

## **POST COMMISSION MEETING**

**Courtyard Marriott Sacramento Cal Expo  
1782 Tribute Road  
Sacramento, CA 95815  
(916) 929-7900**

**Thursday, June 24, 2010**

### **AGENDA**

#### **CALL TO ORDER AND WELCOME - 10:00 A.M.**

Chair Michael Sobek will call the meeting to order.

#### **COLOR GUARD AND FLAG SALUTE**

The Color Guard will be provided by the California Highway Patrol.

#### **MOMENT OF SILENCE HONORING THE OFFICERS WHO LOST THEIR LIVES IN THE LINE OF DUTY SINCE THE LAST MEETING**

The following officers were killed in the line of duty since the last meeting:

- Sergeant Ira G. Essoe, Jr., Orange County Sheriff's Department
- Deputy Joel Wahlenmaier, Fresno County Sheriff's Department
- Deputy Ken Collier, San Diego County Sheriff's Department
- Officer Javier Bejar, Reedley Police Department
- Officer Daniel Benavides, California Highway Patrol

#### **ROLL CALL OF COMMISSION MEMBERS**

#### **INTRODUCTION OF POST ADVISORY COMMITTEE CHAIR, POST LEGAL COUNSEL, THE EXECUTIVE DIRECTOR**

Chair Sobek will introduce the POST Advisory Committee Chair, POST Legal Counsel, the Executive Director, and new Commissioners.

## **AUDIENCE INTRODUCTIONS**

Members of the audience will introduce themselves.

## **WELCOMING ADDRESS**

Ron Cottingham, President, Peace Officers Research Association of California will give the welcoming address.

## **AWARDS PRESENTATIONS**

The 2009 POST Excellence in Training Awards and the O.J. "Bud" Hawkins Exceptional Service Award will be presented to the recipients.

## **PUBLIC COMMENT \***

Chair Sobek will advise the audience of the following:

This is the time on the agenda for public comment. This is time set aside for members of the public to comment on either items on the Commission agenda or issues not on the agenda but pertaining to POST Commission business. Members of the public who wish to speak are asked to limit their remarks to no more than five minutes each. Please be advised that the Commission cannot take action on items not on the agenda.

\*All Public Comment Except for Agendized Appeals.

## **APPROVAL OF MINUTES**

### A. Approval of the Minutes of the February Commission Meeting

- Action Summary
- Approval of the minutes of the Thursday, February 25, 2010, Commission meeting held at the Hilton, Irvine/Orange County Airport in Irvine, CA 92612.

## **CONSENT**

### B.1 Course Certification/Decertification Report

In approving the Consent Calendar, the Commission receives the report.

## B.2 Quarterly Progress Report on the POST Strategic Plan Implementation

This is a status report on the POST Strategic Plan. The report is provided to the Committee at each quarterly meeting to summarize the progress in researching and implementing the Strategic Plan.

Of the 27 objectives, staff reports that:

- 24 – Are in progress or being researched and/or implemented
  - 2 – Recommended for deletion (counted as *in progress*)
  - 2 – Recommended for consolidation (counted as *in progress*)
  - 1 – On hold
  - 2 – Not addressed at this time
- 27 – **Total**

The 2 objectives recommended for deletion are:

- **Strategic Plan Objective B.11.08** – Review the POST Basic Dispatch curriculum and hours.
- **Strategic Plan Objective C.3.06** – Develop a comprehensive plan for POST’s role in addressing law enforcement recruitment.

The following 2 objectives recommended for consolidation are:

- **Strategic Plan Objective B.13.08** – Study the feasibility of enhancing the ongoing evaluation of POST instructors.
- **Strategic Plan Objective C.1.08** – Develop a training evaluator program to supplement POST’s efforts to maintain course quality.

In approving the Consent Calendar, the Commission accepts the quarterly status report of the Strategic Plan.

## B.3 Agency Requesting Entry Into the POST Reimbursable Program

- The McFarland Police Department is seeking entry into the POST Reimbursable Program.
- The Orange Cove Police Department is seeking entry into the POST Reimbursable Program.
- The San Francisco International Airport Public Safety Dispatchers is seeking entry into the POST Reimbursable Public Safety Dispatcher Program.

- The McFarland Police Department is seeking entry into the POST Public Safety Dispatcher Reimbursable Program.

B.4 Report on Strategic Plan Objective B.10, Enhance and Continue the Study of Driver Training Methods and Vehicle-Related High-Risk Activities to Improve Training, Enhance Safety, and Reduce Preventable Collisions and Injuries

The SAFE Driving Campaign stakeholder groups (the Vehicle Operations Training Advisory Council (VOTAC), Research Team, and the SAFE Driving Advisory Board) met March 25-26, 2010, in San Diego. Approximately 50 individuals from throughout California and the United States met to discuss various aspects of Situation-Appropriate, Focused, and Educated Driving Campaign for law enforcement officers. Specifically:

- Members of the Advisory Board considered a number of strategies to improve nationwide recognition of the ongoing officer-involved collision problem.
- Members of the Research Team developed a data management plan to organize and process the ongoing accumulation of collisions, training, and policy information that is being collected in furtherance of the SAFE Driving Campaign. They also reviewed the survey responses collected from POST's statewide SAFE Driving Survey of all police and sheriff's departments and worked on protocol frameworks for identifying agencies for case studies and methods for ensuring appropriate confidentiality.
- Members of the VOTAC worked to (a) streamline and plan the implementation of new law enforcement driving simulators (LEDS) throughout the state, (b) review the regular basic course pilot project to enhance basic driver training, (c) identify "deadly driving errors" to target for awareness efforts and "SAFE Driving Tips" video projects, and (d) form subcommittees to continue work on training and policy recommendations and guidelines in between SAFE Driving Campaign meetings.

The report describes recent work, reports the status of funding acquisition efforts, and presents a plan for next steps.

This report is submitted for information; no further action is required.

B.5 Report on Strategic Plan Objective C.3, Regarding the Development of a Comprehensive Plan for POST's Role in Addressing Law Enforcement Recruitment

The Commission at its January 2009 meeting supported development of a template that could be used by agencies to create their own recruitment strategic plan. A "Recruitment Strategic Planning Guide" was completed and approved by the Commission at its July 2009 meeting.

This guide was uploaded to the POST website under the Publications link and made available in its electronic format to all law enforcement agencies in January, 2010.

Efforts to engage the branches of the military to provide law enforcement recruitment information to military members preparing to separate from service have not yielded the desired results. The military is primarily focused on retention of personnel as they approach separation rather than providing alternative career options. The economy has dramatically affected law enforcement interest in recruiting new employees.

Staff believes that further work with the military should be delayed until the outlook for jobs in law enforcement improves. Considerable work and resource development on recruitment has been completed. With this in mind, staff recommends that this objective be deleted since it is completed. If circumstances should change, efforts to provide recruitment support to law enforcement could be revived.

In approving the Consent Calendar, the Commission approves the staff recommendation to delete Strategic Plan Objective C.3 as completed.

B.6 Report on Strategic Plan Objective C.11, Regarding the Expansion, Development and Use of Technology in Selection and Training

This is an informational report on the status of the project to investigate the efficiency and cost-effectiveness of current technologies that are utilized at POST. A cross-bureau ad-hoc Technology Evaluation Committee has been organized to examine existing and emerging technology-based issues in order to create the means to acquire such technology at POST. A literature review of appropriate methods for conducting technology based need analyses has been performed.

A list of technology-related projects that currently exist or are planned for the future is being developed, followed by the identification of how technology is being used, the degree to which it is effective and the extent to which alternative, new technology is becoming available.

This report is provided for information only, and no action is required.

B.7 Resolutions

The following individuals will receive a resolution:

- Jody Buna, POST employee

- Gary Sorg, retired POST employee

## **ADMINISTRATIVE SERVICES BUREAU**

### C. Report on Unexpended Reimbursement Funds

Due to the downturn in the economy and budget reductions at the local agency level, the number of reimbursable trainees dropped precipitously in FY 2009/10. Knowing that the number of reimbursable trainees would be significantly lower this year than in FY 2008/09, the Commission at the February 2010 meeting approved a \$3 million advance payment on the Law Enforcement Driving Simulator (LEDS) purchase. This was done with the cooperation and permission of the Department of Finance (DOF) and the Department of General Services (DGS).

All indications are that the economic recovery in California is progressing slower than expected. If the projected 50,000 reimbursable trainee number holds for the next fiscal year, POST will have an additional \$3,000,000 in unexpended reimbursement funds. Staff recommends that available reimbursement funds be directed to the field in a manner consistent with reimbursement regulations and pursuant to Commission direction. Unused reimbursement funds revert to POST's reserve fund, which now stands at approximately \$17 million. Therefore, it is suggested that the Commission authorize the Executive Director to reinstate Backfill reimbursement, reinstate Commuter Lunch, and increase the Basic Course Subsistence reimbursement from \$46 to \$50 for FY 2010/11 effective July 1, 2010. Full year projected cost of Backfill Reimbursement is \$1,442,000. The reinstatement of Commuter Lunch is projected to cost \$800,000 per year, and increasing the Basic Course Subsistence Reimbursement would cost approximately \$100,000. Taking these actions would allow POST to maximize reimbursement to client agencies rather than allowing those funds to revert to the reserve fund.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to reinstate Backfill Reimbursement, reinstate Commuter Lunch, and increase Basic Course Subsistence from \$46 to \$50 for FY 2010/11 effective July 1, 2010. **(ROLL CALL VOTE)**

## **BASIC TRAINING BUREAU**

### D. Report on Revision to Commission Regulation in Relation to the Delivery of Basic Training

This is a report on staff recommendations to modify Regulations 1001, 1004, 1005, 1006, 1007, 1008, 1009, 1052, 1053, 1055, 1056, 1071, 1080, 1081, 1083 and delete Procedure

D-12. As part of an ongoing process, staff reviews regulations and procedures relating to basic courses to determine if revisions are necessary. The recommended changes to the regulations include updates to add definitions and training requirements for basic course administrative and staff positions, delete references to obsolete courses, establish an approval process for modular format presenters to comply with Academy Instructor Certification Program requirements, and delete the waiver process for the decertified Reserve Modules B and C.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the changes as described in the staff report. If no one requests a public hearing, the changes will become effective January 1, 2011.

E. Contract Request and Report on the Status of Implementing a Pilot Study of Academy Basic Driver Training

This is a report on the progress made on the pilot study of basic driver training and a request for funds to support the study. At its October 2008 meeting, the Commission received the *Driver Training Study, Volume I* and approved implementation of the recommendations in the report. One of the recommendations is to *enhance driver training curriculum in the academy which may require additional hours*. The Commission directed the implementation of an academy-based pilot program which would incorporate four components to Learning Domain (LD) 19 *Vehicle Operations*: Law Enforcement Driving Simulators (LEDS), a speed component, night driving and the use of interference vehicles.

The pilot project started by identifying academies interested in participating in the pilot study. Staff conducted a survey of academies to assess facilities, training equipment, ability to drive at speed, and ability to conduct nighttime driving. The results of the survey identified potential participants for the project.

To assist in the Driver Training Study, POST obtained the services of Ron Tarr, PhD, from the University of Central Florida Institute for Simulation and Training. Dr. Tarr has an impressive background in simulation training and led the project to incorporate LEDS training at the Federal Law Enforcement Training Center (FLETC) in Glencoe, Georgia.

Staff is assembling a committee to develop the curriculum for the pilot study. Course outlines and lesson plans that may already address some of the recommended course changes are being obtained from academies to assist the work of the committee.

Due to the existing workload, there are insufficient resources to dedicate staff to support the pilot on a full time basis. Supplemental staffing is necessary to complete the pilot in a timely manner.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to enter into a contract with an individual or entity to provide instructor training and technical support for the integration of LEDS into basic driver training in an amount not to exceed \$50,000. (**ROLL CALL VOTE**)

### **CENTER FOR LEADERSHIP DEVELOPMENT**

#### F. Request to Augment the FY 2010-11 Command College Contract

On February 25, 2010, the Commission authorized contracting with San Jose State University for support of FY 2010-11 Command College Classes 47 through 51, in an amount not to exceed \$456,929. Subsequently, it was determined that course outcomes could be enhanced through modernizing specific components of the course's Futures Project, as well as modifying the course content and supporting texts. Also, budgetary analysis revealed that amounts allocated for certain items fell short of actual amounts required (e.g., for instruction/travel and course materials).

Increasing the funding for the Command College from \$456,929 to an amount not to exceed \$516,414 will sustain the Command College's core goals while enabling instruction to be linked and sequenced to the Futures Project. The increased funding will also enable keeping pace with costs associated with instruction/travel, materials, equipment, and facilities.

The additional amount requested, i.e., \$59,485, will be cost-neutral in that its source will be the FY 2010-11 Executive Seminars contract, which will be proportionately reduced, but kept at a level of funding commensurate with the contract's level of performance experienced in recent fiscal years.

If the Commission concurs, the appropriate action would be a **MOTION** to amend the FY 2010-11 Command College contract with San Jose State University to add \$59,485 in order to maintain alignment of curriculum with state-of-the-art futures concepts and to provide for increased program operation expenses. (**ROLL CALL VOTE**)

#### G. Request for Approval to Initiate a Competitive Solicitation for a Video for the Supervisory Course

During recent curriculum review meetings, it was determined that the video vignettes used in the Supervisory Course are outdated and do not frame the problems law enforcement supervisors currently confront. The vignettes were produced ten years ago.

Additionally, the vignettes are in VHS format and lose quality and clarity when transferred to the DVD format most presenters utilize. In addition to needing the vignette's scenarios to depict the contemporary environment and practices, the scenarios also need to be constructed to model the leadership methods emphasized throughout the current curriculum.

The amount of funding being allotted for production of new vignettes, up to \$100,000, is available in funds previously authorized for expenditure within the Supervisory Course Facilitator Training (SCFT) FY 10-11 contract. That contract, originally approved for \$146,020, would be reduced to \$46,020. A combination of an extended FY 09-10 SCFT contract and remainder funds from FY 09-10 Supervisory Course contracts have enabled much of the performance expected from the original SCFT FY 10-11 contract.

If the Commission concurs, the recommended action would be a **MOTION** to authorize the Executive Director to initiate a competitive solicitation and enter into a contract with an entity for production of Supervisory Course video vignettes, in an amount not to exceed \$100,000. **(ROLL CALL VOTE)**

## **EXECUTIVE OFFICE**

### H. Report on Composition of the POST Advisory Committee

A vacancy currently exists on the Advisory Committee for one of the Public member positions. This report describes the history of the Advisory Committee composition. It provides alternative recommendations that the Commission may consider to fill the existing Public member position and introduces the concept of modifying the composition of the Advisory Committee, including consideration of adding a position that would be held by a public safety dispatcher.

Since 1987 the Commission has had statutory authority to adopt rules establishing minimum standards relating to the recruitment and training of public safety dispatchers that are responsible for providing dispatching services for law enforcement agencies. There are 382 agencies that employ public safety dispatchers and participate in the POST Public Safety Dispatcher Program. These agencies employ 7,285 public safety dispatchers, dispatch supervisors and dispatch managers statewide.

During the past year, staff has been actively addressing issues of importance to public safety dispatchers. During the past year, POST conducted several statewide regional meetings of dispatchers, dispatch supervisors and dispatch managers of law enforcement dispatch agencies and associations in order to consult on matters of interest.

Staff has established the POST Public Safety Dispatcher Advisory Council with statewide representatives. The Council is assisting POST to shape the future of public safety dispatcher selection and training needs.

The Long Range Planning Committee discussed and offered a recommendation to the Commission on this issue during its regular meeting in May.

If the Commission concurs, the appropriate action would be a **MOTION** that the Commission approve both the recommendations by members of the LRPC and staff concerning the composition of the Advisory Committee to include: 1) appointing someone to the vacant Public member position; 2) adding a Public Safety Dispatcher member position to the Advisory Committee; and 3) authorizing that members of the POST Public Safety Dispatcher Advisory Council to select from among its members a representative to be nominated to the Public Safety Dispatcher member position of the Advisory Committee.

I. Report on Recommendation to Delay the Update of the POST Strategic Plan

At its regular meeting in July 2009, the Commission approved the staff recommendation to delay the biennial update of the POST Strategic Plan. The state of the economy and the impact it has had on local government was the primary reason in approving the recommendation. The situation remains the same for this year. The economic conditions have not improved. The number of reimbursable trainees for FY 09-10 has dropped significantly. The same conditions exist that led to the approval by the Commission to delay the biennial update of the Strategic Plan.

During the recently completed POST Leadership Team, team building workshop. One of the recommendations that came from the workshop is to assess whether the current organizational structure of POST is aligned with the needs and future vision of the organization.

Staff is proposing that along with continued work on existing Strategic Plan objectives, that a comprehensive reorganization proposal be developed and added as an objective to the Strategic Plan.

This item was presented to the Long Range Planning Committee at its May meeting. Following discussion, the Committee accepted the report and approved the staff proposal.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the staff recommendation to delay the update of the POST Strategic Plan for at least one year, continue the work on the Strategic Plan, and add a new objective that provides for the development of a comprehensive proposal to reorganize POST.

J. Request to Apply For And Accept Federal Homeland Security Grant Funds For FY 2010-11

Since 2004, POST has been part of a training partnership that consists of representatives from the Governor's Office of Homeland Security (OHS), the Governor's Office of Emergency Services (OES), the California Military Department (CMD), the State Fire Marshals Office (SFM), the Emergency Medical Services Authority (EMSA), the Department of Health Services (DHS), and the California State Joint Firefighters' Apprenticeship Council (SFJAC) to address training needs of first responders statewide.

In discussions with Cal EMA during April 2010 staff learned that the application deadline for state agencies to apply for FY 2010 federal grant funds is August 13, 2010. The funds that will be awarded to State agencies come from the State's share of FFY 2010 federal homeland security grant funds. Staff will identify the training needs and projects and submit a grant application to Cal EMA. A report on the results will be provided to the Commission at its October 2010 meeting.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to submit an application for FFY 2010 homeland security grant funds to Cal EMA.

**LEARNING TECHNOLOGY RESOURCES BUREAU**

K. Report on Request to Redirect Funds Related to the Telecourse Program

In November 2009, the California POST Television Network (CPTN) and Learning Technology Resource Center (LTRC) merged to become the Learning Technology Resources Bureau. This move prompted a review of existing contracts in consideration of funding for the bureau as a whole. It also afforded the opportunity to assess existing programs through a client survey, designed to determine the most effective way to expend its funds.

After a review of the Telecourse contract with the University of California – Irvine (UCI), the decision was made to amend the existing three-year contract and initiate the competitive bid process; this decision will eliminate certain expenses.

The amended contract with UCI will end in January 2011 and allow POST to redirect \$4 million previously approved by the Commission.

Following an analysis of the survey administered to the field, staff recommends the redirection of the above mentioned funds to redesign the training video format to include facilitation resources, develop additional web-based courses for the Learning Portal, and pursue the development of short informational segments, (i.e., quick tips, officer safety reminders, links to specialty training, etc.) to be made available on the Learning Portal.

If the Commission concurs, the recommended action would be a **MOTION** to authorize the Executive Director to redirect funds and to contract with various entities for the production and support of technology-based training that includes training video courses and web-enabled, self-paced training courses during the next two years in an amount not to exceed \$4 million. **(ROLL CALL VOTE)**

### **STANDARDS AND EVALUATION BUREAU**

#### L. Report on Strategic Plan Objective C.5, TMAS Feasibility Study

This report describes the need to update POST's secure testing and research capabilities using technology. Various projects—including the December 2009 Financial Integrity and State Manager's Accountability Act (FISMA) audit—have revealed risks, liabilities, and inefficiencies associated with POST's current outdated test development and delivery processes. Staff's efforts to identify updated secure computer-based testing options are detailed and, the need for a formal Information Technology (IT) Feasibility Study is articulated.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to contract for the completion of an IT Feasibility Study in an amount not to exceed \$200,000. **(ROLL CALL VOTE)**

### **TRAINING PROGRAM SERVICES BUREAU**

#### M. Contract – Renewal for California Highway Patrol Attendance at Museum of Tolerance Training FY 2010-2011

The concept of allowing state law enforcement personnel to attend and be reimbursed for courses provided by the Simon Weisenthal Museum of Tolerance (MOT) emanated from joint recognition by the MOT and POST that MOT courses were not being filled to their capacities. There continues to be space to accommodate state agency law enforcement personnel.

In order to make the MOT training available to state law enforcement agencies, an interagency contract is needed. In this instance, the request is to make the training available to members of the CHP on a tuition-free basis, with limited reimbursement for travel and per diem.

In Fiscal Year 2009-10, POST contracted with CHP to allow reimbursement to CHP officers for travel and per diem to attend MOT training. There is no financial burden imposed upon POST in allowing state agencies to continue to attend MOT training.

The funding for reimbursements is provided for as a line item in the annually recurring MOT budget. Similarly, all costs for course presentations continue to be funded from the MOT budget through a contract with MOT.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to renew the contract with the California Highway Patrol (CHP) to enable employees of the CHP to be reimbursed for attendance at MOT training courses for Fiscal Year 2010 – 2011 in an amount not to exceed \$85,000. (**ROLL CALL VOTE**)

N. Report on Recommendation to Address Replacement of Law Enforcement Force Option Simulators

Regulation 1005(d)(3) requires peace officers at the rank of sergeant and below to attend perishable skills training every two years. One of the requirements includes 4-hours of force options training. In 1999 POST sponsored the purchase of driving and force option simulators that were placed at Regional Training Centers around the State in order to allow officers to satisfy this requirement.

POST is currently in the process of replacing the Law Enforcement Driving Simulators (LEDS). That process should be completed in early 2011. The FOS and LEDS simulators are often paired at the Regional Skills Centers to allow a one day, eight hour course to be presented.

This facilitates the agencies' ability to more economically meet the Perishable Skills Training requirement. The FOS systems at these centers are of several different manufacturers and have different operating systems.

Agencies were allowed to select FOS from among several manufacturers that met the original specifications approved by POST.

Like the previous LEDS equipment, most of the FOS have exceeded the life of their intended use. Some are no longer usable or repairable and some operate intermittently.

Staff recommends replacing the FOS systems at the Regional Training Centers with a single manufacturer system like was done with the LEDS. The source of funding for this project would be from POST reserve funds. Staff estimates that this purchase should not exceed \$3 million dollars. Staff is seeking authorization to assess available research on the subject to the extent it is available. Staff further recommends that an analysis first be performed to assess the costs and operational impacts of purchasing FOS and pairing them with the LEDS at Regional Training Centers.

If the Commission concurs the appropriate action would be a **MOTION** to authorize the Executive Director to develop a plan to replace the FOS systems.

O. Contract Amendment to Address Unanticipated LEDS Installation Costs

In order to address unanticipated costs related to the installation of law enforcement driving simulators (LEDS), it is recommended that an existing contract with the San Jose University Foundation be augmented in an amount not to exceed \$45,000.00 to address these costs.

The installation at two LEDS sites, Santa Rosa Regional Training Center and Ventura County Sheriff's Department, resulted in additional, unanticipated costs. Santa Rosa Regional Training Center required an additional installer since certain components that would normally have been fabricated at the manufacturing facility had to be constructed on-site. The cost to perform this service was an additional \$8,528.67.

Ventura County Sheriff's Department is in the process of constructing a new facility which requires the installation date for the LEDS to be postponed from July 2010 until February 2011. This will result in additional travel and storage costs in the amount of \$9,692.96.

Two other sites may have unanticipated installation issues, Kern County Sheriff's Department and the Los Angeles Police Department. Whether additional funding is needed for these sites has yet to be determined.

If the Commission concurs, the appropriate **MOTION** would be to authorize the Executive Director to amend an existing contract with the San Jose University Foundation to address unanticipated costs related to the installation of the law enforcement driving simulators in an amount not to exceed \$45,000. (**ROLL CALL VOTE**)

P. Report on Acceptance of FY 2010-11 VAWA Grant Funds

In August 1997, the Commission approved acceptance and use of a Violence Against Women Act (VAWA) law enforcement grant. Over the past 12 years, the Commission has continued to accept this grant to present training to law enforcement personnel on domestic violence and sexual assault.

Staff anticipates receiving the same amount of VAWA funding for FY 2010-11 as was received from the California Emergency Management Agency (Cal EMA) for FY 2009-10. This amount is \$637,583. This includes an in-kind and cash match in the amount of \$159,396, which will be met by equipment purchases and upgrades, curriculum updates, instructor travel hours, and training reimbursements.

Since the initial funding, POST has contracted with the San Diego Regional Training Center (SDRTC) to facilitate the course presentations. Also, POST has selected and contracted with SDRTC for a Grant Coordinator to handle the day-to-day VAWA grant coordination responsibilities while a POST Senior Consultant serves as the Grant Administrator.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to: 1) accept the additional funds for FY 2010/2011 that total an amount not to exceed \$637,583 from Cal EMA to continue presentation of VAWA-funded training courses, 2) enter into an interagency agreement with the SDRTC or another public entity to facilitate courses in domestic violence and sexual assault for law enforcement officers and public safety dispatchers and to provide for a project coordinator position in the amount not to exceed \$403,444, 3) retain \$74,743 for miscellaneous costs such as, but not limited to, course curriculum updates, project-related development and training, travel and per diem for instructional staff, and 4) meet in-kind and cash match grant requirement of \$159,396. **(ROLL CALL VOTE)**

Q. Report on Contract to Conduct Fatigue and Distraction Research Related to the Driver Training Study

In support of Strategic Plan Objective B.10, "Enhance and Continue the Study of Driver Training Methods and Vehicle-Related High-Risk Activities to Improve Training, Enhance Safety, and Reduce Preventable Collisions and Injuries," POST assembled a research team to help reduce officer traffic fatalities. Because the traffic collision fatalities experienced by California law enforcement officers are also the leading cause of death for officers nationally, staff submitted an appropriations request to Senator Diane Feinstein to solicit federal funds to support the research effort, however, that request was not funded.

With the lack of federal funding support, staff has divided up the research plan into stand-alone components that can be conducted independently. This has allowed some of the research to move forward and other parts to be put forward for grant funding. The only outstanding component is the fatigue and distraction study.

Staff recommends using available funding from Fiscal Year 2010-2011 to support research on fatigue and distraction in order to advance the entirety of the Driver Training Study and the overall SAFE (Situation-Appropriate, Focused, and Educated) Driving Campaign.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to enter into a contract with Washington State University Spokane for research on fatigue and distraction relative to law enforcement vehicle operations in an amount not to exceed \$294,000. (**ROLL CALL VOTE**)

## **COMMITTEE REPORTS**

### R. Long Range Planning Committee

Commission Chair Michael Sobek will report on action taken at the Thursday, May 20, 2010, Long Range Planning Committee Meeting held at POST, 1601 Alhambra Boulevard, Sacramento, California.

### S. Finance Committee

John McGinness, Chair of the Finance Committee, will report on the results of the Committee meeting held on Wednesday, June 23, 2010, in Sacramento, California.

### T. Advisory Committee

Brent Newman, Chair of the POST Advisory Committee, will report on the results of the Advisory Committee meeting held on Wednesday, June 23, 2010, in Sacramento, California.

### U. Legislative Review Committee

Jeff Lundgren, Chair of the Legislative Review Committee, will report on the results of the Legislative Review Committee meeting held on Thursday, June 24, 2010, in Sacramento, California.

V. Correspondence

To POST from:

- Jim Bock, Specialized Law Enforcement requesting reappointment as a member to the POST Advisory Committee.
- Ron Cottingham, President, Peace Officers Research Association of California, requesting the reappointment of Jim Bock to the POST Advisory Committee, representing SPAC.
- Jesus Montana, Chairperson, Specialized Police Association Coalition, requesting reappointment of Jim Bock to the POST Advisory Committee, representing SPAC.
- Clay Parker, President, California State Sheriffs' Association, requesting the reappointment of Ed Bonner to the POST Advisory Committee, representing CSSA.
- Susan E. Manheimer, President, California Police Chiefs Association, requesting the reappointment of Jeff Miller to the POST Advisory Committee, representing CPCA.
- Wayne J. Quint, Jr., President, California Coalition of Law Enforcement Association requesting the reappointment of Mario Casas to the POST Advisory Committee, representing CCLEA.
- Jalaine C. Hogue, Executive Director, California Associations of Police Training Officers, requesting the reappointment of Tim Willmore to the POST Advisory Committee, representing CAPTO.
- Ron Cottingham, President, Peace Officers Research Association of California, requesting the reappointment of Joe Flannagan to the POST Advisory Committee, representing PORAC.
- Greg Dossey, Director, Allan Hancock College, requesting the reappointment of Richard Lindstrom to the POST Advisory Committee, representing CADA.
- Alan Wayne Barcelona, Special Agent, Department of Justice, President, California Statewide Law Enforcement Association (CSLEA), requesting the reappointment of Alex Bernard to the POST Advisory Committee, as a Public Member.
- Gary Wyatt, President, Irvine Police Association, requesting the reappointment of Alex Bernard to the POST Advisory Committee, as a Public Member.
- Stephen E. James, President, Long Beach Police Association, requesting the reappointment of Alex Bernard to the POST Advisory Committee, as a Public Member.
- Floyd R. Hayhurst, President, Southern California Alliance of Law Enforcement, requesting the reappointment of Alex Bernard to the POST Advisory Committee, representing Public Member.
- Steve Remige, President, Association of Los Angeles Deputy Sheriffs, requesting the reappointment of Alex Bernard to the POST Advisory Committee, as a Public Member.

- Roger Mayberry, President, California State Lodge Fraternal Order of Police, requesting the reappointment of Alex Bernard to the POST Advisory Committee, as a Public Member.
- James Ream, President, Los Angeles School Police Association, requesting the reappointment of Alex Bernard to the POST Advisory Committee, as a Public Member.

From POST to:

- William D. Gore, Sheriff, San Diego County, expressing sympathy over the tragic, on duty death of Deputy Ken Collier.
- Margaret Mims, Sheriff, Fresno County, expressing sympathy over the tragic, on duty death of Deputy Joel Wahlenmaier.
- Steven H. Wright, Chief, Reedley Police Department, expressing sympathy over the tragic, on duty death of Officer Javier Bejar.
- Joseph A. Farrow, Commissioner, California Highway Patrol, expressing sympathy over the tragic, on duty death of Officer Daniel Benavides.

W. Old Business

- Reserve Peace Officer Program Review, Los Angeles County Sheriff's Department

X. New Business

- Appointment of Members to the Advisory Committee
- Election of New Officers for FY 2010-11
- Review and discussion of the Leadership Team Offsite Meeting

Y. Receiving Information Concerning the Basic Training of Mr. Richard Bell

Mr. Richard Bell will address the Commission concerning the staff decision that the training he completed does not satisfy the requirements of the Regular Basic Course and does not support Mr. Bell's appointment to a Level I Reserve Officer position.

Mr. Bell was appointed a Level II Reserve Peace Officer for the Escondido Police Department in February 1999, and completed Reserve Training Modules A, B, and C at Palomar College in May 1999. At that time, Modules A, B and C satisfied the basic training requirement for Level II Reserve Officer. In 1999, Module D satisfied the training requirement for a Level I Reserve Officer appointment. Mr. Bell did not complete the Module D training.

In 2007, Mr. Bell completed the Reserve Training Module I class at Southwestern College and was appointed at Level I reserve officer by Escondido PD.

Significant statutory changes to the definition, authority, duties, and requirements for supervision of the various reserve levels became effective in 1999. As a result, the entire modular format for reserve training was revised and significantly changed in hours, content, and examination requirements. Modules A, B, and C were entirely replaced by Module III and Module II as requirements for Level III and Level II positions. The new modules (III and II) consisted of entirely new content and examinations, adding content that was not previously contained in Modules A, B, and C. Module D was “replaced” by Module I but was entirely different in hours, content, and examinations. As a result, Modules III, II, and I require significantly different content, testing and hours; the two formats are not equivalent or compatible; and Modules A-D cannot be substituted on a “one-for-one” basis for the Modules III, II, and I.

During 2009, POST staff became aware of significant problems with the presentation of reserve basic training, including several Module I courses, by Southwestern College. An extensive investigation identified problems with presentation of content and the administration of cognitive, exercise, and scenario examinations. The Module I course completed by Mr. Bell at Southwestern College in 2007 was one of the courses involved in the investigation and determined to be incomplete.

Mr. Bell and the Escondido PD were informed of the deficiency in the training. Mr. Bell requested further review of the training. POST staff conducted a detailed review of the training provided by Southwestern College. The review and extensive discussions involved POST consultants, bureau chiefs, and assistant directors. After the review, staff concluded that the training Mr. Bell received did not satisfy the requirements of the Regular Basic Course and was insufficient to support an appointment to a Level I reserve position.

Executive Director Cappitelli personally informed Mr. Bell and the senior staff of Escondido PD of the decision. Mr. Bell requested the opportunity to address the Commission and present additional information related to the decision of POST staff concerning the adequacy of the training and his appointment as a Level I reserve officer. Mr. Bell provided summary of his position and supporting documentation. That summary and the staff report are presented at this tab.

Mr. Bell will address the Commission to present information concerning his training and experience. POST staff will summarize the report and the decision concerning the sufficiency of the training.

Following any further discussion, if the Commission agrees, it may:

1. Accept and approve the staff's decision that the training completed by Mr. Bell does not satisfy the basic training requirement for appointment to a Level I Reserve Officer position;
2. Accept Mr. Bell's position and declare the training to be sufficient to satisfy the basic training requirement for appointment to a Level I Reserve Officer position;  
or
3. Accept the additional information and refer the matter to staff for further review.

#### **NEXT LONG RANGE PLANNING COMMITTEE MEETING**

The next Long Range Planning Committee meeting will be held on Thursday, September 2, 2010.

#### **FUTURE COMMISSION DATES**

October 27 - 28, 2010 – Courtyard Marriott, Sacramento

February 23 – 24, 2011 – Hilton, La Jolla, Torrey Pines

June 22 – 23, 2011 – Doubletree, Sacramento

October 19 – 20, 2011 – San Francisco, Hyatt Regency, San Francisco Airport

#### **CLOSED EXECUTIVE SESSION**

A Closed Session will convene to discuss legal and personnel matters.

#### **ADJOURNMENT**