

STATE OF CALIFORNIA  
COMMISSION ON  
PEACE OFFICER STANDARDS AND TRAINING

**POST COMMISSION MEETING**  
**OPEN SESSION**



TIME: 10:00 a.m.

DATE: Thursday, October 27, 2016

PLACE: Commission on Peace Officer Standards  
and Training  
860 Stillwater Road, Suite 100  
West Sacramento, California



REPORTER'S TRANSCRIPT OF PROCEEDINGS



Reported by:

Daniel P. Feldhaus  
California Certified Shorthand Reporter #6949  
Registered Diplomat Reporter, Certified Realtime Reporter

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A P P E A R A N C E S

COMMISSION ON POST  
COMMISSIONERS PRESENT

JOYCE DUDLEY  
*(Acting Chair of the Commission)*  
Santa Barbara District Attorney  
Santa Barbara County

RICK BRAZIEL  
Educator  
Humboldt State University

LAI LAI BUI  
Sergeant  
Sacramento Police Department

RICHARD DELAROSA  
Mayor  
City of Colton

ROBERT DOYLE  
Sheriff  
Marin County

SANDRA HUTCHENS  
Sheriff-Coroner  
Orange County

PETER KURYLOWICZ, JR.  
Deputy Sheriff  
Riverside County Sheriff's Department  
*(Chair, Finance Committee)*

LAREN LEICHLITER  
Sheriff  
San Bernardino County Sheriff's Department

GEOFF LONG  
Public Member

JIM McDONNELL  
Sheriff  
Los Angeles County Sheriff's Department

A P P E A R A N C E S

COMMISSION ON POST  
COMMISSIONERS PRESENT

continued

JETHROE MOORE II  
Public Member  
*(Chair, Strategic Plan and Organizational Development Committee)*

BATINE RAMIREZ  
Deputy Sheriff  
Placer County Sheriff's Department

LAURIE SMITH  
Sheriff  
Santa Clara County Sheriff's Department

LARRY J. WALLACE  
for KAMALA D. HARRIS, Attorney General  
Department of Justice



COMMISSION ON POST STAFF PRESENT

*(participating staff)*

MANUEL ALVAREZ, JR.  
Executive Director  
Executive Office

WILLIAM "TOBY" DARDEN  
POST Commission Counsel  
Department of Justice  
Office of the Attorney General

DAVID CORNEJO  
Assistant Executive Director  
*(Administrative Services Division)*  
Executive Office

JANICE BULLARD  
Assistant Executive Director  
*(Standards and Development Division)*  
Executive Office

RALPH BROWN  
Legislative Liaison  
Executive Office

A P P E A R A N C E S

COMMISSION ON POST STAFF PRESENT

*(participating staff)*

DAVID CHENG  
Analyst  
Training Program Service Bureau

CONNIE PAOLI  
Administrative Assistant II  
Executive Office



Also Present

MARCELO BLANCO  
*(POST Advisory Committee Chair)*  
California Coalition of Law Enforcement Associations

GLEN GLASER  
Sergeant  
Drug Evaluation Classification Program  
California Highway Patrol

PATTI KAIDA  
(Retired POST employee)

ALAN McFADON  
Public Safety Dispatcher Advisory Council



POST Commission Meeting, October 27, 2016

I N D E X

<u>Proceedings</u>	<u>Page</u>
Call to Order . . . . .	11
Color Guard and Flag Salute . . . . .	11
West Sacramento Police Department	
Moment of Silence . . . . .	12
Officer Jonathan DeGuzman San Diego Police Department	
Sergeant Steven Owen Los Angeles County Sheriff's Department	
Officer Jose Gilbert Vega Palm Springs Police Department	
Officer Lesley Zerebny Palm Springs Police Department	
Deputy Jack Hopkins Modoc County Sheriff's Department	
Sergeant Alfonso Lopez Los Angeles County Sheriff's Department	
Roll Call of Commission Members . . . . .	12
Introduction of POST Advisory Committee Chair, POST Legal Counsel, and the Executive Director and New Commissioners . . . . .	13
Welcoming Address	
Thomas McDonald, Chief West Sacramento Police Department . . . . .	14
Public Comment . . . . .	29
Ralph Brown	

I N D E X

<u>Proceedings</u>	<u>Page</u>
<b>Approval of Action Summaries and Minutes</b>	
A. Approval of Action Summary and Minutes for the following Commission meetings: June 23, 2016, and July 13, 2016 . . . . .	32
<b>Consent:</b>	
B. Consent Items	
1. Report on Course Certification Statistics from 5/1/16 to 8/31/16 . . . . .	33
2. Report on New Agency Entry into the POST Program - City of Oakley Police Department . . . . .	33
3. Report on New Agency Entry into the POST Program - Coast Community College District Police Department . . . . .	33
4. Report on Renewal of the Operational Agreement with San Diego Regional Training Center for the FY 2016-17 Violence Against Women Act (VAWA) Grant . . . . .	33
5. Report on Completion of the POST Authentication and Secure Services . . . . .	33
6. Report on the Progress 2015 Strategic Plan . . . . .	33
7. Report on the Update of the POST Organizational Study Project . . . . .	39
8. Report on the Status of Planning for the Potential Passage of Proposition 64 . . . . .	43
9. Report on Legislative Updates . . . . .	88

I N D E X

Proceedings

Page

**Consent:**

B. Consent Items

10. Commission Resolutions:

Patti Kaida, AGPA  
Administrative Services Bureau . . . . . 78

Janice "Jan" Bullard,  
Assistant Executive Director  
Executive Office . . . . . 85

Mario Rodriguez, Bureau Chief  
Learning Technology Research Bureau . . . . . --

Robert Ziglar, Bureau Chief  
Training Program Services Bureau . . . . . 80

Peter Kurylowicz, Jr. Deputy Sheriff  
Riverside County Sheriff's Department . . . . . 82

11. Commission Recognition

Alan McFadon  
POST Advisory Committee Member . . . . . 76

**Finance Committee**

C. Financial Report from Finance  
Committee Meeting held October 26,  
2016, Kurylowicz/Cornejo . . . . . 88

**Basic Training Bureau**

D. Report on Proposed Changes to  
Commission Regulation 1008, Basic Course  
Waiver and Qualification Requirement . . . . . 90

E. Report on Proposed Changes to Commission  
Regulation 1006, Extension of Time Limit  
For Course Completion . . . . . 91

**Executive Office**

F. Report on Request to Amend POST Regulation  
1005(d)(4) Training Requirement for  
Perishable Skills Instructors . . . . . 92

I N D E X

<u>Proceedings</u>	<u>Page</u>
 <b>Standards, Evaluations, and Research Bureau</b>	
G. Report on Proposed Changes to Commission Regulations Involving Peace Officer Selection Standards . . . . .	93
H. Report on California Peace Officer Job Analysis . . . . .	95
 <b>Training Program Services Bureau</b>	
I. Report on Request to Contract for Principled Policing Training and Mentoring Programs . . . . .	95
 <b>Committee Reports</b>	
J. Advisory Committee, Blanco . . . . .	96
K. Strategic Plan and Organizational Development Committee, Moore . . . . .	99
 <b>Correspondence</b>	
L. Correspondence sent from POST . . . . .	101
From POST to:	
Shelly Zimmerman, Chief, San Diego Police Department, expressing sympathy over the tragic on-duty death of Officer Jonathan DeGuzman . . . . .	101
Edward Bonner, Sheriff, Placer County Sheriffs, expressing wishes and prayers for the recovery of Deputy Austin Harper . . . . .	101
Jim McDonnell, Sheriff, Los Angeles County Sheriff's Department, expressing sympathy over the tragic on-duty death of Sergeant Steven Owen . . . . .	101
Bryan Reyes, Chief, Palm Springs Police Department expressing sympathy over the tragic on-duty death of Officers Jose Vega and Lesley Zerebny . . . . .	101

I N D E X

<u>Proceedings</u>	<u>Page</u>
<b>Correspondence</b>	
L. Correspondence sent from POST	
From POST to: <i>continued</i>	
Mike Poindexter, Sheriff, Modoc County Sheriff's Department, expressing sympathy over the tragic on-duty death of Deputy Jack Hopkins.	
Jim McDonnell, Sheriff, Los Angeles County Sheriff's Department expressing sympathy over the tragic on-duty death of Sergeant Alfonso Lopez . . . . .	101
<b>Old Business</b>	
M. Old Business . . . . .	102
<b>New Business</b>	
N. Election of Commission Vice Chair . . . . .	102
Comments by Jethroe Moore . . . . .	103
<b>Future Commission Dates</b>	
O. Upcoming Commission Meeting Dates . . . . .	113
<b>Closed Session</b>	
P. Closed Executive Session . . . . .	112
1. Conference with Legal Counsel re Existing Litigation	
a. <i>Knowledge and Intelligence Professional Programs v POST</i> , Los Angeles Superior Court, Case #NC058217, #NC053503	
b. <i>Meniooh v State of California</i> , N.D. Cal., Case #C-16-0715-CRB	

I N D E X

Proceedings

Page

**Closed Session**

P. Closed Executive Session *continued*

c. *Tamara Evans v POST*, Sacramento  
County Superior Court, Case  
#34-2014-00164423; Eastern  
District of California, Case  
#2:15-cv-01951

2. Conference with Legal Counsel re  
Existing/Potential Litigation

a. Matters before the EEOC  
Charge #555-2015-001150  
and Charge #555-2016-00829

Report from closed executive session . . . . .	113
Adjournment . . . . .	113
Reporter's Certificate . . . . .	114



**POST Commission Meeting, October 27, 2016**

1                   **Thursday, October 27, 2016, 10:01 a.m.**

2                   **West Sacramento, California**



4                   COMMISSION CHAIR DUDLEY: Please stand for the  
5 presentation of the colors by the West Sacramento Police  
6 Department.

7                   *(The West Sacramento Police Department Color  
8 Guard entered the meeting room, flag salute.)*

9                   COMMISSION CHAIR DUDLEY: Please join me in the  
10 Pledge.

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

12                   COMMISSION CHAIR DUDLEY: Please remain standing for  
13 a moment of silence, honoring the officers who have lost  
14 their lives in the line of duty since this last meeting.  
15 It has been a devastating time for all of us in law  
16 enforcement. The names are too long.

17                   Officer Jonathan DeGuzman, San Diego Police  
18 Department.

19                   Sergeant Steven Owen, Los Angeles County Sheriff's  
20 Department.

21                   Officer Jose Vega, Palm Springs Police Department.

22                   Officer Lesley Zerebny, Palm Springs Police  
23 Department.

24                   Deputy Jack Hopkins, Modoc County Sheriff's  
25 Department.

**POST Commission Meeting, October 27, 2016**

1           Sergeant Alfonso Lopez, Los Angeles County Sheriff's  
2 Department.

3           And a moment of silence.

4           *(Moment of silence.)*

5           COMMISSION CHAIR DUDLEY: Thank you.

6           *(The West Sacramento Police Department Color*  
7 *Guard exited the meeting room.)*

8           COMMISSION CHAIR DUDLEY: Please join me in thanking  
9 the West Sacramento Police Department.

10          *(Applause)*

11          COMMISSION CHAIR DUDLEY: Please take your seats.

12          Ms. Paoli, when you're ready, please take the roll  
13 call.

14          MS. PAOLI: Braziel?

15          COMMISSIONER BRAZIEL: Here.

16          MS. PAOLI: Bui?

17          COMMISSIONER BUI: Here.

18          MS. PAOLI: DelaRosa?

19          COMMISSIONER DELAROSA: Here.

20          MS. PAOLI: Doyle?

21          COMMISSIONER DOYLE: Here.

22          MS. PAOLI: Dudley?

23          COMMISSION CHAIR DUDLEY: Here.

24          MS. PAOLI: Hutchens?

25          COMMISSIONER HUTCHENS: Here.

**POST Commission Meeting, October 27, 2016**

1 MS. PAOLI: Kurylowicz?

2 COMMISSIONER KURYLOWICZ: Here.

3 MS. PAOLI: Leichliter?

4 COMMISSIONER LEICHLITER: Here.

5 MS. PAOLI: Long?

6 COMMISSIONER LONG: Here.

7 MS. PAOLI: McDonnell?

8 COMMISSIONER MCDONNELL: Here.

9 MS. PAOLI: Moore?

10 COMMISSIONER MOORE: Here.

11 MS. PAOLI: Ramirez?

12 COMMISSIONER RAMIREZ: Here.

13 MS. PAOLI: Smith?

14 COMMISSIONER SMITH: Here.

15 MS. PAOLI: Wallace?

16 COMMISSIONER WALLACE: Here.

17 COMMISSION CHAIR DUDLEY: Thank you, Ms. Paoli.

18 I'd like to introduce the POST Advisory Committee  
19 Chair, Marcelo Blanco.

20 ADVISORY COMMITTEE CHAIR BLANCO: Thank you.

21 COMMISSION CHAIR DUDLEY: And POST Legal Counsel, to  
22 my left, Toby Darden, and our new Executive Director,  
23 Manny Alvarez.

24 Please welcome Chief Thomas McDonald from the West  
25 Sacramento Police Department who will provide opening

**POST Commission Meeting, October 27, 2016**

1 remarks.

2 Thank you, Chief.

3 CHIEF McDONALD: Good morning, ladies and gentlemen.

4 First off, I want to say "hi" to a couple different  
5 people here. Most notably, is Bob Stresak.

6 You look good in retirement, my friend.

7 Also, to Manny Alvarez, welcome aboard, another  
8 friend of mine.

9 I look around the room and I see people that I have  
10 worked as partners, they've served as supervisors,  
11 mentors, and now friends. And I'm blessed to be in a  
12 room with these types of professionals. And I mean that  
13 from my heart. This is not the commentary that I'm  
14 supposed to say. I mean that sincerely.

15 I even wore a new uniform today.

16 This is not easy, guys. When we wear an all-wool  
17 uniform, we're walking like a walking lint trap, and so,  
18 I know, it's hard to look good.

19 But in any event, so I have a couple of minutes here  
20 to make some comments. And I was thinking about this.  
21 And so I'm just going off the cuff. This is coming from  
22 the heart.

23 I have now got 33 years on the job. And I look at  
24 my sleeve, and I'm shocked at the stripes that I have.  
25 And the majority of that was in a large agency down in

**POST Commission Meeting, October 27, 2016**

1 Southern California. I spent the last three and a half  
2 years in West Sacramento.

3 And I want to, on behalf of the department and the  
4 City of West Sacramento, not only do I welcome you here  
5 to our city, but also, we're proud to have POST  
6 facilities here in our city. It means a lot to us.

7 Over the last 33 years, I personally -- and I'm not  
8 saying anything that we haven't all shared, but this is  
9 my opinion and my perspective -- we've seen a lot occur  
10 over the course of this 33 years, and it's been an  
11 evolution and it's been a progression, that it inexorably  
12 moves forward. And it's fine. I find ourselves in a  
13 state of conflict right now. But I believe it's more  
14 than conflict; it's a challenge. And more than a  
15 challenge, it's an opportunity.

16 The work that we do matters: It matters to our  
17 community, it matters to every individual in our  
18 community. And if our work matters -- and it does --  
19 then the manner in which we do our job is at least as  
20 important as the job that we do.

21 Since I've been in West Sacramento -- they refer to  
22 it as a medium-sized agency -- small by comparison to  
23 where I came from. But nevertheless, we have been  
24 aggressively recruiting to the -- and I will tell you,  
25 that our recruitment has been very, very, very

**POST Commission Meeting, October 27, 2016**

1       successful. And yet, up until just recently, we have  
2       never filled all of our authorized positions.

3               And even recently, I only submit to you, that we  
4       have people in those positions; but they're in the  
5       academy and backgrounds. The reality is that we have  
6       been struggling to find -- to fill our positions.

7               And I say that because our outreach is very  
8       aggressive. We're looking for diversity. I am such an  
9       advocate for diversity of thought, perspective,  
10      experience. Their input is critical to us. But mostly,  
11      more than anything else, we're looking for good human  
12      beings. We're looking for people that have the  
13      wherewithal, the ability to do this job. We're looking  
14      for people that, quite frankly, approach this profession  
15      with a significant degree of an altruistic motivation.  
16      We're looking for mature human beings that bring not  
17      only with them their ability to do the job, but  
18      compassion to do it in a manner in which it represents  
19      the best interests of not only our profession, but even  
20      our country and how it was founded.

21              That's been difficult. That's been difficult. But  
22      if we start off with good people, then what we do with  
23      them is critically important as well, and that is the  
24      training.

25              And so I look upon this group, and I thank you, I

**POST Commission Meeting, October 27, 2016**

1     applaud you for our efforts. And I am proud to be  
2     anywhere near associated with California POST, as it is  
3     my humble opinion that we lead the country.

4             This isn't about who stands taller from one state to  
5     the other. It just speaks to our desire and willingness  
6     to pursue something that really matters. And I'm proud  
7     of you, if I might be so bold; and I'm proud of us for  
8     taking it as seriously as we do.

9             That said, I do believe that our policies and  
10    procedures are key, because that's what we really train  
11    to. That is so important to us in West Sacramento --  
12    and I'm not comparing myself to any other agency, I'm  
13    just looking at it from my agency -- that the  
14    professionalism, how we go about our business, is  
15    something we take very seriously.

16            My partner, Deputy Chief Stevens, and I have been  
17    tirelessly working towards that end since the beginning,  
18    from the moment I got here.

19            We have engaged in CALEA, it's a basically an  
20    accreditation, as you well know. We're doing that not  
21    because I think that is the panacea or the Utopia. It's  
22    really what we have, and our goal is to make sure that  
23    our policies, procedures, everything about which we do is  
24    best practices; and that our actions mirror our words, to  
25    that point, audits.

**POST Commission Meeting, October 27, 2016**

1           We continue on those because aside from that -- I'll  
2 be speaking with Rick Braziel here very soon and many  
3 others -- we're looking about how we conduct our  
4 investigations, post-incident investigations, major  
5 officer-involved shooting or major use of force, officer  
6 involved shootings, things like that, for that matter,  
7 even major personnel complaints; that we do it  
8 appropriately, with transparency, with ethical standards.

9           Also, even our personnel complaints -- really, all  
10 aspects of what we do. So we are pursuing the  
11 professionalism of our business.

12           I'll be honest with you, I'm not a big fan of Colin  
13 Kaepernick. Not because of the statements, his position  
14 necessarily, but the statements that he makes, because he  
15 makes broad-brush statements. It has been my personal  
16 opinion, over 33 years, that the absolute majority of the  
17 men and women who come into this profession do so with  
18 the absolute best of intentions. But with every joke,  
19 there's typically a kernel of truth. And what hurts me is  
20 that he does bring up some good points.

21           And with that, I look around, and it just stuns me  
22 and appalls me and offends me when we see actions that  
23 are taken on the part of officers -- across the country,  
24 I might add -- when each of us look and we shake our  
25 head, and we go, "Really? Really?"

**POST Commission Meeting, October 27, 2016**

1           Our standards in how we not only pick our people,  
2           but the training that we do, is going to be significant  
3           in the furtherance of our profession.

4           I believe that -- and this is the part that keeps  
5           me up at night -- is that the measure of our -- the  
6           efficacy, the integrity, the ethical standard of which  
7           we speak to is not personified by what I say, or, quite  
8           frankly, how or what I write; it's the actions on the  
9           part of our officers at two o'clock on a Thursday  
10          morning.

11          And in that regard, we're talking, once again, not  
12          an organizational issue, but the individuals which make  
13          up those organizations. We have to pick good people, and  
14          we have to train them right.

15          And to that point, I want to thank you so much for  
16          the work that you do. Anything that we can do to support  
17          you, it's a done deal. All you need is just raise your  
18          hand, and we will provide that which is available to me.

19          Lastly, I just want to say, once again, Manny, thank  
20          you so much for taking this on. This is a big deal. You  
21          have a great staff. But you feel the weight of your  
22          position; but I also know you personally and I know that  
23          you're the right man for the job.

24          But, anyway, thank you so much.

25          COMMISSION CHAIR DUDLEY: Thank you, Chief.

**POST Commission Meeting, October 27, 2016**

1           *(Applause)*

2           COMMISSION CHAIR DUDLEY: Now, Manny Alvarez.

3           EXECUTIVE DIRECTOR ALVAREZ: Good morning.

4           Thank you, first of all, to the commissioners that  
5 I have had the opportunity to meet with in the last  
6 two months. I've been on board for two months; and you  
7 all have taken time out of your busy schedules to meet  
8 with me, provide me advice and feedback on POST. And I  
9 greatly appreciate that.

10           I've been taking the things that you all have given  
11 me, and have pushed those through all of our folks here  
12 at POST. So I'm very, very grateful for that.

13           I'd also like to thank two people from POST before  
14 I actually start.

15           I'd like to thank Stephanie Scofield one more time.  
16 Stephanie, for doing my job while I was out; and also for  
17 holding my hand and getting me up to speed and training  
18 me for the last two months.

19           I'm sorry, I'm so difficult at times, but thank you  
20 very much.

21           I'd also like to thank Connie Paoli. Connie, for  
22 the exact same things -- for always being there for me  
23 and helping me and guiding me through. I couldn't have  
24 done it without the two of you.

25           Lastly, to the commissioners. I do want to thank

**POST Commission Meeting, October 27, 2016**

1 you for the opportunity. I am very, very humbled for  
2 this opportunity. It is a great time to be doing this.  
3 And I understand the significance of it. And I hope not  
4 to let you or anybody in the state of California down.  
5 I also welcome the opportunity to work with all the great  
6 men and women here at POST.

7 I know we've got some great staff; and I just want  
8 to express how thankful I am.

9 I want to just hit on a few things that we're going  
10 to be working on between now and the next Commission  
11 meeting, which will be in February, just to keep you all  
12 aware of what's going to keep us busy. I think some of  
13 the things you may have already heard of or heard about.

14 First, as you all know, we're going to a new testing  
15 process at the 39 police academies across the state. It  
16 goes online in February. All of the academies have to go  
17 to that process.

18 We've had a number of meetings internally. We've  
19 had meetings with the Academy Directors back in October.  
20 We're getting a lot of questions about it, just so you  
21 are all aware.

22 You all approved the new process back in June. The  
23 new process is basically a scenario that is read by the  
24 student taking the test, and then has to answer a series  
25 of questions based on that.

**POST Commission Meeting, October 27, 2016**

1           Some of the concerns that we are getting are, one,  
2           that the instructors no longer have access to the test  
3           because the test is locked down, it's computer-based, so  
4           they don't get to see the test; and there are some  
5           questions about technology and having the right  
6           technology at those academies -- basically, computers  
7           to run the tests. And also some questions about the  
8           validity of the test questions and whether we're testing  
9           for the right things.

10           So I could tell you right now that as we see it here  
11           at POST today, we are very, very confident with this  
12           testing process. We're not going to ram anything down  
13           anyone's throat, but we're also very confident that it is  
14           a good test. It's what the chiefs and sheriffs across  
15           the state are telling us that they want us to be testing.

16           We are going back and looking at the validity of the  
17           test questions every two months with a focus group that's  
18           going through -- they basically review the test questions  
19           and they review the results from the tests to make sure  
20           that the students are able to answer them. And if  
21           there's a problem with the question, maybe the way the  
22           question is being asked, it needs to be modified, more  
23           modifying those.

24           Generally speaking, those that are passing the  
25           previous test, or the current test, the old test, are

1 also passing the new test. Those that are having  
2 difficulty passing the old historical tests are having  
3 difficulty passing this test.

4 The way that we've kind of rolled this out -- and  
5 I believe we started in August -- is we started a pilot  
6 project with a number of academies that have volunteered;  
7 and basically, they have their students take both tests.  
8 They have them take the old test; they have them take the  
9 new test. And that's how we're getting our data.

10 One thing we are doing since the meeting in October,  
11 is we're going through all of that data -- our numbers  
12 guy, so to speak, who you will hear from today on a  
13 separate, yet similar topic -- or a separate topic, is  
14 going through that data to make sure that the test is  
15 valid, that the questions are being answered properly --  
16 or that it's testing for the right things.

17 We plan on presenting that to the consortium at the  
18 next Academy Directors meeting in January.

19 The numbers, as they stand now, look good; but we'll  
20 know more as we get closer. And I just want you to be  
21 aware of that in case you hear about that down the road.

22 As it stands right now, we have ten academies that  
23 are piloting the project. And I'll name them, just so  
24 you have an idea of small and large agencies.

25 California Highway Patrol has been doing it.

**POST Commission Meeting, October 27, 2016**

1 College of the Redwoods. Golden West College. Palomar.  
2 San Bernardino Valley College. San Francisco Police  
3 Academy. Santa Rosa Training Center. Southwestern  
4 College. San Bernardino County Sheriff's Academy, and  
5 Napa Valley College. All of them have commented  
6 favorably to us.

7 We also have two more that will come online this  
8 month. That's Oakland Police Department and the State  
9 Center in Fresno. And then we have two more that we hope  
10 to get online here in the next couple of months, and  
11 that's Stanislaus County and San José PD.

12 So more to follow on that. But I just want you to  
13 be aware that that is an ongoing, significant project for  
14 us.

15 Yesterday, we spoke about the course-certification  
16 review. I think it's come up in the morning session as  
17 well in one of the -- in the Advisory meeting this  
18 morning. So when I talked to all the commissioners,  
19 I think it's fair to say, coming into this job, that we  
20 all knew that there was a problem with the course  
21 certifications. There is no question. People at POST  
22 recognize it. We don't need anybody to tell us, but it's  
23 good to hear it.

24 Of all the commissioners that I spoke with, five of  
25 you brought that up as a significant problem within POST.

**POST Commission Meeting, October 27, 2016**

1           If I could steal a line from somebody on staff:  
2       We get frustrated by the bureaucracy of things sometimes  
3       within government or within the state of California.  
4       Well, we don't want to be part of that. We are keenly  
5       aware that we have some work to do in that regard, and  
6       we are ramping that up.

7           You met yesterday, for those of you that were here,  
8       the person who is going to lead that project. She is  
9       going to take that on. We've kind of moved her off other  
10      projects to have her focus on this. And my instructions  
11      to her last week, when she asked, "Well, what's the goal  
12      of this?" And it's really that there's one primary  
13      mission, and that is to make the process more efficient,  
14      more user-friendly, easy, and less frustrating for our  
15      end users. That's it. That is the primary mission.

16           The secondary mission, if we can make it happen --  
17      if -- is to make it easier on us, because it is  
18      cumbersome process for us as well.

19           So hopefully by the next Commission meeting, we'll  
20      have some more to say about it. But just so you know, we  
21      are going to put a significant effort into streamlining  
22      that process. I think that's the number-one issue that's  
23      facing us at POST, to make POST a little bit better.

24           The third item that I want to talk about is  
25      procedural justice and implicit bias. Again, some of you

**POST Commission Meeting, October 27, 2016**

1 heard about it yesterday. You're going to hear more  
2 about it today.

3 I want to thank Cal DOJ -- wherever Director Wallace  
4 is at -- as well as Stanford University -- they're not  
5 here -- Oakland PD and Stockton PD for helping us put  
6 that curriculum together. It was a significant process  
7 to get that course put together, and make sure that it's  
8 portable; that it fits with the specific communities that  
9 it's going to be presented at.

10 And the follow-up now that we have is, we are strong  
11 believers in the program. So there's four basic tenets,  
12 as you all probably know with procedural justice, that  
13 we're teaching. And I think this is being taught across  
14 the country. It is: Respect, neutrality, voice, and  
15 trust.

16 We want to infuse all of those tenets into the basic  
17 course at the police academies. We want to interject it  
18 into the FTO program, as well as to the management  
19 courses.

20 It is easy to say and difficult to execute. The  
21 bureau chiefs that are involved in that, plan on doing  
22 that soon. We're talking about that now, as we speak.  
23 And hopefully, by the next meeting in February we'll have  
24 some results. So that will be coming, as you guys know,  
25 also with procedural justice.

**POST Commission Meeting, October 27, 2016**

1           Some things that are going to take up time is, we  
2           are still going to do train-the-trainer sessions. We're  
3           creating something for the Learning Portal. We have a  
4           "Did You Know?" video, a three- to five-minute video that  
5           has already been produced. It's just finally -- the  
6           final product is being refined.

7           And I already talked about the basic course and the  
8           FTO and SLI and leadership courses.

9           So that is going to take some significant time; and  
10          it's taken time since the last meeting in July.

11          Lastly, we've also talked about the org. study of  
12          POST. And I thank Commissioner Braziel for helping us  
13          through that project.

14          When I first got here, I was shocked at how long it  
15          was going to take. I just had no clue that we have to go  
16          through this process with the State of California to get  
17          it out for bid. It is going to take a while; but it's  
18          been teed up to them for at least a month, a month and  
19          a half by now. So hopefully by the time the next  
20          Commission meeting comes to us in February that we'll  
21          have moved along a little bit further and we're not in a  
22          holding pattern. But that will take some time. There's  
23          a lot of interviews that need to be done and various  
24          things.

25          Also, I just want to -- it's going to be a while

**POST Commission Meeting, October 27, 2016**

1 before we get that org. study back. And we're going to  
2 have a lot of changes going on, I suspect, with people  
3 coming and going and programs and different things, so we  
4 don't want to necessarily wait for the org. study to be  
5 complete before we start making some minor tweaks and  
6 modifications as we go along; but we do recognize, it's  
7 going to be a while.

8 And that is the end of my commentary, Madam Chair.

9 COMMISSION CHAIR DUDLEY: Thank you.

10 EXECUTIVE DIRECTOR ALVAREZ: Thank you.

11 COMMISSION CHAIR DUDLEY: It's been a pleasure  
12 working with you and getting to know you.

13 EXECUTIVE DIRECTOR ALVAREZ: Thank you.

14 COMMISSION CHAIR DUDLEY: We are very lucky to have  
15 you.

16 EXECUTIVE DIRECTOR ALVAREZ: Thank you.

17 COMMISSION CHAIR DUDLEY: Okay, now, we're on to the  
18 exciting part of the meeting. We're looking to approving  
19 the agenda.

20 And if I could ask all of you to turn your name tags  
21 so they're facing me.

22 Thank you.

23 And I want to first, before we do that, remind you  
24 of a couple of things.

25 Commissioners, state your name before you speak, and

**POST Commission Meeting, October 27, 2016**

1 speak into the microphone.

2 But before we allow you to speak, let me first ask  
3 if there's any public comment?

4 *(No response)*

5 COMMISSION CHAIR DUDLEY: This is the time on the  
6 agenda for public comment. This is the time set aside  
7 for members of the public to comment on either items on  
8 the Commission agenda or issues not on the agenda, but  
9 pertaining to POST Commission business.

10 Members of the public who wish to speak are asked to  
11 limit their remarks to no more than five minutes each.  
12 Please be advised that the Commission cannot take action  
13 on items not on the agenda.

14 Hello.

15 MR. BROWN: Thank you. Good morning, Madam Chair,  
16 Members of the Commission. Ralph Brown. I'm a resident  
17 of the great state of California. And I wanted to speak  
18 a little bit to something that the Chief spoke to  
19 earlier, and that is perceptions in the media.

20 My analogy is that the media is much like -- the  
21 media space is much like a balloon. And the current tone  
22 across the country, in the aggregate, seems to be that  
23 the balloon is filling with negative rhetoric.

24 And I think it's possible to deflate some of that  
25 and insert some positive news, much like you would change

1 the trajectory of a balloon from drawing out air and  
2 putting in helium.

3 So with that said, during the course of regular  
4 business, I came across three stories, coincidentally  
5 from the same agency, but it could be anywhere. And I'd  
6 like to highlight those for a second, only to illustrate  
7 the point that it can be done, putting out good news to  
8 highlight in the press to better the profession, if you  
9 will.

10 So with that said, the first one is an article out  
11 of Los Angeles; and it's regarding the Los Angeles  
12 Sheriff's Department. And the headline is, "Sheriff  
13 Hosts Middle-School Students and Mentors." And the  
14 photograph -- which you can't see -- but it has two  
15 well-dressed sheriffs in uniforms, sheriff's deputies  
16 greeting and shaking hands with middle-school students.  
17 They're smiling and it's positive.

18 The lead part of the story is, "Los Angeles Sheriff  
19 Jim McDonnell, along with a Concerned Black Men  
20 leadership and mentors, hosted the Sheriff's Team  
21 Dialogue September the 12<sup>th</sup> with 12" -- correction, "with  
22 25 middle-school youth-aged children, 11 to 14 years of  
23 age, at the Second Annual Back-to-School Event." And  
24 it's a very positive story, and it shows that they're  
25 doing some outreach.

**POST Commission Meeting, October 27, 2016**

1           So I think that that could add some of that positive  
2 helium to that media balloon, if you will.

3           The second article is from the Sheriff's Youth  
4 Foundation, and it's headlined, "Sheriff McDonnell and  
5 the Sheriff's Youth Foundation are excited to announce  
6 the rededication of the Robert J. Irmes Youth Activity  
7 Center." And then that goes on to talk about Robert J.  
8 Irmes, the deputy sheriff reserve, who passed away in  
9 January 2015; but after the L.A. riots, recognized the  
10 need for community centers for kids and put a lot of  
11 time, effort, and energy in to build this; and so they  
12 did a rededication to it.

13           The photos are attached again. Folks are smiling.  
14 It's a positive image of law enforcement in the  
15 community. It's a good thing. Again, adding some more  
16 positive helium to the balloon.

17           The final one, the headline is, "Compton Joins  
18 Federal Violence Reduction Network." It has a picture of  
19 Sheriff McDonnell looking perfectly pressed in uniform,  
20 as a deputy sheriff should, sitting at a desk. And the  
21 headline or the caption, "I'm confident that the launch  
22 of the Violence Reduction Network will not only simply  
23 improve public safety in the City of Compton, but also  
24 make crime-reduction strategies in Compton a model for  
25 other cities around the country."

**POST Commission Meeting, October 27, 2016**

1           And it goes on to talk about that.

2           I think that these are opportunities where we can  
3 polish the badge. And I think that everyone in the room  
4 could probably agree with that observation, that it's an  
5 opportunity for us.

6           I think that we have -- everyone across the state  
7 and across the country, every agency has the opportunity  
8 to push out a piece of good news, good media, positive  
9 media about what they're doing.

10           And imagine the aggregate effect of that, if we  
11 could take that and push that out and deflate some of  
12 that negative rhetoric that we hear in the media, and  
13 push it -- fill it full of good news. Imagine the domino  
14 effect, the positive domino effect of that.

15           So that's my presentation, those are my thoughts,  
16 those are my personal observations. Thanks for  
17 listening.

18           COMMISSION CHAIR DUDLEY: Thank you very much.

19           I think it's fair to say, we all appreciate your  
20 words and agree with them. Thank you.

21           Okay, now, on to the action summary and the minutes.

22           Do any members have any questions or comments  
23 regarding the action summary or minutes from the  
24 following meetings: Action summary, June 23rd, 2016;  
25 action summary, July 13<sup>th</sup>, 2016; meeting minutes,

**POST Commission Meeting, October 27, 2016**

1 June 23<sup>rd</sup>, 2016; and meeting minutes, July 13<sup>th</sup>, 2016?

2 (No response)

3 COMMISSION CHAIR DUDLEY: If not, we'll need a  
4 motion to approve.

5 COMMISSIONER DOYLE: Doyle.

6 COMMISSIONER McDONNELL: Second.

7 COMMISSION CHAIR DUDLEY: Any questions, comments?

8 (No response)

9 COMMISSION CHAIR DUDLEY: All in favor?

10 (A chorus of "ayes" was heard.)

11 COMMISSION CHAIR DUDLEY: Thank you.

12 Okay, there are nine consent items.

13 Would anyone like a report on any of these items,  
14 1 through 8?

15 I can tell you that we are already going to talk  
16 about 6 and I believe 9.

17 So, let's see, is there anything 1 through 5?

18 (No response)

19 COMMISSION CHAIR DUDLEY: Okay, we will move on to  
20 6 then.

21 And if I could ask for a report on the progress of  
22 the 2015 Strategic Plan, please.

23 MS. BULLARD: Good morning, Madam Chair, Members of  
24 the Commission. As you recall, at the June 2015, the  
25 Commission approved an agenda item that accepted our 2015

**POST Commission Meeting, October 27, 2016**

1 Strategic Plan and the implementation document. It  
2 directed staff that in the future, agenda items to  
3 indicate a nexus between our projects, and the goals and  
4 objectives identified in our Strategic Plan. And they  
5 directed staff to complete and present an annual progress  
6 report on work done by staff, starting with the  
7 October 2016 meeting.

8 So this is actually the first progress report  
9 regarding our Strategic Plan.

10 Now, I know you've had a chance to read our agenda  
11 item, and you've seen all of staff's efforts. And what  
12 I would like to do, is just highlight some of our  
13 accomplishments.

14 We've completed the statewide implementation of  
15 PASS, which is the internal and external log-in system  
16 for our EDI system, our Learning Portal, our training  
17 profiles, and our certificates.

18 And as Executive Director Alvarez said, that we have  
19 made significant progress in implementing the new  
20 computer-based testing and our automated scoring tools.

21 We've completed the Procedural Justice Web site.  
22 And working with DOJ, we have completed a remarkable  
23 course, which is a two-day train-the-trainer, and a  
24 one-day, eight-hour in-service training for all  
25 law-enforcement personnel.

**POST Commission Meeting, October 27, 2016**

1           Now, we received a request from staff to present  
2           our projects and to attach our funding for -- our  
3           projected funding for those projects. So I'm going to go  
4           into a little bit of detail on the other things that we  
5           are going to be doing with Procedural Justice funds that  
6           we receive, to be expended over the next five years.

7           We are projecting approximately \$400,000 a year to  
8           present the two training courses that have been  
9           developed. And those will be through training contracts,  
10          regionally, throughout California.

11          Now, one of the featured components of this course  
12          is, it has to be customized. It's going to require  
13          agencies to go back to their communities, and to make  
14          that outreach, and to develop their own history portion  
15          based on the diversity of their communities and insert  
16          that history portion into the courses.

17          So in the contract that you'll see as Item I, where  
18          we are asking to present the course, we also have put  
19          into it a mentoring program. And this will allow for  
20          the original instructors who develop the course on an  
21          individual basis, if requested by the agencies, to go to  
22          the agencies and to assist them in making that outreach  
23          in identifying community members that can assist in  
24          facilitation of those courses, and to help them put that  
25          history portion together, and insert it into their

1 curriculum.

2 So over the next five years, we project that the  
3 two DOJ courses and our mentoring services -- which we  
4 expect there will be a tremendous increase in request  
5 for -- will be around \$2 million.

6 We are in discussions with Stanford University to  
7 develop and allow for all law-enforcement agencies to  
8 have access to a resource online Web page, and Stanford  
9 will keep it up-to-date. It will have anecdotes, it will  
10 have stories, it will have statistics that continue to be  
11 updated and relevant, that all of our instructors will  
12 be able to download and incorporate continually in their  
13 course to keep it fresh and contemporary. They would do  
14 this on a semi-licensing-type basis. So it would cost  
15 POST \$50,000 per year to allow access to all of the  
16 agencies, to be able to download that information.

17 They're also developing a tool that will allow  
18 agencies to actually evaluate the effectiveness of their  
19 training by observing the post behavior of their  
20 officers. And this tool will allow them to incorporate  
21 statistical data and officer observations. And Stanford  
22 will help them with the statistical analysis, to see the  
23 improvements that have happened after this training has  
24 been presented to their agencies.

25 Again, this is a type of licensing, where it would

## POST Commission Meeting, October 27, 2016

1 cost POST \$50,000 per year to allow agencies to have  
2 access and be able to utilize this tool.

3 We are completing the end of a "Did You Know?" which  
4 I think is going to be remarkable, and it's going to be  
5 used in the course, as well as streamed on our Web page  
6 and on our main Web site. That was \$120,000.

7 Next year, we would like to do a follow-up update  
8 enhanced training video on procedural justice, that will  
9 kind of renew and refresh the tenets of principled  
10 policing and procedural justice, implicit bias. And it  
11 will be disseminated to all of the agencies as a two-hour  
12 briefing video, or they could use it as a stand-alone  
13 presentation. And that would be \$125,000.

14 And as we referred to, we are conducting several  
15 workshops in order to implement all of the tenets within  
16 the regular basic course, all the way through our  
17 management, our leadership, our executive courses, which  
18 includes having to have workshops with our subject-matter  
19 experts. And we project that to be around \$500,000 over  
20 the course of the next few years to do the updates for  
21 all of these courses.

22 And finally, we are looking at 2017 or 2018,  
23 developing a self-paced course that they will be able to  
24 go online and complete. And it will focus on the tenets  
25 of procedural justice. However, we are also going to

**POST Commission Meeting, October 27, 2016**

1 incorporate the legislatively mandated training for  
2 racial and identity profiling that, right now, all  
3 officers must take every five years. Which is wonderful,  
4 because now it means that every five years, officers are  
5 going to also refresh all of their knowledge regarding  
6 procedural justice. And it will be sustainable knowledge  
7 and not just something they take once and are completed.  
8 And that's approximately \$300,000.

9 So what we are already doing and what we are  
10 planning to do, is going to run around \$3.6 million. The  
11 rest of that will go to our letters of agreement, our  
12 training reimbursement requests for students, for those  
13 who participate in our workshops. It will give us a  
14 cushion to be able to respond to any identified training  
15 needs that happen over the course of us developing and  
16 putting on this training; or to update any of the  
17 training that we have already done.

18 So are there any questions you would have regarding  
19 our application of our funds for procedural justice on  
20 our projects?

21 COMMISSION CHAIR DUDLEY: Yes, Commissioner  
22 Hutchens?

23 COMMISSIONER HUTCHENS: I just want to -- just a  
24 comment.

25 I want to thank you for an excellent report, first

**POST Commission Meeting, October 27, 2016**

1 report. And it's clear that there has been a lot on  
2 your plate and POST staff's plate as a result of some  
3 legislative mandates and a number of issues that everyone  
4 is very familiar with. So I just want to thank you for  
5 the hard work.

6 And I think, hearing the numbers, it's money well  
7 spent. And I think you've been quite conservative in how  
8 you've been able to accomplish so much.

9 So thank you.

10 MS. BULLARD: Thank you.

11 COMMISSION CHAIR DUDLEY: Thank you, Commissioner.

12 Any other comments, questions?

13 MS. BULLARD: We have a few more items. We're good.

14 COMMISSION CHAIR DUDLEY: Okay, please.

15 MS. BULLARD: Okay, we have already mentioned that  
16 one of our priorities is the course-certification review  
17 team. And we will be working so closely with all of our  
18 associations and with CADA, because we also want to apply  
19 a streamlined, better process for how we review and  
20 certify our regular basic courses.

21 And again, the organizational study: We have really  
22 enjoyed working with Commissioner Braziel, and we have  
23 got our wording and our scope of language to be put into  
24 the RFP. And we're hoping to move that forward very,  
25 very quickly.

**POST Commission Meeting, October 27, 2016**

1           So now I'm done.

2           Are there any questions on anything that we have  
3 here or that I haven't covered that's in the agenda item?

4           COMMISSION CHAIR DUDLEY: Commissioner Braziel, do  
5 you want to comment on that?

6           COMMISSIONER BRAZIEL: Sure.

7           So as you recall, at our last meeting, I was  
8 assigned to kind of be your liaison to the Strategic  
9 Planning process with the internal assessment. We had  
10 amazing meetings with staff. And thanks to Jan and  
11 Stephanie and all the staff that we worked with.

12           One of the things that we're looking at doing -- and  
13 it requires some of your assistance with your outreach,  
14 is reaching the major customers -- Cal Chiefs, Cal  
15 Sheriffs, CPOA, PORAC -- and having a focus group with  
16 them, to basically look at, if they were to create a  
17 51<sup>st</sup> state -- I'm not saying we should do the state of  
18 Jefferson, I'm just throwing that out there -- what would  
19 they want POST to look like as consumers of a POST  
20 product?

21           And then once they identify what that is, they  
22 become then the stakeholders in creating change, and that  
23 allows POST staff to do a gap analysis between where  
24 we're currently at and where our customers would like to  
25 see us be -- versus having people complain about issues

**POST Commission Meeting, October 27, 2016**

1 now, let's talk about what you would like to see if you  
2 started a brand-new state.

3 Staff was very excited about it; and I think that's  
4 a great opportunity to engage Cal Chiefs, Cal Sheriffs,  
5 and the others in looking at solutions rather than  
6 dealing with getting in the weeds on the day-to-day  
7 operations that they say just aren't working as  
8 efficiently as they could be.

9 So thanks to staff here. It was exciting going  
10 through that process, and I look forward to working with  
11 the team in the future.

12 COMMISSION CHAIR DUDLEY: And thank you,  
13 Commissioner Braziel, for your leadership.

14 MS. BULLARD: One of the things that you may notice  
15 is that we did add \$25,000 to the cost of the program.  
16 You had approved the seventy-five. And the reason is  
17 because we are going to require the vendor to conduct  
18 two additional focus groups and also to prepare two  
19 additional progress reports in order to bring them to the  
20 Commission over the period of time that we conduct this  
21 study.

22 So we utilized the Executive Director's augmentation  
23 authority of \$25,000 to add it to this, so that we know  
24 we can draw in a very good bid and somebody that's very  
25 capable of assisting with it.

**POST Commission Meeting, October 27, 2016**

1           So, thank you.

2           COMMISSION CHAIR DUDLEY: Any other questions or  
3 comments?

4           COMMISSIONER RAMIREZ: Ramirez.

5           COMMISSION CHAIR DUDLEY: Yes.

6           COMMISSIONER RAMIREZ: I have a question.

7           Jan, you talked about a two-hour -- is it a DVD  
8 briefing?

9           MS. BULLARD: Yes.

10          COMMISSIONER RAMIREZ: Have we ever considered doing  
11 an online link? Being someone that does briefing, I  
12 think DVDs are kind of going away.

13          MS. BULLARD: Right.

14          COMMISSIONER RAMIREZ: It seems like it would be a  
15 waste of funds that you could use on something else.

16          MS. BULLARD: Well, what we are looking at right now  
17 is an analysis of streaming all of our videos, so that  
18 they would be online. We have the capability now to do  
19 that, which would eliminate us from shipping out DVDs.

20          What has held us back is a lot of agencies don't  
21 have the ability to have the bandwidth in order to  
22 receive them. And they've been real hesitant for us to  
23 take those DVDs out of their hands that they want to walk  
24 into their briefing with and make sure that it works.

25          So it's an evolution. But we are going to be

**POST Commission Meeting, October 27, 2016**

1 converting those DVDs to where they'll just be  
2 live-streaming, something along the lines of Netflix. So  
3 when you go on and you click the one you want to play,  
4 and it will play -- hopefully.

5 So, yeah, we know. We're getting there. And we're  
6 ready to do it; but we want to make sure everybody can go  
7 with us.

8 COMMISSIONER RAMIREZ: Thank you.

9 COMMISSION CHAIR DUDLEY: Wait. I know you want to  
10 get out of that seat, but...

11 MS. BULLARD: No, no, I need to enjoy it.

12 COMMISSION CHAIR DUDLEY: All right.

13 Any other questions or comments?

14 *(No response)*

15 COMMISSION CHAIR DUDLEY: Thank you.

16 MS. BULLARD: I'll be back.

17 COMMISSION CHAIR DUDLEY: Okay, we next have the --  
18 Number 7 is a consent issue, if anyone wanted that  
19 called.

20 And I am going to ask that 8 be called.

21 *(No response)*

22 COMMISSION CHAIR DUDLEY: Okay, Ralph Brown, please,  
23 for 8.

24 MR. BROWN: Madam Chair, Commission. My apologies  
25 for being late. I just got called outside for a press

**POST Commission Meeting, October 27, 2016**

1 interview on Prop. 64 and how it's going to affect law  
2 enforcement. How timely.

3 COMMISSION CHAIR DUDLEY: Do you know a little bit  
4 about that?

5 MR. BROWN: I've heard a little bit about it in the  
6 news.

7 COMMISSION CHAIR DUDLEY: Thank you.

8 MR. BROWN: Okay, good morning.

9 You probably already read your handouts, and so I  
10 don't know if I need to go over every line of that; but  
11 I'll cover some cursory points.

12 POST staff has begun to identify and start a  
13 planning schedule for the anticipation of the passage of  
14 Prop. 64. I think it's going to probably affect every  
15 bureau that we have at one point on another; and so it  
16 will be a very large undertaking.

17 Staff has developed an in-depth analysis of the  
18 initiative, so we know who it's going to affect and how.

19 We have communicated with the state of Colorado and  
20 their law-enforcement agencies on how it impacts them and  
21 what we can expect.

22 I've got communications in to the State of Nevada,  
23 who has this on their ballot as well. So that will  
24 impact them. I want to hear what they have to say.  
25 We're still waiting to hear.

**POST Commission Meeting, October 27, 2016**

1           So with that said, as directed by the Commission at  
2 the previous commission meeting, POST staff has begun to  
3 review Prop. 64, to identify any hiring or training gaps,  
4 and address -- really, ask questions, "How is this going  
5 to impact us on a daily basis?" "How is it going to  
6 impact the beat officer at three o'clock in the morning?"

7           And we know that, at this point, going forward here,  
8 that if Prop. 64 does not pass, we take all this research  
9 and data, we'll put it in a file cabinet, and we'll put  
10 it away until the next election cycle. However, if it  
11 does pass, then we're prepared, we've got something  
12 loaded, and we're ready to move forward with it.

13           Some of our accomplishments so far:

14           Started the development of a Prop. 64 Web page as a  
15 resource for officers, training managers. They'll be  
16 able to download information, guides, et cetera.

17           Started an informational bulletin to provide some  
18 guidance to the field.

19           Held a stakeholder meeting with CHP, Cal Chiefs,  
20 Cal Sheriffs, PORAC, CPOA, et cetera, to get some  
21 perspective and address some concerns about, "What do you  
22 think? What are your concerns? What do you anticipate  
23 as issues?" We want to make sure we all have a  
24 coordinated effort here, so we are all on the same page.

25           Establishing a POST Prop. 64 internal team, so we

**POST Commission Meeting, October 27, 2016**

1 have one member from each bureau on a team; so that  
2 internally, we're coordinating our efforts as well, as  
3 far as the training and research goes.

4 Basic Training Bureau recently held a workshop in  
5 Anaheim, meeting with narcotics experts from around the  
6 state to talk about and review the aspects of Prop. 64  
7 that they think are going to impact the academy.

8 Coordinate the Learning Technology Resources Bureau,  
9 coordinate with them to develop a training DVD for the  
10 field that they could use at lineup training or what have  
11 you.

12 Coordinate with Training Program Services Bureau,  
13 also to develop a training program for the field.

14 Plan a post Prop. 64 symposium in Northern and  
15 Southern California, to talk with folks about the issues  
16 and impact that you see in the field of Prop. 64.

17 And then Dave will also be -- Dave Cornejo will be  
18 working with the Department of Finance to discuss any  
19 fiscal issues as they impact POST.

20 Some of the identified concerns that we have, that  
21 we've seen so far:

22 With a recent Ninth Circuit ruling upholding that  
23 a person using marijuana or any Schedule I drug is  
24 prohibited from buying or possessing a firearm. So the  
25 question is going to be to local agencies, "Do you have

1 anybody on medical marijuana?"

2 That may or may not come up at one level or another.

3 Note that the "Cole Memo" from US DOJ dated  
4 August 2013, in essence, says that DOJ is not going to  
5 step in or intercede with, any kind of law enforcement  
6 activity, but allow the local states to handle marijuana  
7 enforcement. So at this point, that's the status quo.

8 How local law-enforcement agencies are going to deal  
9 with personnel issues -- personal-use issues before and  
10 after January of 2017, when it comes to hiring and  
11 background. It's probably a good idea to discuss what  
12 your position is going to be on personal use when it's  
13 illegal now, but in January, on January the 15<sup>th</sup>, if  
14 somebody says that they used, it's legal for personal  
15 use, is that going to impact your hiring process, your  
16 background process?

17 So some things to think about. We're going to be  
18 also looking at that from the hiring and background  
19 research area as well.

20 Based on the factual experiences with Colorado law  
21 enforcement, POST should consider a narcotics course  
22 that deals directly with the abatement of home-grows.  
23 Colorado is saying that they're seeing an increase in  
24 home-grows; and they're very toxic and very dangerous.  
25 And so the question is, how do we prepare for that? How

**POST Commission Meeting, October 27, 2016**

1 do we do that? And so maybe adding some training to  
2 existing narcotics investigation courses might be  
3 helpful. I don't know.

4 How will large grow operations be disposed of, and  
5 who's going to store the plants? Big deal.

6 And then the coordination between local D.A.'s  
7 office and law enforcement, how is that going to  
8 coordinate? So that there's going to have to be some  
9 kind of meetings there also.

10 So a lot of issues. Very complex. And that's my  
11 update.

12 Does anybody have any questions?

13 COMMISSION CHAIR DUDLEY: Questions?

14 COMMISSIONER LONG: Ralph, yesterday, at the  
15 Advisory -- I thought the Advisory commission was very  
16 interesting. The CHP presented, and a bunch of folks  
17 were here, kind of the beginnings of the compilations of  
18 some of the problems. But I'm wondering, you referenced  
19 an in-depth analysis.

20 Is there any type of a compilation of all the  
21 complications for law enforcement that could ensue with  
22 the passage of Prop. 64? I mean, things were being  
23 tossed out by Advisory board members yesterday that were  
24 very interesting and very compelling. And I'm wondering,  
25 is there any kind of a compilation? There is everything

**POST Commission Meeting, October 27, 2016**

1 from probable cause to dog training, to all types of  
2 things that were coming up.

3 Does that exist anywhere?

4 MR. BROWN: We have some of those notes from the  
5 Basic Training Bureau narcotic workshops. So we could  
6 certainly pull some of that together. There is some of  
7 that information available. But, again, because it's so  
8 new, quite frankly, we're still sorting that out.

9 COMMISSIONER LONG: Yes, I mean, the CHP association  
10 makes reference in the ballot argument to some of the  
11 concerns. And there were a number of them that came up  
12 yesterday. But they seem to be, at the moment, kind of  
13 ad hoc.

14 And I was just wondering, obviously there are a lot  
15 of concerns with law enforcement. But as far as anyone  
16 knows, there's been no kind of compilation or master list  
17 of all the kind of concerns that law enforcement is going  
18 to have to deal with?

19 MR. BROWN: Yes, I don't know. Geoff, I don't know  
20 if there is a definitive list that you're talking about.  
21 We certainly have a pretty good list of, I'm going to  
22 guess, probably 15 concerns that we have. So, most  
23 definitely.

24 COMMISSIONER LONG: Yes, because I'm guessing, you  
25 guys could come up here with another 15 in the next

**POST Commission Meeting, October 27, 2016**

1 five minutes; but I'm surprised that no one has really  
2 amassed those yet. And maybe that's something that POST  
3 should consider, at least in terms of some type of  
4 a matrix. If we're talking about coursework, if we're  
5 talking about a budget and so forth, so the most  
6 compelling thing to me would be some type of a matrix  
7 that says, "These are the types of issues that we're  
8 looking at, and we're going to have to get into," rather  
9 than just kind of throwing out examples, of which there  
10 are many.

11 MR. BROWN: Thank you for giving me my next  
12 assignment.

13 *(Laughter)*

14 COMMISSIONER DOYLE: Madam Chair?

15 COMMISSION CHAIR DUDLEY: One moment.

16 Any other questions or comments?

17 Yes, Commissioner Doyle?

18 COMMISSIONER DOYLE: On the recent court decision  
19 about use, does that court decision sort of overturn the  
20 protection that people have for medical issues?

21 MR. BROWN: It does not address -- again, remember,  
22 that this is a federal, from federal. And medical  
23 marijuana is not -- repeat, not listed as an exemption  
24 for a Schedule I drug. So it's marijuana, period. They  
25 do not -- the federal government does not recognize

**POST Commission Meeting, October 27, 2016**

1 medical marijuana.

2 COMMISSION CHAIR DUDLEY: Any other questions or  
3 comments?

4 COMMISSIONER DELAROSA: DelaRosa.

5 COMMISSION CHAIR DUDLEY: Yes?

6 COMMISSIONER DELAROSA: I agree with Geoff, that a  
7 matrix of -- because this is unchartered waters for  
8 everybody. But the matrix I would like to see  
9 prioritized as -- you stated 15, but I would like to see  
10 it prioritized.

11 And you mentioned the buying and possession of  
12 firearms, and you mentioned the hiring and backgrounds  
13 issue. But I'd like to see it, the matrix, prioritized  
14 as to how you're going to address these -- if it passes,  
15 these new laws and regulations.

16 MR. BROWN: Okay, fair enough. Fair enough.

17 COMMISSIONER LONG: You're going to have to sell it  
18 to Finance, anyway. You might as well get it polished.

19 COMMISSION CHAIR DUDLEY: Any other questions or  
20 comments for Mr. Brown?

21 *(No response)*

22 COMMISSION CHAIR DUDLEY: Commissioner Long  
23 referenced a PowerPoint which was shown yesterday.

24 The CHP officer who showed that PowerPoint is here.  
25 He's available to show that to you again.

**POST Commission Meeting, October 27, 2016**

1 I think, by my clock, it took about ten or  
2 12 minutes. Does that sound about right?

3 So you have some choices, Commissioners: We can  
4 look at that PowerPoint again, for those of us who were  
5 here; for those of us that weren't, you'd have an  
6 opportunity to see it; or we can wait until after the  
7 meeting and make that PowerPoint available. I'd love to  
8 hear your thoughts.

9 COMMISSIONER BUI: I'd love to see the PowerPoint.  
10 But if the majority of the commissioners have already  
11 seen it, I can surely wait.

12 COMMISSION CHAIR DUDLEY: I don't think it's the  
13 majority. I think it's about maybe half of us saw it.

14 Commissioner Smith?

15 COMMISSIONER SMITH: I would like to see it also,  
16 but probably at the end of the meeting, just in case  
17 there's airplane reservations that we butt up against for  
18 having a quorum.

19 COMMISSION CHAIR DUDLEY: Okay.

20 COMMISSIONER SMITH: But I would love to see it as  
21 part of the meeting at the end.

22 COMMISSION CHAIR DUDLEY: Okay. Commissioner  
23 Hutchens?

24 COMMISSIONER HUTCHENS: I, too, would like to see it  
25 as part of the meeting.

**POST Commission Meeting, October 27, 2016**

1 COMMISSION CHAIR DUDLEY: As part of the meeting?

2 Okay, so I think we have two people who want to see  
3 it as part of the meeting and one who wants to see it at  
4 the end.

5 Any other thoughts?

6 So -- yes?

7 MR. BROWN: Madam Chair, if I can, Dave Cornejo also  
8 advised that he has some input -- additional input on the  
9 fiscal side and what we're pursuing on Prop. 64 that  
10 might be helpful to the Commission.

11 COMMISSION CHAIR DUDLEY: Absolutely.

12 MR. CORNEJO: Okay, this is just real quick.

13 For Commissioner DelaRosa, in terms of prioritizing,  
14 we are working closely with the Administration, should  
15 Proposition 64 pass. We will pursue dollars in order for  
16 current-year implementation. We're not waiting until  
17 July 1. We will work with the Administration in terms  
18 of any updates we need to make to our basic academy  
19 training and testing specifications. Because we will  
20 have all kinds of expenses immediately. We will be doing  
21 some proactive -- we may be working with some of our  
22 technology people for whether it's interactive videos and  
23 other kinds of expenses.

24 So, just to answer Commissioner DelaRosa's, we have  
25 identified items that Ralph mentioned. And so we'll be

**POST Commission Meeting, October 27, 2016**

1 working with the Administration in the next month, month  
2 and a half, to get additional authority to do what needs  
3 to get done.

4 COMMISSIONER DELAROSA: So of the items that you  
5 mentioned, are they in 1-2-3 order of prioritizing what  
6 you're going to attack or what you're going to look at or  
7 expense, and whatever comes out of the legislation?

8 MR. CORNEJO: You know, I don't know if we've  
9 prioritized it.

10 We went out early on -- Ralph went out to all of  
11 the bureaus to identify what would be the effects to our  
12 Basic Training Bureau, what would be the effects to our  
13 agencies. So to Training Delivery Compliance, and how  
14 our Learning Portal could help.

15 And so we identified all of them; and then we're  
16 negotiating with the Administration to see whether or  
17 not the Administration thinks that it's something that  
18 POST should be doing or it's something maybe someone else  
19 should be doing. It's up to the Department of Finance to  
20 decide who should do what.

21 And so we're going to identify what we think needs  
22 to get done. And then the Department of Finance, through  
23 a separate appropriation, will go to the Legislature, the  
24 Joint Legislative Budget Committee, and notify the  
25 Legislature of the additional funding that it will

**POST Commission Meeting, October 27, 2016**

1 provide to the state departments to do what's needed to  
2 get this implemented.

3 COMMISSIONER DELAROSA: Thank you.

4 COMMISSION CHAIR DUDLEY: Anything else?

5 Yes?

6 COMMISSIONER RAMIREZ: Just real quick. Ramirez.

7 COMMISSION CHAIR DUDLEY: Yes, Commissioner Ramirez.

8 COMMISSIONER RAMIREZ: I'm just kind of curious.

9 You made reference to how they're going to handle medical  
10 marijuana use as far as backgrounds; is that right?

11 MR. BROWN: Well, it's going to be a question;  
12 right?

13 COMMISSIONER RAMIREZ: Well, I guess my question to  
14 you is, why would that change? It's still federally  
15 against the law. If you're smoking pot now and you want  
16 to be a cop when it's legal, why would we say, "Okay,  
17 well, now it's legal; so it was okay that you were  
18 smoking it when it was illegal?"

19 MR. BROWN: Right. So, as you know, that Prop. 64  
20 is going to allow local control. And so the local  
21 control -- you know, we're a very diverse entity -- it's  
22 the state of California, right. So we have the big dogs  
23 down at L.A. with seven, ten, fifteen thousand officers,  
24 versus, you know, the mom-and-pop PD with six. And  
25 there's going to be varying needs.

1           And I suspect that at some point, there is going to  
2           be people that are going to say -- hiring managers that  
3           are going to say, "Hey, it's legal in California; and we  
4           need people, and this guy or gal, you know, fits the  
5           minimum qualifications. So should we give him the green  
6           light?" I mean, those are conversations that have to be  
7           held internally; right? But I can certainly see that  
8           happening, from a practical matter, absolutely.

9           COMMISSION CHAIR DUDLEY: Commissioner Ramirez, we  
10          continuously are bumping up against this, the idea that  
11          it can be legal in California, but it's not legal  
12          federally, therefore, you can't use a bank. That's just  
13          one of the many, many ways that the federal law and the  
14          state have been bumping up against each other. And we  
15          can only hope that it's going to be resolved.

16          Thank you.

17          Anything else on that particular issue?

18          *(No response)*

19          COMMISSION CHAIR DUDLEY: Let me suggest then, I  
20          am going to invite the CHP officer up to show us his  
21          PowerPoint. But it's really important that everyone  
22          understand that POST is not taking a position on this  
23          legislation one way or the other. This is just  
24          information for the POST commissioners and everyone in  
25          our audience.

**POST Commission Meeting, October 27, 2016**

1 Thank you so much.

2 MR. GLASER: Good morning, Madam Chair, Members of  
3 the Commission. I'm Glen Glaser, a member of the  
4 California Highway Patrol. I'm also the state  
5 coordinator for the Drug Recognition Expert program and  
6 the Drug Evaluation and Classification program for  
7 California.

8 Prop. 64 has been at the front of everybody's minds,  
9 specifically ours, when it comes to impaired driving and  
10 how we train our officers.

11 What you're looking at on the screen right now is  
12 the numbers from the state of Colorado. That was in  
13 2015, the amount of marijuana in monetary value sold in  
14 the year 2015.

15 Now, if you recognize, that's almost a billion  
16 dollars with just over five million people in the state.

17 This number represents 3.4 to 3.6 million. That's  
18 the amount of marijuana being sold per day in the state  
19 of Washington. Their population is just over 7 million.  
20 Now, when you translate that to California, we have  
21 37 million people. Using the numbers, talking to the  
22 people in Denver and Colorado and Washington and Oregon,  
23 their estimates are anywhere from five to eight billion  
24 dollars a year being sold in California.

25 Kind of what the proposition is -- the Prop. 64 is,

1 it talks about how they're going to regulate -- how  
2 they're going to regulate the cultivation, how they're  
3 going to protect California's environment. How they're  
4 going to tax it, the 15 percent tax they're going to  
5 place on all marijuana and the products sold in  
6 California. It talks about the cultivation tax, the  
7 \$9.25 for a marijuana flower, all the way down to \$2.75  
8 for a dry ounce.

9 The opponents are saying this: They're talking  
10 about how it's going to prohibit the consumption in  
11 schools, public places; it's going to prohibit marijuana  
12 and cultivation on public lands. And if anybody has ever  
13 been to Humboldt County, good luck with that.

14 They're also going to tax the sale of growth to  
15 drive out marijuana from the illicit market. What we  
16 know is in Oregon, Washington, Colorado, 50 percent of  
17 the marijuana, minimum, is still being sold on the black  
18 market.

19 Now, what they are saying right here is it's going  
20 to generate millions of dollars, and it's going to go to  
21 the environment and for law enforcement. They're also  
22 saying it's going to prevent the illegal production and  
23 distribution of marijuana. The other states we're  
24 talking to in Denver, Colorado, Washington, that's not  
25 happening.

**POST Commission Meeting, October 27, 2016**

1           The one good thing is in this proposition, it is  
2 allowing employers to keep their policies intact. And  
3 that was recently upheld in the state of Colorado, all  
4 the way unto their Supreme Court, that their policy was  
5 upheld. So if your agency has a policy regarding  
6 marijuana use, it's going to be upheld.

7           What's not being said about this proposition is,  
8 again, 50 percent of the marijuana still being sold on  
9 the black market. And that for every dollar they're  
10 receiving in tax revenue, the states are spending \$6 to  
11 \$9 in public services. And that's everything from  
12 police, fire, emergency room, and social services.

13           What's not being said is the fatals, the people  
14 testing positive for marijuana when they're driving. As  
15 you can see, the yellow line there talks about when  
16 Colorado commercialized marijuana. The next arrow talks  
17 about when they legalized marijuana. And it's trending  
18 upward.

19           It talks about the traffic fatalities in Colorado.  
20 Still going up.

21           The same thing, the first line being the  
22 commercialization; the second line being the  
23 legalization. And fatalities continue to climb.

24           These numbers are from the Colorado Highway Patrol.  
25 77 percent of their DUIs involve marijuana. 41 percent

**POST Commission Meeting, October 27, 2016**

1 of them now are strictly marijuana. So their DUID, if  
2 you would, is almost surpassing their alcohol.

3 What's not getting talked about is the number of  
4 expulsions and school suspensions. There's a 34 percent  
5 increase in drug-related expulsions and suspensions, yet  
6 this proposition talks about keeping marijuana away from  
7 the youth.

8 COMMISSIONER LONG: That's all drugs?

9 MR. GLASER: All drugs, yes.

10 COMMISSIONER LONG: All drugs?

11 MR. GLASER: Yes.

12 Colorado went from fourteenth in the nation, now  
13 third in the nation for current marijuana use from  
14 ages 12 to 18. Those are stats right out of their  
15 surveys. I mean, those aren't made-up numbers. Those  
16 are polling the students.

17 NHTSA numbers, what we know in California, we had  
18 just over 882 DUI deaths in California in 2015. NHTSA  
19 estimates that costs our economy \$1.2 billion, with an  
20 average per fatality of \$1.3 million. And that involves  
21 everything, from hospitalization, response -- you name  
22 it, it runs the gamut.

23 COMMISSION CHAIR DUDLEY: Would you please explain  
24 what NHTSA is?

25 MR. GLASER: NHTSA, the National Highway Traffic

**POST Commission Meeting, October 27, 2016**

1 Safety Administration. They're basically in charge of  
2 all the drug evaluation classification programs. They  
3 oversee all the highway safety networks.

4 COMMISSION CHAIR DUDLEY: Thank you.

5 MR. GLASER: The average cost of a DUI, we know,  
6 according to the National Highway Traffic Safety  
7 Administration, is just over \$10,000.

8 This is also not getting talked about. When  
9 Colorado legalized, there was a 29 percent increase in  
10 emergency-room visits related to marijuana and a  
11 38 percent increase in hospitalizations, strictly related  
12 to marijuana.

13 Some of the articles you are seeing, the fatal  
14 crashes in the state of Washington doubled when they  
15 legalized. And it affects the neighboring states. Utah  
16 saw a 300 percent increase in the three years after  
17 recreational marijuana hit the neighboring states. So  
18 it's spreading across the borders.

19 And this is what it's all about: Marijuana is about  
20 the money.

21 So who gets the money? Right off the top, 4 percent  
22 goes to the Board of Equalization to collect those taxes.  
23 This is one that's really not defined in Prop. 64. It  
24 talks about reasonable costs associated with all these  
25 agencies, and how they're going to be affected.

**POST Commission Meeting, October 27, 2016**

1           There's \$10 million to the universities here in  
2 California to research the effects of the implementation  
3 of Prop. 64, how it affects society.

4           \$3 million to the California Highway Patrol, and  
5 that's for developing protocols when it comes to DUID  
6 or drug-impaired driving and validating field sobriety  
7 tests.

8           Obviously, \$10 million to the Governor's Office of  
9 Economic Development.

10          An additional \$2 million to the University of  
11 San Diego Cannabis Research Center, and that's to do more  
12 studies, which they have already started, and they'll be  
13 going live in November.

14          And this is where it gets really interesting. After  
15 all the money is taken off the top, 60 percent of that  
16 goes to youth prevention, intervention and treatment.  
17 The 20 percent comes to restoring the environment. And  
18 what affects us and everybody in this room is the  
19 20 percent that goes to the state and local law  
20 enforcement fund.

21          So just some simple numbers: If California were  
22 to sell \$3.5 billion, 15 percent of that is \$450 million.  
23 Well, 20 percent of that is going into the local and  
24 state law enforcement fund.

25          So basically, what's going into that local state and

1 local law enforcement fund is, it could be anywhere.  
2 Your guess is as good as mine. Estimations are fifty to  
3 seventy-five, and even a hundred million dollars per  
4 year.

5 And this is what California is going to see. I was  
6 just in Denver in August. This is what's popping up on  
7 every corner.

8 And you can see, they're nice inside, but they're  
9 also houses.

10 The State of Oregon has 3.9 million people. They  
11 have 269 medical -- or marijuana dispensaries, and they  
12 have 248 Starbucks.

13 The City of Denver has 390 dispensaries. They have  
14 208 Starbucks. That's with the population of 650,000  
15 people.

16 The state of California with 37 million people, your  
17 guess is as good as mine, as to how many is going to pop  
18 up in the state of California.

19 And what's coming to California is not just  
20 marijuana flower. This is what is causing the biggest  
21 problems in those states, is the edibles and the  
22 marketing. I mean, these are being taken into school  
23 campuses. And I was having a discussion earlier with  
24 one of the panel members about how do teachers know if  
25 the students are bringing a normal Pop-Tart or a regular

1 Pop-Tart to school?

2 This is what you're seeing. You're seeing displays  
3 of the marijuana flowers. You're seeing THC sodas.

4 Now, the different things about these sodas is the  
5 one on the left, far left, is one serving. The one on  
6 the far right is 12 servings. So when there's 200  
7 milligrams of THC in that soda, is a kid really going to  
8 take one swig of a soda? They're going to drink the  
9 whole thing. So that's where a lot of the overdoses and  
10 the psychiatric events are coming.

11 The bottom left is THC, the concentrated THC. It  
12 starts at 24 percent and goes all the way to 96 percent  
13 pure.

14 There's no studies out there that talks about what  
15 happens when somebody ingests 96 percent THC.

16 The synthetics, the cannabinoids, the K2's. Kids  
17 don't know the difference between real weed, fake weed.  
18 This is what's being seen in Denver, seen in Florida,  
19 across the nation.

20 We talk about, what can California expect? Well,  
21 it's really the unexpected. Marijuana back in the  
22 seventies and eighties, we were talking about 3 to  
23 8 percent THC. Now, we are seeing the leaf and the bud  
24 itself going to 25 to 30 percent, the concentrates  
25 reaching as high as 96 percent; and the edibles, when

1 you're talking about how many milligrams or nanograms  
2 they put into the edibles, I've never seen somebody take  
3 a bite of one piece of cookie and put it down. So  
4 they're eating the same, that cookie.

5 And then when you get into the synthetic  
6 cannabinoids, your guess is as good as mine as to what  
7 the molecules they're putting on that.

8 The training is the key to having officers know what  
9 they're looking at. You know, there are many different  
10 strains of marijuana. The sativa and the indica, many  
11 people don't know that.

12 A sativa is very similar to a stimulant. It brings  
13 your body up. Where the indica is what they call -- it's  
14 "indicouch." It makes you sleepy, it makes you tired.  
15 So there's a lot of different things.

16 So in the DRE world, in the drug world, a lot of  
17 this, the matrix we use for cannabis impairment, it's  
18 going outside the box.

19 So the training that we're looking for is what's  
20 in the State Highway Safety Plan. We're shooting for  
21 100 percent officers being trained in standardized field  
22 sobriety tests, 50 percent of those moving on to the  
23 advanced roadside, or ARIDE; and 10 percent of staff  
24 being DRE trained.

25 I was tasked just a couple weeks ago where the

1 California Highway Patrol Commissioner has decided that  
2 all rank-and-file members will be ARIDE-trained by the  
3 end of 2017. We're going to try to get ahead of that;  
4 and it's a big goal. It's a big task. But we're going  
5 to meet it.

6 Training: We have to think outside the box when it  
7 comes to training; and not just the police, but for  
8 prosecutors and the crime labs. Prosecutors, normally,  
9 it's the first-year D.A. who is getting the DUI case.  
10 We have to make them comfortable in prosecuting DUID.  
11 We have to make sure the crime-lab toxicologists are on  
12 board and they are able to testify and back up what our  
13 peace officers are seeing on the street.

14 We also need to learn from the mistakes that other  
15 states are making.

16 Colorado, they have a five-nanogram implied  
17 inference; whereas Washington has a per se level. Nevada  
18 has a two-nanogram per se level.

19 Now, many people talk about, what is an "implied  
20 inference"? It is a jury instruction. They basically  
21 tell the jury, "You decide if the person is guilty."

22 Washington's five-nanogram level, we believe, is a  
23 little high. Just down in Orange County, they did some  
24 research involving the DUI cases that involve marijuana  
25 only, that had DREs done; and they found out that over

1 60 percent of those, had their been a five-nanogram  
2 level, would not have gone to prosecution. Orange County  
3 prosecutes at about two nanograms. So it's really,  
4 really important to think outside the box here.

5 Marijuana is not like alcohol. Marijuana is fat-  
6 soluble. So even though it leaves your bloodstream, it's  
7 still in the body. There's still cognitive impairment  
8 that happens when a person is ingesting marijuana.

9 And this was told to us multiple times, as recently  
10 in Denver. And what they told us is "Smart people learn  
11 from their mistakes. Wise people learn from others."  
12 We need to get ahead of the curve when it comes to DUID.  
13 We need to make it a priority for training, for not only  
14 police prosecutors but toxicologists. We need to  
15 encourage the academies to incorporate the NHTSA SFST  
16 curriculum or the standardized field sobriety test  
17 curriculum for their academies, so officers come out,  
18 train, knowing what to look for when it comes to an  
19 impaired driver.

20 We need to encourage the ARIDE, the Advanced  
21 Roadside Impairment, as part of the field training.  
22 So giving those officers' exposure to the seven drug  
23 categories that we looked for in the drug recognition  
24 expert program, and to utilize -- have agencies utilize  
25 the State Highway Safety Plan training model

1 recommendations.

2 And I'll end with just a little bit about our drug  
3 recognition program here in California.

4 We have the biggest drug recognition program in the  
5 world. We have just over 1780 DREs trained in the state  
6 of California. That's broken down to just over 1055  
7 allied agencies and 729 Highway Patrol officers.

8 We attempt to train 400 new DREs every year. As you  
9 can see, our numbers are on the right way, but it's still  
10 not enough.

11 Just last year, for the grant cycle that ended  
12 September 30<sup>th</sup>, we held 79 SFST classes, training over  
13 1200 allied agencies.

14 Now, that would go away if we could incorporate that  
15 training on the front end. And I know it's expensive to  
16 do it, but the investment you get is worth it in the end.  
17 The ARIDE, we held just over 103 classes, training right  
18 at almost 1600 people. And again, just over 400 new DREs  
19 certified in the state of California.

20 With that, I would be happy to entertain any  
21 questions from the Commission.

22 I wanted to blow through it because I understand  
23 there are some flight considerations.

24 COMMISSION CHAIR DUDLEY: Any questions?

25 Yes, Commissioner Hutchens?

**POST Commission Meeting, October 27, 2016**

1 COMMISSIONER HUTCHENS: Hutchens, yes.

2 The difference between ARIDE and DRE, we've been  
3 focused on increasing the number of DREs.

4 So could you explain that?

5 MR. GLASER: ARIDE is a two-day course. It's  
6 16 hours. It goes over the seven drug categorizes.  
7 Whereas DRE is a two-week course. It's 103 hours. It  
8 incorporates fielded training as well as classroom  
9 training.

10 They have to certify in front of instructors --  
11 basically, hone their skills and have that backed up with  
12 toxicology samples. So when they leave the field  
13 certification portions, we're confident in their ability  
14 to identify the drug categories, and placing somebody  
15 under the influence, or ruling somebody -- impairment may  
16 be something medical or not involving drugs.

17 COMMISSIONER HUTCHENS: So the ideal would be to  
18 have all DREs, but it obviously takes much more time to  
19 train and cost?

20 MR. GLASER: Obviously, the more DREs we could have  
21 would be beneficial. We understand that pulling people  
22 off the field and off the road for two weeks and then the  
23 field certification portion, is not likely.

24 And, really, it's not for everybody. You have to be  
25 willing and be confident to testify on the stand and be

**POST Commission Meeting, October 27, 2016**

1 an expert.

2 Cops are great, but many of them don't like court.  
3 It's probably the scariest -- the scariest thing they do,  
4 if you were to ask some of them.

5 So that's what we look for when we're talking about  
6 DREs; because it's not just what happens during the  
7 evaluations, it's being able to articulate and educate a  
8 jury.

9 COMMISSIONER HUTCHENS: Thank you.

10 COMMISSION CHAIR DUDLEY: And just to be clear,  
11 Commissioner -- and correct me if I'm wrong -- there is  
12 no cost for the class. The cost, of course, is your  
13 personnel costs.

14 Isn't that correct, there's no cost for the class?

15 MR. GLASER: Correct. All the training we put on is  
16 free to every agency in California.

17 COMMISSION CHAIR DUDLEY: Yes, Commissioner Smith?

18 COMMISSIONER SMITH: A question.

19 First of all, thank you. It was great. I was  
20 really, really glad to see the information from the other  
21 states.

22 Is there a chance that we could get a copy of your  
23 PowerPoint?

24 MR. GLASER: Yes, absolutely.

25 COMMISSIONER SMITH: Thank you.

**POST Commission Meeting, October 27, 2016**

1 COMMISSION CHAIR DUDLEY: Yes, Commissioner Braziel?

2 COMMISSIONER BRAZIEL: So I stalked Sergeant Glaser  
3 yesterday, after he left. So just to be clear, I tracked  
4 him down and held him hostage for quite some time.  
5 Because in some of the reviews that we've been doing,  
6 either officer-involved shooting reviews or critical  
7 incidents across the country, we're noticing a trend  
8 where the assailant of the officer has THC in their  
9 system. So I went and tracked him down to get expertise.  
10 And I think that's one of the things we might want to  
11 consider when we look -- when Ralph looks at his  
12 spreadsheet, is are we capturing, in critical incidents,  
13 the level of THC in people's systems? And what I mean by  
14 that is, I went to the Web site you referred me to, and  
15 looked at the 18 states that either have zero tolerance,  
16 per se, or the implied. And you're talking about 1 to  
17 2 nanograms. And we're seeing folks that are assaulting  
18 officers with -- two high-profile cases, 11 nanograms.  
19 So we're actually seeing the marijuana actually become --  
20 make people aggressive.

21 And I think it's worth tracking those things, not  
22 just on the DRE end, but looking at our OIS's and some of  
23 those critical incidents, starting to identify what's the  
24 impact on law enforcement and the victimization of  
25 officers based on THC levels.

**POST Commission Meeting, October 27, 2016**

1           COMMISSION CHAIR DUDLEY: I think that's an  
2 excellent observation.

3           And do you know if that's going on?

4           MR. GLASER: You know, I don't. But like I spoke  
5 with Commissioner Braziel yesterday -- which we have to  
6 realize with THC, we know from use, to about an hour, an  
7 hour and a half after use, about 90 percent of that THC  
8 is gone from the person's blood. Now, it doesn't mean  
9 it leaves the person's body. It goes into the fat  
10 tissue. So, really, when we're talking about THC levels,  
11 you know, at 5 or 10 nanograms, you have to almost  
12 correlate when that use was. So if the person has been  
13 detained for two hours prior to use and before the blood  
14 sample, you can imagine what those levels are. It's  
15 leaving the bloodstream but it's not leaving the body,  
16 and it's still affecting the body cognitively.

17           COMMISSION CHAIR DUDLEY: Was it UC San Diego? Who  
18 was doing the research?

19           MR. GLASER: The UCD San Diego Cannabis Research  
20 Center is starting that up. We're participating from the  
21 DRE portion. We're providing instructors to try to  
22 validate standardized field sobriety tests for marijuana  
23 impairment. And hopefully in the next year or so, we can  
24 have that.

25           COMMISSION CHAIR DUDLEY: Well, if you or your

**POST Commission Meeting, October 27, 2016**

1 supervisors think it's appropriate, I think bringing  
2 Commissioner Braziel's comment to UC San Diego, because  
3 it would be critical for our communities to know how  
4 these are affecting law-enforcement officers in other  
5 ways besides the drives. I mean, any kind of situation  
6 where there's an assault or anything else, if they could  
7 keep track of that information as well, it would be  
8 important.

9 MR. GLASER: That would be great.

10 And again, Commissioner Braziel, that dovetails on  
11 to the type of THC they're using and the type of product.

12 COMMISSION CHAIR DUDLEY: Sure. And you explained  
13 that very well. Thank you.

14 Any other comments?

15 Yes, Commissioner Long?

16 COMMISSIONER LONG: Along the lines of what Rick  
17 was talking about, isn't one of the criticisms of  
18 Colorado is whether it doesn't really differentiate  
19 between multiple uses of drugs, that I've read? That  
20 in other words, that there are miscreants who are using  
21 multiple, multiple drugs, and it doesn't differentiate --  
22 that's one of the criticisms I've read in the story, that  
23 it says that the breakdown of it is including whether  
24 it's what nanogram or what level may be somewhat  
25 misleading because the guy who attacked an officer, for

**POST Commission Meeting, October 27, 2016**

1 example, while he had X amount of THC, he also had X, Y,  
2 and Z.

3 MR. GLASER: Correct. And that's one of the  
4 problems we see in just impaired driving itself, is we  
5 know 70 percent of impaired driver's are probably drug  
6 users or they're using more than one substance. So it's  
7 marijuana and alcohol, and the synergistic effects they  
8 have on the body. There's really no studies on that  
9 when -- you know, there's nobody studying methamphetamine  
10 and marijuana.

11 COMMISSIONER LONG: Which is going to make settling  
12 on a number all the more difficult.

13 MR. GLASER: Correct. And the science just doesn't  
14 back it up yet.

15 COMMISSION CHAIR DUDLEY: Thank you.

16 Any other questions or comments?

17 MR. BLANCO: Madam Chair, may I?

18 COMMISSION CHAIR DUDLEY: Yes.

19 MR. BLANCO: You know, you mentioned the cookies and  
20 the gummy bears and all that other good stuff. Now, I'm  
21 not a baker or anything like that. But if I buy a cookie  
22 and it's got four servings or a gummy bear with three  
23 servings, are they -- you know, am I going to find the  
24 THC, an equal amount in each of those servings if I cut  
25 up my cookie into four pieces or my gummy bear into

**POST Commission Meeting, October 27, 2016**

1 three? How does that work?

2 MR. GLASER: That's one of the big problems they're  
3 seeing in Colorado is, when they put it into the product,  
4 there's no way to know whether all the THC went into one  
5 specific area of that edible. So you could take a bite  
6 out of a cookie and get nothing. You could take a bite  
7 and get half the milligrams out of that one morsel. So  
8 there's really -- there's no way to know.

9 And again, what they are seeing is, pick one person  
10 who just eats one chip or one Oreo. It just doesn't  
11 happen.

12 COMMISSION CHAIR DUDLEY: Thank you.

13 Again, I just want to remind you that POST is not  
14 taking a position on this legislation. And I want to  
15 thank you.

16 MR. GLASER: Thank you.

17 COMMISSION CHAIR DUDLEY: I do, however, want to  
18 comment while you're sitting down, for those of you who  
19 haven't seen it, CHP has recently put out a fabulous  
20 video which is on their Web site.

21 Is there a name for the video that I'm referring to?  
22 The one that's not about this, it's just about CHP in  
23 general?

24 MR. BRUNET: "We are yours, California."

25 COMMISSION CHAIR DUDLEY: "We are yours,

POST Commission Meeting, October 27, 2016

1 California." You might want to take a look at that.

2 It's excellent.

3 Thank you.

4 Okay, that is it for consent.

5 Is there a motion to approve the consent items?

6 COMMISSIONER BUI: Motion. Bui.

7 COMMISSIONER WALLACE: Second. Wallace.

8 COMMISSION CHAIR DUDLEY: Okay. All in favor?

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

10 COMMISSION CHAIR DUDLEY: Opposition?

11 *(No response)*

12 COMMISSION CHAIR DUDLEY: Abstain?

13 *(No response)*

14 COMMISSION CHAIR DUDLEY: The motion passes.

15 Thank you.

16 Okay, now, at this time, I'd like to ask Manny to  
17 make presentations of the Commission recognition and  
18 resolutions.

19 Thank you.

20 EXECUTIVE DIRECTOR ALVAREZ: I'm going to stand so  
21 you can all hear me.

22 *(Alan McFadon stepped forward.)*

23 EXECUTIVE DIRECTOR ALVAREZ: Alan was the first  
24 dispatcher on the Advisory Committee. He's been on the  
25 Advisory Committee for five years.

**POST Commission Meeting, October 27, 2016**

1           And we thank you for your service, and thank you  
2           for being the first dispatcher. We know we have a  
3           replacement for you.

4           But I'm going to read a certificate that we're going  
5           to present to Alan:

6           On behalf of the Commission on Peace Officer  
7           Standards and Training, we are pleased to honor Alan  
8           McFadon -- it's hard for me to get that straight --  
9           Stanislaus Regional 911, for his distinguished service  
10          for California law enforcement. The Commission expresses  
11          their sincere gratitude for Alan's thoughtful  
12          deliberation and guidance on issues related to selection  
13          and training during his five years of service as a member  
14          of the POST Advisory Committee. His extraordinary effort  
15          of commitment and dedication as the organization  
16          representative of the Public Safety Dispatcher Advisory  
17          Council has positively impacted POST constituents. The  
18          Commission wishes him continued success in his future  
19          endeavors.

20          MR. McFADON: Thank you, sir.

21          EXECUTIVE DIRECTOR ALVAREZ: Thank you.

22          *(Applause)*

23          EXECUTIVE DIRECTOR ALVAREZ: I'm going to go off  
24          script for a little bit. Whenever I give somebody  
25          something, you get the last word.

**POST Commission Meeting, October 27, 2016**

1           You have one minute because people are pressed for  
2 time, I think, maybe. But would you like to say  
3 anything?

4           MR. McFADON: I need no time, no.

5           Thank you, POST, though for recognizing dispatchers.  
6 As you said, that was the first seat on the Advisory  
7 Committee. So, that's huge. It means a lot to the  
8 dispatchers. Thanks.

9           *(Applause)*

10          EXECUTIVE DIRECTOR ALVAREZ: Okay, the next one is  
11 POST employee Patti Kaida.

12          Come on up, Patti.

13          *(Applause)*

14          *(Patti Kaida stepped forward.)*

15          EXECUTIVE DIRECTOR ALVAREZ: Patti began her career  
16 with POST in February of 2005 as a project facilitator in  
17 the Training Program Services Bureau. She was promoted  
18 to staff services analyst on July 31<sup>st</sup>, 2008, and later  
19 promoted to associate governmental program analyst on  
20 August 1<sup>st</sup>, 2010. She was responsible for updating the  
21 POST Administrative Manual.

22          Patti served as the departmental liaison to the  
23 Office of Administrative Law. She oversaw the POST  
24 contracting program and related administrative contracts.  
25 She served as the Blood Drive coordinator, and was a

**POST Commission Meeting, October 27, 2016**

1 member of the POST special events committee.

2 Patti has already left POST, but she is effectively  
3 retiring in December of 2016, after providing ten years  
4 of very honorable service.

5 So thank you.

6 *(Applause)*

7 EXECUTIVE DIRECTOR ALVAREZ: Sorry, I have one last  
8 sentence here. I want to read the very end of it:

9 Now, therefore, be it resolved that the Commission  
10 bestows its deepest gratitude and sincerest wishes for  
11 a long, happy, and well-earned retirement to Ms. Patti  
12 Kaida.

13 Thank you, Patti. Good luck.

14 *(Applause)*

15 *(Photograph taken of Executive Director Alvarez*  
16 *presenting certificate to Patti Kaida)*

17 EXECUTIVE DIRECTOR ALVAREZ: One minute, Patti, if  
18 you'd like. You don't have to.

19 MS. KAIDA: I just want to say, retirement is better  
20 than they said it was going to be. It's just wonderful.  
21 All right, all you guys that retire and go back to  
22 work -- come on.

23 I have two little babies that are my grandchildren,  
24 and I'm just enjoying them, just crazy enjoyment. So  
25 thank you very much.

**POST Commission Meeting, October 27, 2016**

1           And it's an honor to have worked for POST, and a lot  
2 of the people that I have -- friends I've seen here  
3 today. And it's a great organization. That's all I've  
4 got to say. Thanks.

5           *(Applause)*

6           EXECUTIVE DIRECTOR ALVAREZ: Okay, the next one is  
7 Mr. Bob Ziglar, another POST employee.

8           Bob, if you can come on up.

9           He was here.

10          Okay, we'll put him aside -- there he is.

11          *(Bob Ziglar stepped forward.)*

12          EXECUTIVE DIRECTOR ALVAREZ: Bob is another POST  
13 employee.

14          Bob started his law-enforcement career as an officer  
15 for the Capitola Police Department in February of 1978.  
16 He was promoted to sergeant in 1986. Bob retired after  
17 12 years, and was hired at the Evergreen Police Academy  
18 as the academy coordinator, and he eventually became the  
19 academy director for South Bay Regional Public Safety  
20 Training Consortium.

21          He began his career with POST as a law-enforcement  
22 consultant in 2007 and was assigned to the Basic Training  
23 Bureau. As the basic course coordinator, Bob taught the  
24 recruit training officer workshop, the director  
25 coordinator workshop, the scenario managers workshop, and

**POST Commission Meeting, October 27, 2016**

1 several Learning Domain update workshops.

2 Bob was promoted to bureau chief of the Training  
3 Program Services Bureau in July 2013, where he was  
4 responsible for reducing the training budget by  
5 \$2.5 million while increasing the number of course  
6 presentations.

7 Bob directed the review of the academy instructor  
8 certification course and program, standardizing the  
9 curriculum and contracting it regionally to make the  
10 training more accessible to the field.

11 I'll read the last paragraph of the resolution as  
12 well:

13 Now, therefore, be it resolved that Bob's unwavering  
14 dedication to the excellence of training for law  
15 enforcement has improved the training of thousands of  
16 officers; and the Commission wishes him the best in his  
17 new career as the executive for the Central California  
18 Intelligence Center, where he will continue his efforts  
19 to keep our officers and our communities safe.

20 So thank you, Bob.

21 *(Applause)*

22 *(Photograph taken of Executive Director Alvarez*  
23 *presenting certificate to Bob Ziglar)*

24 EXECUTIVE DIRECTOR ALVAREZ: Bob, you were out of  
25 the room, so you missed it. Everybody gets one minute to

**POST Commission Meeting, October 27, 2016**

1 give a little presentation.

2 As an internal joke, Bob, you get 30 seconds.

3 MR. ZIGLAR: Yeah, okay. I was going to say,  
4 obviously you're new and you don't know me. Anybody that  
5 has ever had any of my classes, one minute's not enough.

6 The 12 years, when I ended my career, I woke up from  
7 a surgery, and the doctor said, "Bob, you're not going to  
8 go back to work. Your shoulder is destroyed; your back  
9 is destroyed." And I didn't know what I was going to do.

10 There was a POST consultant, Gene Rhodes, who said,  
11 "You know what? Maybe" -- to the local academy, "you  
12 ought to have him work." I was a training manager for  
13 our region. "Maybe you ought to teach in an academy."

14 And I owe POST everything.

15 *(Applause)*

16 EXECUTIVE DIRECTOR ALVAREZ: POST Commissioner  
17 Kurylowicz, come on up.

18 *(Commissioner Kurylowicz stepped forward.)*

19 EXECUTIVE DIRECTOR ALVAREZ: Okay, Pete started his  
20 law enforcement career as a deputy sheriff for the  
21 Riverside County Sheriff's Department on September 30<sup>th</sup>,  
22 1988. He served in custodial assignments at the Robert  
23 Presley Detention Center for two and a half years. He  
24 became a motor officer in the contract city of Moreno  
25 Valley and served in the traffic accident investigations

**POST Commission Meeting, October 27, 2016**

1 unit. He transferred to the personnel bureau for three  
2 years, where he was responsible for all departmental  
3 recruitment. He returned to his passion, serving as a  
4 motor officer in the contract city of Temecula, where he  
5 was responsible for training of all new motor officers.  
6 After serving 12 years as a motor officer, he transferred  
7 to the Riverside Superior Court, working in the criminal  
8 family and civil courts for five years. His final  
9 assignment was at the Ben Clark Training Center, where he  
10 was a subject-matter expert in traffic collisions and  
11 reconstruction training courses.

12 Pete held a board seat with the Riverside Sheriffs'  
13 Association for over 22 years; and he became the vice  
14 president in 2016.

15 In 2011, Pete was appointed by Governor Brown to  
16 serve as a member of the Commission on Peace Officer  
17 Standards and Training; and he served as the Commission  
18 chair in the term, 2012 through 2013.

19 The last paragraph of the resolution is:

20 "Now, therefore, be it resolved that Peter has  
21 devoted his career to the professionalism of California  
22 law enforcement as a peace officer for 28 years, and a  
23 two-term commissioner, providing insightful direction to  
24 POST. It is the spirit of gratitude and appreciation  
25 that the Commission presents you with this resolution and

**POST Commission Meeting, October 27, 2016**

1 wishes you peace and happiness in your retirement.

2 (Applause)

3 (Photograph taken of Executive Director Alvarez  
4 with Commissioner Kurylowicz)

5 EXECUTIVE DIRECTOR ALVAREZ: One minute.

6 COMMISSIONER KURYLOWICZ: Wow, 28 years summed up,  
7 in, what two seconds?

8 I appreciate POST. When I came on to POST, it was  
9 at a time when the training at that time was really  
10 brought into question about a certain department -- or  
11 a certain organization that did some training where an  
12 officer lost his eye. Paul Cappitelli was gracious in  
13 welcoming me in. And the conversations I've had with him  
14 were like, "Hey, this guy is really excited to have me  
15 here. I'm happy to be here." And then he dropped the  
16 other shoe and says, "Oh, yeah, by the way, we've got  
17 this investigation going on. You're going to get a lot  
18 of information to review." And I'm like, "Oh, okay."  
19 So after tons of information and that, you know, I'd say,  
20 "Okay, what a great way to be initiated into POST.

21 But I appreciate all the help I've gotten from POST.  
22 The staff at POST has always been great, with answering  
23 my questions and helping me out on things.

24 The executive directors -- you know, both Paul  
25 Cappitelli and then Bob Stresak -- Bob left -- and now

**POST Commission Meeting, October 27, 2016**

1 Manny, have been great to help out with everything.

2 Connie has always been a great resource, too.

3 And I really have to thank Jim McDonnell for, what,  
4 I had six months on at the time, and then throwing me  
5 into the chair position -- which is great. You know, why  
6 not just jump into the fire.

7 But, again, thank you to everybody for this honor.  
8 And thanks again. Take care.

9 *(Applause)*

10 EXECUTIVE DIRECTOR ALVAREZ: Okay, the next one is  
11 Ms. Jan Bullard.

12 Come on up, Jan.

13 *(Applause)*

14 *(Jan Bullard stepped forward.)*

15 EXECUTIVE DIRECTOR ALVAREZ: Jan served 26 years  
16 in law enforcement and began her career as a Level II  
17 reserve for the City of South Pasadena, six years with  
18 the Glen Glendora Police Department as the first female  
19 police officer, and 19 years with the Santa Barbara  
20 County Sheriff's Department. She rose from the ranks of  
21 deputy to sergeant.

22 Jan joined POST on November 2<sup>nd</sup>, 1998; and served  
23 for a year as a management fellow in the Training Program  
24 Services Bureau as the grant program coordinator for the  
25 Violence Against Women Act.

**POST Commission Meeting, October 27, 2016**

1           Jan was subsequently hired by POST in 1999 as a  
2 law enforcement consultant in the Training Program  
3 Services Bureau, five years as the regional consultant in  
4 Region 3 in the Training Delivery and Compliance Bureau,  
5 four years as the bureau chief in the Learning Technology  
6 Resources Bureau, and three years as the first female  
7 associate executive director. She served a total of  
8 18 years at POST.

9           Jan Bullard, along with Digital OutPost, who  
10 provides video production services for POST, ushered in  
11 two Emmy awards for the "Did You Know" series. She  
12 coordinated the POST Advisory Committee meetings and  
13 managed five bureaus.

14           Jan participated for many years on the POST special  
15 events committee, with the most memorable making of a  
16 scary Halloween video, a movie called, "It Came from the  
17 Basement."

18           And I'll read the last paragraph. This one's right  
19 for you.

20           MS. BULLARD: Bring it home.

21           EXECUTIVE DIRECTOR ALVAREZ: Now, therefore, be it  
22 resolved that the Commission thanks Jan Bullard for her  
23 44 years of dedicated service, and wishes her a wonderful  
24 retirement with her family of cats; and to enjoy the  
25 discovery of a taste of adventure for new wineries.

POST Commission Meeting, October 27, 2016

1 MS. BULLARD: Yay.

2 *(Applause)*

3 *(Photograph taken of Executive Director Alvarez*  
4 *with Jan Bullard)*

5 EXECUTIVE DIRECTOR ALVAREZ: You spoke a lot  
6 already; but you get one minute.

7 MS. BULLARD: That's okay. Cats and wine, who says  
8 I don't have a life?

9 I want you to know, they're single digits, so I'm  
10 not there as a crazy cat lady. I'll have plenty of time  
11 to do rescuing now.

12 But I would like to thank the Commission for your  
13 dedication and your guidance throughout all of the years  
14 I have been with POST. We've always been able to turn  
15 to you for really solid advice and direction.

16 I've been real blessed. I've had a great career --  
17 okay, POST family, I'll say more on Halloween.

18 Manny, it's been really a short time; but, you know  
19 what? They are so lucky to have you. And I almost  
20 thought about staying and working longer.

21 I'm kidding. He almost fell for that.

22 So thank you very much.

23 *(Applause)*

24 COMMISSION CHAIR DUDLEY: So on a personal note,  
25 Jan brought me in to be a trainer in Santa Barbara and

**POST Commission Meeting, October 27, 2016**

1 a SME expert, maybe 15, 20 years ago. So clearly the  
2 reason I'm sitting here is because of Jan as well.

3 And, Jan, you did a great job in Santa Barbara  
4 County, too. So thank you.

5 Nobody had asked, under the consent, to pull up 9.  
6 And I know we've been going through some transitions with  
7 our Legislative Committee.

8 Would anyone like a legislative update, or do they  
9 feel that they have sufficient information?

10 *(No response)*

11 COMMISSION CHAIR DUDLEY: Let me pose that in the  
12 form of a question.

13 Does anyone want a legislative update?

14 *(No response)*

15 COMMISSION CHAIR DUDLEY: Okay, thank you.

16 Now, we're going to move on to the Finance  
17 Committee.

18 And, Commissioner Long, are you going to be giving  
19 that presentation? Or who is?

20 COMMISSIONER LONG: No, I thought it was still Pete.

21 FINANCE COMMITTEE CHAIR KURYLOWICZ: Yes, it's still  
22 me. But David is going to bring it up on my behalf.

23 COMMISSION CHAIR DUDLEY: David is? Okay, I knew  
24 somebody else was going to do it besides you, Pete.

25 COMMISSIONER BRAZIEL: That was a quick hand-off.

**POST Commission Meeting, October 27, 2016**

1 COMMISSION CHAIR DUDLEY: Really.

2 MR. CORNEJO: He knows I speak pretty fast.

3 All right, so the Finance Committee met yesterday,  
4 October 26<sup>th</sup>; and we had seven items.

5 The first five items had to do -- there were fiscal  
6 reports. Because it was the October meeting, we had  
7 reports on prior-year revenue expenses, contracts, and  
8 reimbursements.

9 We also had a sixth item on a request by our staff  
10 for approval to contract up to \$183,600 for principled  
11 policing training and mentoring programs.

12 And then the last item, the Committee voted and  
13 selected Commissioner Long as the new chair of the  
14 Finance Committee.

15 And as you heard, Commissioner Kurylowicz is  
16 retiring, so we wish him well. And I, too, would like  
17 to thank him for all his efforts. It's been an honor to  
18 work side-by-side with Pete. So thank you very much.

19 Madam Chair, I'm respectfully going to request the  
20 Commission approve the seven items.

21 COMMISSION CHAIR DUDLEY: Is there a motion to  
22 approve this report?

23 COMMISSIONER DELAROSA: DelaRosa. Motion to  
24 approve.

25 COMMISSIONER MOORE: Jeff. Second.

**POST Commission Meeting, October 27, 2016**

1 COMMISSION CHAIR DUDLEY: All in favor?

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

3 COMMISSION CHAIR DUDLEY: Opposed?

4 *(No response)*

5 COMMISSION CHAIR DUDLEY: Abstain?

6 *(No response)*

7 COMMISSION CHAIR DUDLEY: It passes. Thank you.

8 Thank you, David.

9 Okay, Item D is a report on proposed changes to the  
10 Commission Regulation 1008 for the Peace Officers Basic  
11 Course Waiver and Requalification Requirements.

12 Would any member like a staff report on this item?

13 Let me put you on the spot, Marcelo. Did the  
14 Advisory Committee have any comments or discussion on  
15 this item?

16 ADVISORY COMMITTEE CHAIR BLANCO: We did not. We  
17 just agreed with the staff's recommendations on this  
18 item.

19 COMMISSION CHAIR DUDLEY: Okay, so is there a motion  
20 to approve?

21 COMMISSIONER DOYLE: So moved. Doyle.

22 COMMISSIONER LONG: Second. Long.

23 COMMISSION CHAIR DUDLEY: All in favor?

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

25 COMMISSION CHAIR DUDLEY: And opposed?

**POST Commission Meeting, October 27, 2016**

1           *(No response)*

2           COMMISSION CHAIR DUDLEY: Abstain?

3           *(No response)*

4           COMMISSION CHAIR DUDLEY: Motion passes.

5           Item E is a report on proposed changes to Commission  
6 Regulation 1006 for the extension of time limit for a  
7 course completion.

8           Would any member like a staff report on this item?

9           *(No response)*

10          COMMISSION CHAIR DUDLEY: And, once again, because  
11 I like putting you in a difficult position, did the  
12 Advisory Committee have any comments or discussion on  
13 this item?

14          ADVISORY COMMITTEE CHAIR BLANCO: No, we agreed with  
15 the staff's recommendation again.

16          COMMISSION CHAIR DUDLEY: Okay, is there a motion to  
17 approve?

18          COMMISSIONER HUTCHENS: Hutchens.

19          COMMISSIONER LEICHLITER: Second. Leichliter.

20          COMMISSION CHAIR DUDLEY: All in favor?

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

22          COMMISSION CHAIR DUDLEY: Opposed?

23          *(No response)*

24          COMMISSION CHAIR DUDLEY: Abstain?

25          *(No response)*

**POST Commission Meeting, October 27, 2016**

1 COMMISSION CHAIR DUDLEY: The motion passes.

2 Okay, then a report, Item F is a report on request  
3 to amend POST regulation 1005(d)(4) training requirements  
4 for perishable skills instructors.

5 Would any member like a staff report on this item?

6 *(No response)*

7 COMMISSION CHAIR DUDLEY: One more time, Marcelo:  
8 Did the Advisory Committee have any comments or  
9 discussion on this item?

10 ADVISORY COMMITTEE CHAIR BLANCO: We actually did.  
11 On this one, the Advisory Committee unanimously voted to  
12 accept and move to approve Option Number 2 to amend POST  
13 Regulation 1005(d)(4).

14 COMMISSION CHAIR DUDLEY: Okay, thank you.

15 ADVISORY COMMITTEE CHAIR BLANCO: I don't know if  
16 you guys have the options.

17 COMMISSION CHAIR DUDLEY: Can we put that up there?  
18 Thank you.

19 Okay, the options are a little more than halfway  
20 down, 1, 2, and 3.

21 ADVISORY COMMITTEE CHAIR BLANCO: I believe Jan is  
22 ready to enlighten us on those options.

23 COMMISSION CHAIR DUDLEY: Jan is ready? Ready to --

24 MS. BULLARD: No, it's just that this is going to  
25 require that the Commission make a motion as to which

**POST Commission Meeting, October 27, 2016**

1 selection they would like to have for the proposed  
2 language change and the requirements that would change  
3 for PSP instructors.

4 And Option 1 is not to amend.

5 Option 2 would be to exempt PSP instructors from  
6 having to attend training as a student in the topic in  
7 which they are qualified to teach.

8 And Option 3 was, they would be exempt from the  
9 course. However, every two years they would have to  
10 demonstrate their skills by showing their competencies  
11 to another instructor.

12 So those are the three items or options.

13 COMMISSIONER DOYLE: I'll move Option 2. Doyle.

14 COMMISSIONER RAMIREZ: Second. Ramirez.

15 COMMISSION CHAIR DUDLEY: All in favor?

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

17 COMMISSION CHAIR DUDLEY: Opposed?

18 *(No response)*

19 COMMISSION CHAIR DUDLEY: Abstain?

20 *(No response)*

21 COMMISSION CHAIR DUDLEY: Option 2 passes.

22 Okay, Item G is a report on request to change  
23 Commission regulations involving peace officer selection  
24 standards.

25 Would any member like a staff report on this item?

**POST Commission Meeting, October 27, 2016**

1           *(No response)*

2           COMMISSION CHAIR DUDLEY: And did the Advisory  
3 Committee have any comments or discussion on this item?

4           ADVISORY COMMITTEE CHAIR BLANCO: We did not. We  
5 just agreed with staff's recommendations.

6           COMMISSION CHAIR DUDLEY: Okay, thank you.

7           Is there a motion?

8           COMMISSIONER KURYLOWICZ: Motion. Kurylowicz.

9           COMMISSIONER McDONNELL: McDonnell. Second.

10          COMMISSION CHAIR DUDLEY: All in favor?

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

12          COMMISSION CHAIR DUDLEY: Oppose?

13          COMMISSIONER DOYLE: Madam Chair, I was a little  
14 insulted that this Office of Management wouldn't take my  
15 word for it, by the way, just for the record.

16          COMMISSION CHAIR DUDLEY: I have to tell you, as a  
17 trial lawyer, I felt that feeling on a regular basis.

18          "What law, Judge? I'm the D.A."

19          Okay, in the middle of that humor, I'm not sure  
20 where we are.

21          So let's get a vote on that again.

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

23          COMMISSION CHAIR DUDLEY: Okay, and any opposed?

24          *(No response)*

25          COMMISSION CHAIR DUDLEY: Abstain?

**POST Commission Meeting, October 27, 2016**

1           *(No response)*

2           COMMISSION CHAIR DUDLEY: Okay, that passes as well.

3           Item H is a report on California peace officer

4 job -- did I just do that? No -- job analysis.

5           Would any member like a staff report on this item?

6           *(No response)*

7           COMMISSION CHAIR DUDLEY: Did the Advisory Committee

8 have comments or discussion on this item?

9           ADVISORY COMMITTEE CHAIR BLANCO: Again, we agreed

10 with staff's recommendations.

11          COMMISSION CHAIR DUDLEY: Okay, and can I have a

12 motion on that?

13          COMMISSIONER DELAROSA: DelaRosa.

14          COMMISSIONER WALLACE: Wallace. Second.

15          COMMISSION CHAIR DUDLEY: All in favor?

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

17          COMMISSION CHAIR DUDLEY: Opposed?

18          *(No response)*

19          COMMISSION CHAIR DUDLEY: Abstain?

20          *(No response)*

21          COMMISSION CHAIR DUDLEY: And that motion passes.

22          Next, we have Item I is a request to contract for

23 principled policing training and mentoring program.

24          Would any member like a staff report on this item?

25          *(No response)*

**POST Commission Meeting, October 27, 2016**

1 COMMISSION CHAIR DUDLEY: Did the Advisory Committee  
2 have any comments or discussion on this?

3 ADVISORY COMMITTEE CHAIR BLANCO: We did have  
4 discussion. We had a presentation as to where this  
5 training stands and how it's moving forward. But I  
6 believe you guys were going to receive a presentation  
7 about it here at this meeting. And it was an update for  
8 us, just to make sure that we're still moving ahead and  
9 getting this process done.

10 COMMISSION CHAIR DUDLEY: Would anyone like a  
11 presentation on this matter?

12 *(No response)*

13 COMMISSION CHAIR DUDLEY: Would anyone like to make  
14 a motion?

15 COMMISSIONER HUTCHENS: Hutchens.

16 COMMISSIONER LONG: Second. Long.

17 COMMISSION CHAIR DUDLEY: All in favor?

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

19 MS. PAOLI: I'm sorry, roll-call.

20 COMMISSIONER BUI: Excuse me. It's roll-call vote.

21 COMMISSION CHAIR DUDLEY: It's a roll-call. I  
22 appreciate that. Thank you.

23 Sorry, it's a roll-call.

24 Ms. Paoli?

25 MS. PAOLI: Braziel?

**POST Commission Meeting, October 27, 2016**

1           *(No response)*

2           MS. PAOLI:   Bui?

3           COMMISSIONER BUI:   Yes.

4           MS. PAOLI:   Chaplin?

5           *(No response)*

6           MS. PAOLI:   DelaRosa?

7           COMMISSIONER DELAROSA:   Yes.

8           MS. PAOLI:   Doyle?

9           COMMISSIONER DOYLE:   Yes.

10          MS. PAOLI:   Dudley?

11          COMMISSION CHAIR DUDLEY:   Aye.

12          MS. PAOLI:   Hutchens?

13          COMMISSIONER HUTCHENS:   Yes.

14          MS. PAOLI:   Kurylowicz?

15          COMMISSIONER KURYLOWICZ:   Yes.

16          MS. PAOLI:   Leichliter?

17          COMMISSIONER LEICHLITER:   Yes.

18          MS. PAOLI:   Long?

19          COMMISSIONER LONG:   Aye.

20          MS. PAOLI:   McDonnell?

21          COMMISSIONER McDONNELL:   Yes.

22          MS. PAOLI:   Moore?

23          COMMISSIONER MOORE:   Yes.

24          MS. PAOLI:   Ramirez?

25          COMMISSIONER RAMIREZ:   Yes.

**POST Commission Meeting, October 27, 2016**

1 MS. PAOLI: Smith?

2 COMMISSIONER SMITH: Yes.

3 MS. PAOLI: Wallace?

4 COMMISSIONER WALLACE: Yes.

5 COMMISSION CHAIR DUDLEY: And it passes. Thank you.

6 Okay, now, committee reports.

7 Advisory Committee.

8 ADVISORY COMMITTEE CHAIR BLANCO: I believe we've  
9 given everything -- you kind of checked along the  
10 process. We just want to thank you for that, as far as  
11 including us.

12 And one of the things we discussed with the  
13 Committee is reminding the Advisory Committee that we  
14 are the stakeholders for the Commission. And, you know,  
15 anytime we get any information, it's important for us to  
16 take it back to our members, to get their input; and then  
17 discuss it and bring it to you guys, because we are that  
18 body that represents the stakeholders for you.

19 So thank you.

20 COMMISSION CHAIR DUDLEY: And thank you, Mr. Blanco.

21 Motion to approve?

22 COMMISSIONER LEICHLITER: Motion. Leichliter.

23 COMMISSIONER KURYLOWICZ: Second. Kurylowicz.

24 MS. PAOLI: I'm sorry, who was the motion?

25 COMMISSION CHAIR DUDLEY: The motion to accept the

**POST Commission Meeting, October 27, 2016**

1       Advisory Committee chair, Mr. Marcelo Blanco's, report.

2               So who made the motion?

3               COMMISSIONER LEICHLITER: I did. Leichliter.

4               COMMISSION CHAIR DUDLEY: Okay, thank you.

5               And second?

6               MEMBER KURYLOWICZ: Kurylowicz.

7               COMMISSION CHAIR DUDLEY: All in favor?

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

9               COMMISSION CHAIR DUDLEY: Opposed?

10              *(No response)*

11              COMMISSION CHAIR DUDLEY: Abstain?

12              *(No response)*

13              COMMISSION CHAIR DUDLEY: And that motion passes.

14              Okay, now, we have the chair of the Strategic Plan

15              and Organizational Development Committee. Commissioner

16              Jethroe Moore will report on the committee meeting held

17              today.

18              SPOD COMMITTEE CHAIR MOORE: Yes, the Committee

19              heard a report from POST staff on the progress of the

20              2015 Strategic Plan. This was the first annual update.

21              If you'd like any more, on the PASS completed or

22              computer-based testing or course-certification review

23              team, I'd like for Jan to come up, if possible.

24              If there are any questions, I'd like them to be

25              asked of her.

**POST Commission Meeting, October 27, 2016**

1           COMMISSION CHAIR DUDLEY: Previously, Jan made a  
2 report on the Strategic Plan. And I think that  
3 Commissioner Moore is asking if there are any follow-up  
4 questions on the Strategic Plan update.

5           *(No response)*

6           COMMISSION CHAIR DUDLEY: Thank you, Commissioner  
7 Moore.

8           SPOD COMMITTEE CHAIR MOORE: Thank you.

9           Also, during the meeting, there was a motion to the  
10 full commission to disband the Strategic Plan and  
11 Organizational subcommittee, and add an emerging-trends  
12 issue portion in the beginning of the full commission  
13 meeting.

14           So there's a recommendation that we'd like to bring  
15 forward.

16           COMMISSION CHAIR DUDLEY: Okay, and so you so move?

17           COMMISSIONER MOORE: So moved.

18           COMMISSION CHAIR DUDLEY: Is there a second?

19           COMMISSIONER BUI: Bui will second that.

20           COMMISSION CHAIR DUDLEY: All in favor?

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

22           COMMISSION CHAIR DUDLEY: Opposed?

23           *(No response)*

24           COMMISSION CHAIR DUDLEY: Abstain?

25           *(No response)*

**POST Commission Meeting, October 27, 2016**

1 COMMISSION CHAIR DUDLEY: And that motion passes.

2 Thank you.

3 K, is the chair of the Strategic Plan -- I'm sorry,  
4 we did that already?

5 Now, correspondence.

6 From POST to Shelley Zimmerman, Chief of San Diego  
7 Police Department, expressing sympathy over the tragic  
8 on-duty death of Officer Jonathan DeGuzman.

9 From -- Edward Bonner, Sheriff, Placer County  
10 Sheriff's Department, expressing his wishes and prayers  
11 for the recovery of Deputy Austin Harper.

12 From -- Jim McDonnell, Sheriff, Los Angeles County  
13 Sheriff's Department, expressing sympathy over the tragic  
14 on-duty death of Sergeant Steve Owen.

15 Bryan Reyes, Chief of Palm Springs Police  
16 Department, expressing sympathy over the tragic on-duty  
17 death of Officers José Vega and Lesley Zerebny.

18 From -- Mike Poindexter, Sheriff of Modoc County  
19 Sheriff's Department, expressing sympathy over the tragic  
20 on-duty death of Deputy Jack Hopkins.

21 And again, from -- Jim McDonnell, Sheriff,  
22 Los Angeles County Sheriff's Department, expressing  
23 sympathy over the tragic on-duty death of Sergeant  
24 Alfonso Lopez.

25 To POST from -- there were no letters received for

**POST Commission Meeting, October 27, 2016**

1 the Commission since the meeting June 2016.

2 As to old business, there are no new items submitted  
3 for old business.

4 As to new business, we now have the opportunity to  
5 elect a new vice chair.

6 Do we have any nominations?

7 COMMISSIONER RAMIREZ: Rick Braziel.

8 COMMISSIONER MAN MOORE: Perfect. He's not here.

9 COMMISSIONER LONG: Yes, Rick Braziel.

10 COMMISSION CHAIR DUDLEY: I heard you both speak  
11 over each other. I'm hoping it was the same name.

12 COMMISSIONER RAMIREZ: Rick Braziel.

13 COMMISSIONER MOORE: Second.

14 COMMISSIONER WALLACE: I'll second.

15 COMMISSION CHAIR DUDLEY: All in favor?

16 *(No response)*

17 COMMISSION CHAIR DUDLEY: They actually did it  
18 simultaneously.

19 COMMISSIONER MOORE: Yes, we did it simultaneously.

20 COMMISSION CHAIR DUDLEY: But, yes, first and  
21 second.

22 Any opposition?

23 *(No response)*

24 COMMISSION CHAIR DUDLEY: Anybody who wants to  
25 abstain?

**POST Commission Meeting, October 27, 2016**

1           *(No response)*

2           COMMISSION CHAIR DUDLEY: Okay, welcome,  
3 Commissioner Braziel.

4           COMMISSIONER MOORE: It worked perfectly.

5           COMMISSIONER BRAZIEL: Great plan.

6           COMMISSIONER BUI: Don't leave the room.

7           COMMISSION CHAIR DUDLEY: Okay, the floor is now  
8 open for additional discussion.

9           *(No response)*

10          COMMISSION CHAIR DUDLEY: Okay, and then I will  
11 read -- yes, new business?

12          Yes, please, Commissioner Moore.

13          COMMISSIONER MOORE: Yes. I want to thank you for  
14 this opportunity to speak to you this afternoon.

15          I come before you not to lecture you, not to berate  
16 you, but to implore you to initiate real and lasting  
17 changes in the operation of the police across the state  
18 of California.

19          "Those who cannot remember the past are condemned  
20 to repeat it." It is critical that all of us in police  
21 and community leadership know the history of police  
22 misconduct in this country and how it has been addressed  
23 in order for us to move forward.

24          I'm reading from James B. Comey, Director of the  
25 Federal Bureau of Investigations, in a Georgetown

1 University statement.

2 He said, "Let me start with sharing some of my own  
3 truths. First, all of us in law enforcement must be  
4 honest enough to acknowledge that much of our history  
5 is not pretty. At many points in American history, law  
6 enforcement enforced the status quo, a status quo that  
7 was often brutally unfair to disfavored groups. It was  
8 unfair to the Healy siblings and to countless others like  
9 them."

10 And it then goes on, saying, Terrence M. Cunningham,  
11 President of International Association of Chiefs of  
12 Police and the Wellesley, Massachusetts, Police, he  
13 offered an apology for historic mistreatment of  
14 minorities by police. This is the time when I've had the  
15 opportunity to sit on both sides of the table with both  
16 community members and police departments, and both have  
17 lost lives, and these lives have been tragically hurt in  
18 our communities.

19 For some of us, we must face the history as  
20 Kaepernick was in my neighborhood. And this history says  
21 in 1900, it tells of a popular song that says, "Every  
22 Race has a Flag except the Coon." That's the history of  
23 what this nation stood for.

24 Colin Powell was not wrong nor bad, but is similar  
25 to the call by Frederick Douglass, he said that on the

**POST Commission Meeting, October 27, 2016**

1 Fourth of July, "celebrations merely are a thin veil to  
2 cover up crimes which would disgrace a nation of savages.

3 The shouts for liberty and equality were a hollow  
4 mockery. The parades, the hymns, the rituals were a  
5 bombastic fraud, deceptions, impiety and hypocrisy, the  
6 rituals were merely bombastic frauds. What is it to the  
7 slave of this Fourth of July?" It goes on to say, "These  
8 are some of the issues that are facing our communities.  
9 These are some of the things that we, as police, or  
10 people in leadership, we have to face the history of this  
11 country and this nation."

12 I want to go on to cite the fact that the "Red  
13 Summer" refers to a summer in 1919 which was marked by  
14 hundreds of deaths and higher casualties across the  
15 United States as race riots occurred.

16 It was also familiar with the Black Wall Street, the  
17 race riots of 1921, in which race massacred hundreds of  
18 Black residents.

19 "*Strange Fruit*" is a song sung by Billie Holiday  
20 that talked about the death of Black people every day in  
21 the south, that were often enforced and were under the  
22 auspices of police. And that is what some of the  
23 struggle is about.

24 The Zoot Suit Riots were a series of racial attacks  
25 in 1943 in Los Angeles, in which police departments

**POST Commission Meeting, October 27, 2016**

1 loaded up servicemen and took them to the local  
2 communities to fight with the communities of color.

3 Alabama policemen assaulted peaceful demonstrators  
4 on Edmund Pettus Bridge, which is called "Bloody Sunday."

5 What we have to know is what this history is talking  
6 about and what the young people are screaming about. We  
7 must hear the cry and face the changes.

8 I have asked that this Commission do some things  
9 that might be a little different and outside the realm.  
10 I've asked that on some occasion in the near future,  
11 that it invite the local communities that are here in  
12 Sacramento -- for example, those communities who feel  
13 left out, who feel that they're not part of the whole  
14 process -- that we invite them to a commission meeting,  
15 and bring them so that when Kaepernick or someone makes  
16 the statement that policing is no more than what  
17 cosmetology training -- or is less training than  
18 cosmetology, that they must see this side. They must  
19 be invited out to come to these meetings so they can  
20 understand the training and efforts that go into it.

21 If not, we have a community that will not understand  
22 and continue not to buy into what changes are coming.  
23 Because if we do not reach a hand out across from us  
24 to them, it will never be known.

25 Yes, today is a hard day for me. You know, I have

**POST Commission Meeting, October 27, 2016**

1       been to Cincinnati, and I picked up the chains that  
2       slaves were held in. So when I sit here, there's a  
3       burden that has to be -- that is placed on me by my  
4       community to speak up for those communities that do feel  
5       disfranchised and left out.

6               As Chief McDonnell said here, how are we going to  
7       reach these communities, how are we going to get these  
8       people, unless we start reaching out and do some things  
9       differently from what we've done for years.

10              I'm the only person -- well, I'm the only Black guy  
11       sitting here, with not half the experience of no one in  
12       this room. I had to go before the Santa Clara Police  
13       Department and tell them that, well, maybe you don't  
14       agree with Kaepernick. First off, my father was a YNC,  
15       a non-commissioned officer in the Navy who served in the  
16       Cuban missile crisis, as well as the Vietnam War. My  
17       father-in-law is a serviceman who served in the Vietnam  
18       war. My nephew is a major in the Army who served in  
19       Afghanistan and Iraq. So my family has served this  
20       country very well. So we understand some of the meanings  
21       and some of the perceptions of it.

22              I am a young Black male who has traveled the  
23       continent of the United States. I've spent time in  
24       Birmingham. And I always remember, when I see those  
25       letters "KKK" scratched up on the wall, that my father

**POST Commission Meeting, October 27, 2016**

1 taught me, in order to defend me, that it meant "Kool  
2 Kololed Kid." So I came up trying to understand why were  
3 these things put up in front of me, why were these things  
4 put out there.

5 There was a history that this country, the original  
6 sin of this country, that we all must face -- and it's  
7 a hard thing for our departments to do. So I'm asking  
8 again for POST to reach out, as I talked with Manny and  
9 Stephanie, about inviting some of the communities to the  
10 meeting, to show them what POST is.

11 I'm asking for you who are in leadership in your  
12 local communities to reach out to those who you do not  
13 get along with, and we have to bridge this gap. Not  
14 only for the safety of our community, but the safety  
15 and understanding of your officers, we must bring this  
16 rhetoric down, we must begin to have more dialogue for  
17 more people.

18 I do not want to have to visit another member of  
19 my community. I do not want to have to sit in another  
20 Michael Johnson, who we lost an officer in San José.  
21 I've seen the hurt. And we have to do some hard  
22 conversations. And there is going to have to be some  
23 direct changes. And those of us who are sitting on  
24 this side of the table, behind the badge, and have an  
25 organized structure, or have more of the opportunity

**POST Commission Meeting, October 27, 2016**

1 or the ability to control those underneath them, then  
2 I have, Mr. McDonnell, and those in the community. And  
3 as I spoke with you, I told you, I'd try often to reach  
4 across, and oftentimes, it's not respected because I'm  
5 sitting here with you. But I still try to fight for  
6 those.

7 So I ask this commission again to take time in the  
8 near future to invite those communities in Santa Clara  
9 County -- I mean, in Sacramento County, and maybe when  
10 we go down in February, to invite those communities to  
11 a POST meeting, and for them to start seeing is the only  
12 way we're going to change the rhetoric of this land  
13 today.

14 Thank you.

15 COMMISSION CHAIR DUDLEY: Thank you for your very  
16 thoughtful and clearly heartfelt comments. I appreciate  
17 all the time and energy it took to put those comments  
18 together, and to deliver them here this afternoon.

19 As to inviting community members, as you well know,  
20 these meetings are open to the public, and there is also  
21 an opportunity at the beginning of every meeting for  
22 public comment. But I understand your thoughts, that  
23 that might not be enough. And the actual invitation to  
24 POST, I've spoken with Manny, as I know you have, too;  
25 and he wants to invite the communities to come here to

**POST Commission Meeting, October 27, 2016**

1 POST, to spend time with them, to walk them around, to  
2 have them meet the extraordinary staff that we have here  
3 at POST. So we'll continue to move in that direction.

4 And again, thank you.

5 We have a couple of changes coming up to our  
6 upcoming Commission meetings. Because of the motion you  
7 passed at the old Leg. Committee, new Strategic Plans  
8 Committee, we are not going to be having those meetings  
9 anymore; but, rather, we'll be expanding the Commission  
10 meetings in terms of time. So we'll likely start a  
11 little bit earlier. I think we discussed maybe 9:30.  
12 I'm concerned about those of you that fly in the morning  
13 of.

14 So, Commissioner Hutchens, Smith, would it be  
15 possible for you to start earlier? Is there anybody else  
16 that does not want to start at 9:30? Or is there anybody  
17 that doesn't want to start at 9:30?

18 *(No response)*

19 COMMISSION CHAIR DUDLEY: Okay, I think what we'll  
20 do then is start at 9:30. We won't have the 8:30  
21 meeting. We'll start at 9:30; and we'll plan on going to  
22 about 12:30 or so.

23 The thought was that we would bring in box lunches.  
24 And if we ended up going past that, nobody would have to  
25 be hungry. There would be a box lunch behind you, and

**POST Commission Meeting, October 27, 2016**

1 you could grab it and sit at the table and eat it. If we  
2 ended up ending sooner, you could take the box lunch home  
3 with you. If you didn't want it, you can give it to a  
4 POST staff member.

5 *(Laughter)*

6 COMMISSION CHAIR DUDLEY: So does that all sound  
7 okay with everybody?

8 *(No response)*

9 COMMISSION CHAIR DUDLEY: Now comes maybe the  
10 hardest decision of the day. There were two schools on  
11 the box lunch. One school was Subway, at about \$6.60  
12 each, which would mean \$20 per year for lunch. The  
13 second school was, "Oh, shouldn't we have farm-to-table  
14 fabulous lunches in a box?" I won't tell you who  
15 generated any of these ideas. But the farm-to-table  
16 would be \$15 per lunch, which would be \$45 per year. The  
17 Subway would be \$20.

18 Now, you're all looking like you're going to have a  
19 vote, are we going to have thoughts?

20 So the question is, I guess, raise your hand if you  
21 are okay with the Subway and prefer the \$20 a year as  
22 compared to the \$45.

23 COMMISSIONER SMITH: Is there an opt-out provision?

24 COMMISSION CHAIR DUDLEY: Is there an opt-out?  
25 Absolutely. There's always an opt-out provision.

**POST Commission Meeting, October 27, 2016**

1 COMMISSIONER SMITH: Oh, good. I'll just opt-out.

2 COMMISSION CHAIR DUDLEY: So on the Subway?

3 *(Show of hands)*

4 COMMISSION CHAIR DUDLEY: We have 4 Subway.

5 On the farm-to-table, exotic lunch?

6 *(Show of hands)*

7 COMMISSION CHAIR DUDLEY: I'm going to say, there's  
8 something about your county and my county.

9 COMMISSIONER DOYLE: Yes. I mean, what's up?

10 COMMISSION CHAIR DUDLEY: Okay, apparently Subway it  
11 is, and always an opt-out.

12 And if you could bring \$20 to the February meeting,  
13 that will cover you for the year.

14 Now, we are going to break --

15 COMMISSIONER DOYLE: I would be willing to subsidize  
16 the other people if it's about money.

17 COMMISSION CHAIR DUDLEY: Okay, so more good news.

18 The closed session will only take two minutes. But  
19 we are going to break into closed session, so we don't  
20 need to take a break in addition to that. We'll just go  
21 into closed session with the commissioners.

22 Everybody but commissioners, and then that will take  
23 two minutes, and then our meeting will end.

24 *(The Commission met in closed executive*  
25 *session from 12:07 p.m. to 12:09 p.m.)*



**REPORTER'S CERTIFICATE**

I hereby certify:

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

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

In witness whereof, I have hereunto set my hand on November 15<sup>th</sup>, 2016.

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