: Ron Wood, POST staff.  
9 MR. DINEEN: John Dineen, POST staff.  
10 MR. STRESAK: Mr. Chair, I'd like to take an  
11 opportunity to introduce myself, Bob Stresak, but more  
12 importantly, my new replacement, Karen Lozito, who will  
13 be replacing my position as legislative liaison to the  
14 Commission.  
15 MS. BULLARD: Jan Bullard, POST staff.  
16 MR. DECKER: Frank Decker, POST staff.  
17 MR. FRASER: Chief Mike Fraser, Pleasanton PD.  
18 MR. BARBOA: Ramon Barboa from the California  
19 Emergency Management Agency, the Training Branch.  
20 MR. KRUEGER: Ken Krueger, POST staff.  
21 MS. IMLAY: Jennifer Imlay, POST staff.  
22 MS. HREPICH: Diane Hrepich, POST staff.  
23 MS. KAIDA: Patty Kaida, POST staff.  
24 MS. PAOLI: Connie Paoli, POST staff.  
25 CHAIR SOBEK: I think that's it.

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1 Thank you very much.

2 I'm going to defer the welcoming address to our  
3 Executive Director, Paul Cappitelli.

4 MR. CAPPITELLI: Thank you, Mr. Chair.

5 Good morning, everybody. It's my pleasure today to  
6 introduce Deputy Commissioner Skip Carter from the  
7 California Highway Patrol, who will give a few opening  
8 remarks.

9 This is a change from the written agenda. Chief  
10 Chris Boyd could not be here. And Deputy Commissioner  
11 Carter agreed to do this on very short notice, and drove  
12 all the way up from Monterey early this morning just to  
13 be here.

14 And on a personal note, I've had the pleasure  
15 of working with Deputy Commissioner Carter since the  
16 early nineties when both of us were sergeants in the  
17 early stages of our career. And it's been a pleasure to  
18 have him as a colleague and a friend.

19 So, thank you, Deputy Commissioner.

20 MR. CARTER: Thank you very much, Paul.

21 Can I sit here?

22 MR. CAPPITELLI: Absolutely.

23 MR. CARTER: Oh, thank you very much.

24 COMMISSIONER MCGINNESS: What was the weather like  
25 in Monterey this morning?

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1           MR. CARTER: I don't know. It was too dark and too  
2 early.

3           I can tell you what the weather was like at Pacheco  
4 Pass, when I came through there. It was widely scattered  
5 light when the sun came up.

6           But thank you, Mr. Chairman and Director, for having  
7 an opportunity to address everyone here this morning.

8           When you called me and asked me to do this, I  
9 thought it was an honor. Then I realized when I pulled  
10 the agenda up that, you know, I was really not the one.  
11 It was Chris Boyd who was actually supposed to be here,  
12 along with his Color Guard. And maybe next time, whoever  
13 is here, we can have the California Highway Patrol Color  
14 Guard and whoever else is here.

15           But, really, in all seriousness, POST has been  
16 around for 50 years. As you celebrate 50 years of  
17 success, the state is very unique and privileged to have  
18 a group of board members that oversee the training of all  
19 of our peace officers in the state. And it really does  
20 us good to have people, along with the public, being able  
21 to have participation in ensuring that we do it right.  
22 And I think we've done it right for a lot of years --  
23 50, to be exact, right now. And we continue to do so.

24           And when you said to do a brief opening, I have,  
25 like, 45 minutes of opening. But I'm going to make it

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1 real short. But I just -- it's an honor to speak to all  
2 of you and all the commissioners here.

3 Keep up the good work. We're doing a real good job  
4 overseeing all the academies. I used to be an academy  
5 director. So I like being able to know that all of them  
6 are the same. They wear different uniforms, but the  
7 training is the same. So when you go from one end of the  
8 state to the other end of the state, we're all assured  
9 that we're getting the same type of training.

10 I really support what you're doing with VOTAC --  
11 VOTAC, the Vehicle Operations Training Committee that you  
12 have here, Advisory Committee. I really support what  
13 we're doing to try to minimize the injury -- the  
14 preventable injury collisions that are going on out  
15 there. Because, unfortunately, those are what we're  
16 losing more officers with injuries and deaths versus  
17 guns. And it's really something that we need to look at  
18 as a board and as a group. So keep up the good work.  
19 I appreciate having the opportunity to welcome you to  
20 beautiful Sacramento, although I left beautiful Monterey.

21 I think it was -- the news last night, the weather  
22 looked like it was going to be a nice day today. It was  
23 too dark to tell, but it looked like it was going to be  
24 a great day, and it looks like it's one here in  
25 Sacramento.

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1           So I know it's going to be a short meeting today, so  
2           enjoy. Thanks.

3           MR. CAPPITELLI: Thank you, thank you.

4           *(Applause)*

5           CHAIR SOBEK: This is the time for Public Comment.  
6           And I don't see a whole lot of people here that may want  
7           to speak or not, I'm not sure.

8           But I need to tell you that you may speak on the  
9           agenda items today, but you may also speak on anything  
10          that's not on the agenda, but it must be related to  
11          Commission business.

12          I will limit your time to five minutes; and I will  
13          be very strict at that if you are going to speak in front  
14          of us today.

15          So if anybody has any public comment, you are  
16          welcome to step up to the table here.

17          *(No response)*

18          CHAIR SOBEK: Okay, it doesn't look like there's  
19          any.

20          Approval of Minutes is our next item. And I would  
21          like a motion on that from the July 23<sup>rd</sup> meeting.

22          COMMISSIONER DOYLE: So moved.

23          CHAIR SOBEK: Commissioner Doyle.

24          COMMISSIONER BUI: Second.

25          CHAIR SOBEK: Second by Commissioner Bui.

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1 All in favor, say "aye."

2 (*A chorus of "ayes" was heard.*)

3 CHAIR SOBEK: Any opposed?

4 (*No response*)

5 CHAIR SOBEK: The motion passes.

6 Thank you.

7 The Consent Calendar, I hope everybody read the  
8 consent calendar. If anybody wants any individual items  
9 addressed, please say so. If not, I would take a motion  
10 to move the consent calendar.

11 COMMISSIONER MCGINNESS: Move to approve.

12 COMMISSIONER LOWENBERG: Second.

13 CHAIR SOBEK: Commissioner McGinness makes a motion  
14 to move the consent calendar and a second by Commissioner  
15 Lowenberg.

16 All in favor, say "aye."

17 (*A chorus of "ayes" was heard.*)

18 CHAIR SOBEK: Any opposed?

19 (*No response*)

20 CHAIR SOBEK: The motion passes.

21 The Administrative Services Bureau is the next  
22 action item.

23 There's a roll-call vote here. But let's start with  
24 Item C, the Contract Request for Internal Control Audit.  
25 And I think that is the only one on the agenda, and

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1 that's a roll-call vote.

2 COMMISSIONER LINDEN: Are we going to do B.10?

3 CHAIR SOBEK: That's the resolution.

4 Thank you, Commissioner Linden, I appreciate that.

5 We have something on consent calendar, B.10, which  
6 is a resolution.

7 I will defer that to Executive Director Cappitelli  
8 for that.

9 MR. CAPPITELLI: Great. Thank you, Mr. Chair,  
10 Members of the Commission. It's with great pleasure  
11 today that we present a resolution to one of our  
12 exceptional employees who is going to be retiring here at  
13 the end of the month.

14 And at this time, I would like to ask Bureau Chief  
15 Ken Krueger to come forward.

16 Ken, would you please come forward?

17 *(Mr. Krueger stepped forward to be recognized.)*

18 MR. CAPPITELLI: Ken, on behalf of the Commission  
19 and POST, in honoring all the work that you've done --  
20 and just a couple of quick excerpts here from this  
21 resolution, just some of the highlights that I think are  
22 most noteworthy.

23 First of all, Ken is a veteran. He served in  
24 Vietnam from 1964 to 1967. And throughout the years,  
25 he's worked hard. He holds a master of arts degree in

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1 industrial and organizational psychology, and a bachelor  
2 of arts degree. He has worked at POST since 1982; is  
3 that correct?

4 MR. KRUEGER: Yes.

5 MR. CAPPITELLI: And he'll be retiring here at the  
6 end of the month.

7 He's agreed to stay on for a short time as a  
8 consultant to assist us with various projects and the  
9 like as a retired annuitant. But I must tell you that  
10 he's leaving an incredible void. And this is where Bob  
11 Stresak, who is going to be taking Ken's place, will have  
12 some very big shoes to fill in the Standards and  
13 Evaluation arena.

14 And so, Ken, it's with great pleasure that we  
15 present you with this resolution commemorating your  
16 retirement. And we wish you luck. And we're glad you're  
17 going to be around. But don't be working too hard to not  
18 enjoy your retirement, too.

19 So, anyway, congratulations.

20 *(Applause)*

21 CHAIR SOBEK: Okay, congratulations, Ken, on that,  
22 again.

23 Again, this is a roll-call vote for the Contract  
24 Request for Internal Control Audit.

25 Do we, as a commission, need any information on

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1 that?

2 COMMISSIONER LINDEN: Mr. Chair, I'll move the staff  
3 recommendation.

4 COMMISSIONER DOYLE: Second.

5 CHAIR SOBEK: Motion by Commissioner Linden and a  
6 second by Commissioner Doyle.

7 All in favor, say "aye."

8 *(A chorus of "ayes" was heard.)*

9 COMMISSIONER LINDEN: Roll call.

10 CHAIR SOBEK: Roll-call vote, I'm sorry.

11 MS. HIGHTOWER: Sobek?

12 COMMISSIONER LINDEN: Mike, say "yes."

13 CHAIR SOBEK: Yes.

14 Let's talk about that.

15 Before the roll-call vote -- I'm sorry, but I'll  
16 pass this on, information from Nicki Woods, our Advisory  
17 Chair. And she has some information on this particular  
18 matter.

19 MS. WOODS: So we had the information presented to  
20 us. We also just heard what the Finance Committee had  
21 talked about and that the Finance Committee had a  
22 recommendation, and then we did not make any additional  
23 recommendations on Items C through -- I'm going to say  
24 C through G or H. So there was no additional discussion.

25 CHAIR SOBEK: Does that change the motion in any

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1 way?

2 COMMISSIONER LINDEN: No, unless there was a  
3 contrary recommendation from the Finance Committee.

4 MS. WOODS: There were none.

5 COMMISSIONER LINDEN: No.

6 CHAIR SOBEK: Great. So let's proceed.

7 MS. HIGHTOWER: Sobek?

8 CHAIR SOBEK: Yes.

9 MS. HIGHTOWER: Batts?

10 *(No response)*

11 MS. HIGHTOWER: Bui?

12 COMMISSIONER BUI: Yes.

13 MS. HIGHTOWER: Campbell?

14 COMMISSIONER CAMPBELL: Yes.

15 MS. HIGHTOWER: Doyle?

16 COMMISSIONER DOYLE: Yes.

17 MS. HIGHTOWER: Dumanis?

18 COMMISSIONER DUMANIS: Yes.

19 MS. HIGHTOWER: Hayhurst?

20 *(No response)*

21 MS. HIGHTOWER: Linden?

22 COMMISSIONER LINDEN: Yes.

23 MS. HIGHTOWER: Lowenberg?

24 COMMISSIONER LOWENBERG: Yes.

25 MS. HIGHTOWER: Lundgren?

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1 COMMISSIONER LUNDGREN: Yes?

2 MS. HIGHTOWER: McGinness?

3 COMMISSIONER MCGINNESS: Yes.

4 MS. HIGHTOWER: Perea?

5 *(No response)*

6 MS. HIGHTOWER: Smith?

7 COMMISSIONER SMITH: Yes.

8 MS. HIGHTOWER: Lopes?

9 COMMISSIONER LOPES: Yes.

10 CHAIR SOBEK: Thank you very much, Karen.

11 The next item, action item, is Training Program  
12 Services Bureau.

13 Does anybody have any issues on that particular  
14 agenda that needs to be talked about?

15 *(No response)*

16 CHAIR SOBEK: Seeing none, I'd like to take a motion  
17 for D through, I think it is H.

18 COMMISSIONER MCGINNESS: So moved. McGinness.

19 CHAIR SOBEK: Motion by Commissioner McGinness.  
20 Second?

21 COMMISSIONER CAMPBELL: Second.

22 CHAIR SOBEK: Second by Commissioner Campbell.

23 It's a roll-call vote.

24 MS. HIGHTOWER: Sobek?

25 CHAIR SOBEK: Yes.

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1 MS. HIGHTOWER: Batts?  
2 (No response)  
3 MS. HIGHTOWER: Bui?  
4 COMMISSIONER BUI: Yes.  
5 MS. HIGHTOWER: Campbell?  
6 COMMISSIONER CAMPBELL: Yes.  
7 MS. HIGHTOWER: Doyle?  
8 COMMISSIONER DOYLE: Yes.  
9 MS. HIGHTOWER: Dumanis?  
10 COMMISSIONER DUMANIS: Yes.  
11 MS. HIGHTOWER: Hayhurst?  
12 (No response)  
13 MS. HIGHTOWER: Linden?  
14 COMMISSIONER LINDEN: Yes.  
15 MS. HIGHTOWER: Lowenberg?  
16 COMMISSIONER LOWENBERG: Yes.  
17 MS. HIGHTOWER: Lundgren?  
18 COMMISSIONER LUNDGREN: Yes.  
19 MS. HIGHTOWER: McGinness?  
20 COMMISSIONER MCGINNESS: Yes.  
21 MS. HIGHTOWER: Perea?  
22 (No response)  
23 MS. HIGHTOWER: Smith?  
24 COMMISSIONER SMITH: Yes.  
25 MS. HIGHTOWER: Lopes?

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1 COMMISSIONER LOPES: Yes.

2 CHAIR SOBEK: The motion carries.

3 We're on to Committee Reports. A very fast meeting  
4 today.

5 COMMISSIONER LOWENBERG: I want to make an  
6 observation. I know we didn't have a lot of guests in  
7 the audience today, but we do have a few. And I know  
8 that at the first few Commission meetings I went to a  
9 long time ago -- and I do remember that long ago.

10 Paul, I saw you looking at me.

11 And I just think it's appropriate for us to share  
12 with our guests how much work goes into these agenda  
13 items in advance of our action. And then we have the  
14 counsel of subcommittees and the Advisory Committee and,  
15 you know, all of that work.

16 And sometimes you come to a meeting like this and  
17 you have the Commission taking action in less than  
18 five minutes on some pretty important issues. So I just  
19 wanted to make that observation, once again, because  
20 I know we have guests, that, you know, we take this  
21 responsibility very seriously and an awful lot of work  
22 goes into this stuff before we vote on it.

23 CHAIR SOBEK: Very good point. Thank you. A very,  
24 very good point.

25 Commissioner Linden?

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1           COMMISSIONER LINDEN: Mr. Chair, if I could just add  
2 to that. I think it speaks to -- I mean, this is a  
3 fairly light agenda today; but I think the fact that we  
4 don't have questions on appropriation items means that  
5 the staff reports were completed thoroughly; that there  
6 was the appropriate vetting at the Finance Committee  
7 level, and that we had the level of information we needed  
8 in our written reports to be able to make a decision  
9 without a formal staff presentation. And I definitely  
10 appreciate that.

11           CHAIR SOBEK: Yes, I concur. If you've been to any  
12 of our previous meetings, at least as long as I've been  
13 on this commission, and the rest of the commissioners  
14 here, I don't think there are too many rubber-stamp  
15 commissioners on this board. So, yes, I concur with both  
16 of those comments.

17           Thank you.

18           Committee reports. Long-Range Planning was  
19 canceled. You know, in light of our budget, we made some  
20 decisions that I thought were appropriate. And we felt  
21 that it was appropriate to cancel our Long-Range Planning  
22 Committee meeting that was scheduled for September 24<sup>th</sup>.  
23 So we do not have a Long-Range Planning Committee report  
24 to give you today.

25           The Finance Committee, I think we have -- do we have

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1 somebody here from the Finance Committee?

2 COMMISSIONER MCGINNESS: Yes, we did have a  
3 committee meeting yesterday. It was a grueling  
4 experience.

5 CHAIR SOBEK: Thank you for chairing that, by the  
6 way.

7 COMMISSIONER MCGINNESS: And we effectively  
8 approved, took staff's recommendations and ratified their  
9 recommendations.

10 CHAIR SOBEK: Thank you, Commissioner.

11 Advisory Committee?

12 MS. WOODS: Sorry to steal your thunder on telling  
13 what you did at the Finance Committee yesterday.

14 So we had an Advisory Committee meeting yesterday.  
15 And it was a very light agenda.

16 We did talk about the awards for the *O.J. "Bud"*  
17 *Hawkins* and also the *Excellence in Training Awards*, and  
18 a way maybe to publicize those a little bit better by  
19 having links to different groups' Web sites and putting  
20 the announcement in, and then linking for the application  
21 form. So it might be something that members of the  
22 audience or the commissioners may also mention to their  
23 various constituents.

24 We also had presentations -- two wonderful  
25 presentations of very exciting projects. The online

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1 training of users of POST-developed tests, and also the  
2 use of Internet-based video player to enhance training.  
3 And these are just phenomenal projects that I can't wait  
4 for them to be finished. So those are coming, and it's  
5 just an excellent use of technology. So we're looking  
6 forward to that.

7 We had a motion by Bernard and a second by Bonner  
8 to approve the action summary and the minutes of the  
9 July 22<sup>nd</sup> Advisory Committee meeting.

10 And we also had our elections yesterday for chair  
11 and vice-chair of the Advisory Committee.

12 And if I may introduce the new chair, which will be  
13 Brent Newman from Highway Patrol.

14 *(Applause)*

15 MS. WOODS: So he'll be up here at the next meeting.

16 And the vice-chair is Laura Lorman from the Women's  
17 Peace Officers Association.

18 *(Applause)*

19 MS. WOODS: So I'm very happy for both of them to  
20 take a turn in the bucket. They'll be great.

21 And the effective date will be the February 10<sup>th</sup>  
22 Advisory Committee meeting.

23 CHAIR SOBEK: Great.

24 Thank you.

25 COMMISSIONER LOWENBERG: Chairman, may I make

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1 another observation?

2 CHAIR SOBEK: Absolutely.

3 COMMISSIONER LOWENBERG: To amplify what Nicki said  
4 about getting information out, I wanted to compliment  
5 staff. Unfortunately, I wasn't able to go to COPS West  
6 this year, but many of my staff members went. And I was  
7 pleased to hear that we had a POST booth at COPS West.  
8 And the feedback I got from my staff, in talking with  
9 folks that were in attendance, how much they appreciated  
10 having an opportunity to have positive interaction with  
11 the folks that were there representing POST.

12 I know we find ourselves in tough economic times;  
13 but I think spending that kind of time and energy to get  
14 the word out to the field, this particular strategy is  
15 just another great example of staff doing a great job.

16 So thank you, Mr. Director.

17 MR. CAPPITELLI: Thank you, Commissioner. I'll pass  
18 that on.

19 CHAIR SOBEK: Our next committee report is the  
20 Legislative Review Committee, chaired by Commissioner  
21 Bui.

22 COMMISSIONER BUI: This morning, we discussed  
23 several bills. Some of the ones that we previously  
24 talked about, including the U visa, the kirpan, and the  
25 emergency telephone system bills were all vetoed.

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1           The one that was sponsored by POST, AB 297, which  
2 covers the "Criminal History Information: Law-  
3 Enforcement Employee," was signed into law.

4           Let's see here. The one that we did actually take  
5 action on this morning was 13540. The Committee  
6 recommended that the Commission support legislation  
7 affecting technical changes to this bill to -- excuse me,  
8 13540, that references POST responsibilities.

9           So we will need the Commission to vote on that.

10          COMMISSIONER LINDEN: I'll move to support the  
11 proposed legislation regarding PC 13540.

12          COMMISSIONER CAMPBELL: Second.

13          CHAIR SOBEK: Motion by Commissioner Linden, second  
14 by Commissioner Campbell.

15          All in favor, say "aye."

16          *(A chorus of "ayes" was heard.)*

17          CHAIR SOBEK: All opposed?

18          *(No response)*

19          CHAIR SOBEK: The motion passes.

20          COMMISSIONER BUI: Regarding U visas, we did discuss  
21 the importance of this information. I think the last  
22 meeting was the first time most of us had heard of  
23 U visas, and that just shows that we need to disseminate  
24 this information down to the troops.

25          So it was our recommendation that staff look into

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1 how we can disseminate this information. So hopefully,  
2 the Commission will support us on this one.

3 I think that was it.

4 We participated in, I think, the BART debriefing.  
5 And we were there just to discuss training issues. And  
6 that was our only part.

7 MR. CAPPITELLI: Just a clarification, Commissioner.

8 This was a hearing that was held earlier in the  
9 week, at the behest of a couple of members of the  
10 Assembly to discuss the BART shooting from last New  
11 Year's Day. And Bob Stresak attended on behalf of the  
12 Commission, and was able to answer questions that came  
13 up. And it all went very well.

14 COMMISSIONER BUI: I think that's about it.

15 Let's see, AB 1286 was signed in. That was  
16 regarding firearm purchasing restrictions.

17 Are there any questions? Does anybody have any  
18 issues on the agenda items?

19 COMMISSIONER LINDEN: Do you need or want Commission  
20 action on the U visa training bulletin?

21 MR. CAPPITELLI: Only the fact that Commissioner  
22 Bui mentioned it and that staff is going to develop  
23 something in the form of a bulletin that we could put  
24 out, just informational to let people know what the  
25 U visa is and how it would work to your advantage as law

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1 enforcement. Thank you.

2 COMMISSIONER BUI: So is the recommendation  
3 sufficient?

4 MR. CAPPITELLI: Yes, I believe so.

5 CHAIR SOBEK: I'm going to take this time, as Chair,  
6 in front of the full Commission and the audience members  
7 that are out there, if Bob Stresak could stand up for us.

8 On behalf of the full Commission, Bob -- if you  
9 don't know, Bob got a lateral transfer, and he's going  
10 to be leaving our Legislative Review Committee as our  
11 voice in the Legislature.

12 Bob has done an exceptional job giving us the  
13 information and being our voice at the Capitol for what  
14 we are looking at as POST commissioners. He is very  
15 insightful to us, very professional, very informative.

16 Bob, you've done a great job, as I mentioned this  
17 morning, earlier. And we are so grateful for your work.  
18 And thank you for the things that you have done for us.  
19 And I just wanted to make sure that the rest of the  
20 public and the rest of the Commission heard that from us.  
21 So thank you very much, and good luck to you.

22 *(Applause)*

23 CHAIR SOBEK: The next agenda item is  
24 Correspondence.

25 And the Executive Director received a letter from

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1 Chief Mike Hardin of the Modesto Police Department over  
2 the death of Sergeant Steve May, and received a letter  
3 from President Ron Cottingham of PORAC, commending the  
4 Commission on its accomplishments, and especially our  
5 Executive Director's leadership over his past -- what,  
6 two years, almost?

7 MR. CAPPITELLI: Yes, sir.

8 CHAIR SOBEK: Unbelievable, two-year term so far.

9 So we received that.

10 Any Old Business?

11 *(No response)*

12 CHAIR SOBEK: Seeing none, we'll go to New Business.

13 And I think our Executive Director has something.

14 MR. CAPPITELLI: Thank you, Mr. Chair.

15 A couple of things.

16 Thank you, Commissioner Lowenberg, for pointing out  
17 the elements of the agenda.

18 I wanted to expound on that just a moment. Because  
19 for some, the appearance might be, well, why would --  
20 if we had such a light agenda or whatever, why even have  
21 a meeting? The answer is, these fiscal items, in  
22 particular, cannot move forward unless we have approval.  
23 And as many of you know, there are times when we come  
24 here to a commission meeting, and we may think we'll have  
25 a light agenda and we'll be here for three hours. So

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1 this is just one of those days. So I want to thank you  
2 all.

3 And to that end, the Long-Range Planning Committee  
4 meeting was canceled for the reason that Chair Sobek  
5 said, but also because the items that were on there, most  
6 of them had already been vetted through and approved at  
7 various times. And so there really wasn't anything that  
8 needed to be discussed. So we were just pretty fortunate  
9 this time.

10 The other thing is, the state of the current  
11 economy, and especially in the Legislature, there were  
12 very few items that were moving through that really had  
13 any fiscal implications. And so we're just very  
14 fortunate.

15 A couple of announcements.

16 First of all, with respect to our Vehicle Operations  
17 Training Advisory group, we are working very diligently,  
18 trying to pursue alternative funding sources. We've had  
19 a couple of occasions in the last month or so. We've  
20 made an appearance. We had personnel at the  
21 International Association of the Law Enforcement  
22 Standards Training Directors conference a couple of  
23 months ago. We've also had representation at the Chiefs  
24 of Police Conference here this past month. And also at  
25 the Association For Emergency Response Trainers, we had

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1 a presence there and made a presentation.

2 And this week, Assistant Director Deal and  
3 Consultant Gustafson are back in Washington meeting with  
4 the National Institute of Occupational Safety and Health,  
5 better known were as "NIOSH," trying to secure some grant  
6 funding. And at the beginning of December, I'll be  
7 traveling back to Washington, along with Bryon Gustafson,  
8 to meet with the National Institute of Justice and the  
9 National Highway Traffic Safety Administration.

10 There seems to be a lot of interest in our study.  
11 And our hope is to partner and to try to secure some  
12 other grant funding so that we can continue to move  
13 forward and do some other things. So we'll keep you  
14 posted on that effort.

15 As those of you who may have heard, we have a  
16 resolution that I'll be presenting to retiring Chief  
17 Bernard Melekian, better known as "Barney Melekian," who  
18 has accepted a job as the head of the COPS office in  
19 Washington, D.C. Quite an honor. So I'll be attending  
20 his retirement event on the 5<sup>th</sup> of November and  
21 presenting him with that resolution.

22 And we're proud to announce that as a result of some  
23 outreach from Consultant Gustafson, who had a dialogue  
24 with Gordon Graham at the Chiefs Conference, Gordon said  
25 that he would be willing to do whatever he could to help

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1 us on our ongoing effort to work on this problem of  
2 officers being injured and killed to driving accidents.

3 And for those of you who know Gordon -- of course,  
4 you do because this committee has recognized his work --  
5 he is a passionate advocate for all things that get  
6 police officers injured and killed. And so we have asked  
7 Gordon and he has accepted our invitation to sit as a  
8 member of our Vehicle Operations Advisory Council. And  
9 so I'll be meeting with Gordon, in fact, on November 5<sup>th</sup>,  
10 when I go down for Chief Melekian's retirement. He and  
11 I will be spending some time together. And he has agreed  
12 to, his schedule permitting, attend our meetings.

13 And we believe that he brings an incredible amount  
14 to the table for this effort and becomes just another  
15 mouthpiece for this. So we're excited about Gordon  
16 Graham being part of this effort; and we believe that  
17 it's just a win-win for everybody. So I want to make  
18 that announcement.

19 The pins, do you know what the pins are?

20 Ed, would you please stand and tell us what the pins  
21 are?

22 MR. PECINOVSKY: The pins are our symbols of support  
23 for laws that slow down and training in human  
24 trafficking.

25 We've applied for the grant with the California

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1 Emergency Management Association for a grant that would  
2 run for three years. You approved the Executive  
3 Director's authority to be able to accept that grant.  
4 But if we're successful in getting this grant, we'll be  
5 doing training for police officers on the front end on  
6 how to recognize human trafficking and get the ball  
7 rolling, and maybe make cases in this area where we  
8 haven't made them in the past. So we're hopeful that  
9 this grant will be successful.

10 These pins I got from Sergeant John Vanek at the  
11 San José Police Department, they had a program there for  
12 the last couple of years. And he and I talked about it  
13 a couple of weeks ago at a conference, and I asked him  
14 for these pins to give to the Commission and let you  
15 folks know that we're pursuing this grant, and something  
16 that the San José PD has been very active in.

17 MR. CAPPITELLI: Thank you, Ed.

18 And one final word, and Karen thought she was going  
19 to get off easy. I believe I sent out a communiqué to  
20 you, but I wanted to mention it publicly.

21 It's with sadness and actual congratulations that  
22 we mention that Karen is going to be retiring at the end  
23 of the year. She is stepping down from her role as our  
24 assistant in the Executive Office. We're going to miss  
25 her, but she's agreed to stick around for a few months to

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1 help us through the transition. We'll be working on  
2 doing a nationwide search for a suitable replacement.

3 We'll be working to select a member of staff,  
4 existing staff, who we believe will be able to fulfill  
5 that role to the best of their ability.

6 And so, Karen, I know we'll do something probably a  
7 little more formal at the next Commission meeting because  
8 you'll be there.

9 But congratulations and good luck to you.

10 *(Applause)*

11 CHAIR SOBEK: Get a speech ready.

12 All right, we need to talk about as the Commission  
13 the next Long-Range Planning Committee meeting. The next  
14 date, I guess it would be.

15 Oh, does Mike have something, or is that part of it?

16 Okay, Mr. DiMiceli?

17 MR. DiMICELI: Staff would suggest that you consider  
18 either the week of January the 11<sup>th</sup> or the following week  
19 of January the 18<sup>th</sup>, keeping in mind that it's the  
20 staff's request that we have something on the order of  
21 five, six weeks between the Long-Range Planning Committee  
22 meeting and the Commission meeting in order to finally  
23 prepare the reports and items that contain the  
24 recommendation of the Long-Range Planning Committee.

25 MR. CAPPITELLI: And as a reminder to all, as a

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1 result of our discussion at the last Commission meeting,  
2 the Long-Range Planning Committee meeting will be hosted  
3 at the POST office. There will be opportunities for  
4 members of the public to sit in and staff to sit in if  
5 they desire. However, the members of the Long-Range  
6 Planning Committee can participate telephonically,  
7 through conference call. And so there won't be any need  
8 for travel unless you so desire. And if you live locally  
9 and you want to drive to the meeting, that's fine, too.  
10 But we'll make it as easy as possible for us to conduct  
11 business at that meeting. And we will for future  
12 Long-Range Planning meetings.

13 COMMISSIONER CAMPBELL: Could you give me those  
14 dates again?

15 MR. CAPPITELLI: The week of the 11<sup>th</sup> or the week of  
16 the 18<sup>th</sup>; correct?

17 MR. DiMICELI: Correct.

18 COMMISSIONER CAMPBELL: What date?

19 MR. CAPPITELLI: I don't think we've identified a  
20 date.

21 MR. DiMICELI: We haven't picked a date because we  
22 didn't know where we were. But Tuesday, Wednesday,  
23 Thursday are typical meeting dates for that committee.  
24 And if you don't want to match up everybody's calendars  
25 here, and what usually consumes some time, we would

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1 suggest that in the next day or so, you send to Karen  
2 two or three dates that are open for you during those two  
3 weeks. And we'll put it together and then give you the  
4 date that is most commonly available for the members of  
5 that committee.

6 COMMISSIONER CAMPBELL: At one time, we were going  
7 to have the POST meeting in January, right, and that's  
8 changed?

9 COMMISSIONER LINDEN: It's in February.

10 COMMISSIONER CAMPBELL: It's in February right now.  
11 But at one time, it was going to be in January.

12 MR. CAPPITELLI: Right. Under the old schedule, it  
13 would have been January. Now it's on to February --  
14 February, June, and October schedule.

15 CHAIR SOBEK: As chair of that committee, I'm  
16 available any of those dates in those two weeks. So if  
17 anybody has any --

18 COMMISSIONER LOWENBERG: How about Thursday, the  
19 21<sup>st</sup>.

20 CHAIR SOBEK: Thursday, the 21<sup>st</sup>?

21 COMMISSIONER CAMPBELL: That would be good for me.

22 CHAIR SOBEK: Any other committee members that  
23 disagree with Thursday, the 21<sup>st</sup>?

24 We can do this right now.

25 COMMISSIONER MCGINNESS: Where are we talking to

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1 meet?

2 CHAIR SOBEK: Well, here, at the POST office, for  
3 you.

4 COMMISSIONER LINDEN: A call, telephonically.

5 COMMISSIONER SMITH: He can drive there.

6 COMMISSIONER MCGINNESS: It's a ten-block drive.

7 MR. CAPPITELLI: 10:00 a.m., does that work?

8 So 10:00 a.m., Thursday, January 21<sup>st</sup>.

9 Got it, Mike?

10 MR. DiMICELI: Yes, sir.

11 MR. CAPPITELLI: Thank you, sir. Get it done.

12 COMMISSIONER LINDEN: And someone will let us know  
13 what number to call?

14 MR. CAPPITELLI: Yes. We'll have the call-in  
15 information available for you on that date.

16 CHAIR SOBEK: That's awesome, we got that done.

17 COMMISSIONER DOYLE: I have longer than a ten-block  
18 drive, so...

19 CHAIR SOBEK: So do I.

20 COMMISSIONER MCGINNESS: You can drive to my office.

21 CHAIR SOBEK: Just an announcement. Our next  
22 Commission meeting, which I didn't know until I read  
23 this, is going to be February 24<sup>th</sup>, 25<sup>th</sup>, 2010, at the  
24 Hilton in beautiful Irvine, California. So we will see  
25 all of you down south at our next POST Commission

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meeting.

I will adjourn this meeting for now.

Thank you.

*(The gavel was sounded.)*

*(The meeting concluded at 10:43 a.m.)*

§ 87(2)(g)

**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 November 11<sup>th</sup>, 2009.

---

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