

STATE OF CALIFORNIA  
COMMISSION ON  
PEACE OFFICER STANDARDS AND TRAINING  
  
POST COMMISSION  
ADVISORY COMMITTEE MEETING



TIME: 1:00 p.m.

DATE: Wednesday, October 26, 2016

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



REPORTER'S TRANSCRIPT OF PROCEEDINGS



Reported by:

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A P P E A R A N C E S

POST ADVISORY COMMITTEE MEMBERS PRESENT

MARCELO A. BLANCO  
*(Advisory Committee Chair)*  
Peace Officers' Research Association of California

RANDALL WALTZ  
*(Advisory Committee Vice Chair)*  
California Association of Police Training Officers

ELMO BANNING  
Public Member

ARTIN BARON  
California Coalition of Law Enforcement Associations

GEORGE BEITEY  
California Community Colleges

ALEX BERNARD  
Public Member

JAMES BOCK  
California Specialized Law Enforcement

ED BONNER  
California State Sheriffs' Association

LANNY BROWN  
California Academy Directors' Association

MARK BRUNET  
California Highway Patrol

GREG GARNER  
California Police Chiefs Association

ALAN McFADON  
Public Safety Dispatcher Advisory Council

SANDRA SPAGNOLI  
California Peace Officers' Association

A P P E A R A N C E S

POST ADVISORY COMMITTEE MEMBERS PRESENT

*continued*

BRADLEY YOUNG  
California Association of Administration  
of Justice Educators



COMMISSION ON POST  
COMMISSIONERS PRESENT

RICK BRAZIEL  
Educator  
Humboldt State University

JOYCE DUDLEY  
Santa Barbara District Attorney  
Santa Barbara County

PETER KURYLOWICZ, JR.  
Deputy Sheriff  
Riverside County Sheriff's Department

GEOFF LONG  
Public Member

JETHROE MOORE II  
Public Member  
*(Chair, Legislative Review Committee)*

BATINE RAMIREZ  
Deputy Sheriff  
Placer County Sheriff's Department



POST STAFF PRESENT  
*(participating staff)*

MANUEL ALVAREZ, JR.  
Executive Director  
Executive Office

A P P E A R A N C E S

POST STAFF PRESENT

*(participating staff)*  
*continued*

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

MARIA BOUVIA  
Executive Assistant  
Executive Office

RALPH BROWN  
Legislative Liaison  
Executive Office

DAVID CHENG  
Analyst  
Training Program Service Bureau

JANNA MUNK  
Senior Consultant  
Training Program Services

BOB ZIGLAR  
Bureau Chief  
Training Program Services



ALSO PRESENT

GLEN GLASER  
Sergeant  
Drug Evaluation Classification Program  
California Highway Patrol



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**POST Advisory Committee Meeting, October 26, 2016**

1                   **Wednesday, October 26, 2016, 1:03 p.m.**

2                   **West Sacramento, California**



4                   COMMITTEE CHAIR BLANCO: Let's go ahead and call  
5 this meeting order.

6                   Welcome.

7                   If you could please stand for the pledge salute.

8                   Put your hand over your heart. Ready. Begin.

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

10                  COMMITTEE CHAIR BLANCO: If we can remain standing  
11 for a moment of silence for our fallen officers. This  
12 has been a very tragic period for us.

13                  We have: Officer Jonathan DeGuzman from the San  
14 Diego Police Department, Sergeant Steven Owen from the  
15 Los Angeles County Sheriff's Department, Officer Jose  
16 Gilbert Vega from the Palm Springs Police Department,  
17 Officer Lesley Zerebny from the Palm Springs Police  
18 Department, Deputy Jack Hopkins from the Modoc County  
19 Sheriff's Department, Sergeant Alfonso "Al" Lopez from  
20 the Los Angeles County Sheriff's Department.

21                  *(Moment of silence.)*

22                  COMMITTEE CHAIR BLANCO: Thank you.

23                  Can we get a roll-call vote, please -- or actually a  
24 roll call of the Committee members.

25                  MS. BOUVIA: Banning?

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1 MEMBER BANNING: Here.

2 MS. BOUVIA: Baron?

3 MEMBER BARON: Here.

4 MS. BOUVIA: Beitey?

5 *(No response)*

6 MS. BOUVIA: Bernard?

7 MEMBER BERNARD: Here.

8 MS. BOUVIA: Blanco?

9 COMMITTEE CHAIR BLANCO: Here.

10 MS. BOUVIA: Bock?

11 MEMBER BOCK: Here.

12 MS. BOUVIA: Bonner?

13 MEMBER BONNER: Here?

14 MS. BOUVIA: Brown?

15 MEMBER BROWN: Here.

16 MS. BOUVIA: Brunet?

17 MEMBER BRUNET: Here.

18 MS. BOUVIA: Garner?

19 MEMBER GARNER: Here.

20 MS. BOUVIA: McFadon?

21 MEMBER McFADON: Here.

22 MS. BOUVIA: Spagnoli?

23 MEMBER SPAGNOLI: Here.

24 MS. BOUVIA: Waltz?

25 COMMITTEE VICE CHAIR WALTZ: Here.

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1 MS. BOUVIA: Young?

2 MEMBER YOUNG: Here.

3 COMMITTEE CHAIR BLANCO: Thank you.

4 And I will introduce our vice chair, Randy Waltz;  
5 Executive Director of POST, Manny Alvarez; Assistant  
6 Executive Director, Jan Bullard.

7 Just as a reminder to the committee, if you make a  
8 motion, please make sure that you state your name for the  
9 record prior to making that motion.

10 Now, I would entertain a motion for approval of the  
11 action summary and minutes from the previous committee  
12 meeting.

13 MEMBER BERNARD: So moved. Bernard.

14 MEMBER BONNER: Bonner. Second.

15 COMMITTEE CHAIR BLANCO: Any discussion?

16 *(No response)*

17 COMMITTEE CHAIR BLANCO: Hearing none, all those in  
18 favor?

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

20 COMMITTEE CHAIR BLANCO: Any opposed?

21 *(No response)*

22 COMMITTEE CHAIR BLANCO: Any abstentions?

23 *(No response)*

24 COMMITTEE CHAIR BLANCO: Motion carries.

25 And do we have any correspondence or announcements?

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1 MS. BULLARD: Yes, Mr. Chairman, Members of the  
2 Committee, your correspondence is located under Tab L.

3 And it has been a horrible period of time.

4 The letters include:

5 A letter sent from Interim Executive Director  
6 Scofield to Chief Shelley Zimmerman, San Diego Police  
7 Department, expressing our sympathy over the tragic  
8 on-duty death of Officer Jonathan Guzman.

9 A letter sent from Interim Executive Director  
10 Scofield to Sheriff Edward Bonner, Placer County  
11 Sheriff's Department, expressing our wishes and prayer  
12 for a speedy recovery for Deputy Austin Harper.

13 A letter sent from Executive Director Alvarez to  
14 Sheriff James McDonnell of Los Angeles Sheriff's  
15 Department, expressing sympathy over the tragic on-duty  
16 death of Sergeant Steven Owen.

17 A letter was sent from Executive Director Alvarez to  
18 Chief Bryan Reyes of the Palm Springs Police Department,  
19 expressing sympathy over the tragic on-duty deaths of  
20 Officer Joe Gilbert Vega and Officer Lesley Zerebny.

21 A letter sent from Executive Director Alvarez to  
22 Sheriff Michael Poindexter, Modoc County Sheriff's  
23 Department, expressing sympathy over the tragic on-duty  
24 death of Deputy Jack Hopkins.

25 And a letter was sent from Executive Director

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1 Alvarez to Sheriff James McDonnell, Los Angeles Sheriff's  
2 Department, expressing sympathy over the tragic on-duty  
3 death of Sergeant Alfonso "Al" Lopez.

4 COMMITTEE CHAIR BLANCO: Thank you.

5 And I actually forgot to do introductions of the  
6 individual committee members.

7 So if we can go ahead and do that, starting with  
8 Mr. Young.

9 MEMBER YOUNG: I'm Brad Young with the California  
10 Association of Administration of Justice Educators.

11 THE REPORTER: Dan Feldhaus, the hearing reporter.

12 MEMBER SPAGNOLI: Sandra Spagnoli, representing  
13 California Peace Officers' Association.

14 MEMBER McFADON: Alan McFadon with the POST Dispatch  
15 Advisory Council.

16 MEMBER GARNER: Greg Garner representing California  
17 Police Chiefs Association.

18 MEMBER BRUNET: Mark Brunet representing the Highway  
19 Patrol.

20 MEMBER BROWN: Lanny Brown representing California  
21 Academy Directors' Association.

22 MEMBER BONNER: Ed Bonner representing California  
23 State Sheriffs'.

24 MEMBER BOCK: Jim Bock, Specialized Law Enforcement.

25 MEMBER BERNARD: Alex Bernard, public member.

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1 MEMBER BANNING: Elmo Banning, public member.

2 MEMBER BARON: Artin Baron, California Coalition of  
3 Law Enforcement Association, CCLEA.

4 COMMITTEE CHAIR BLANCO: And if we have any  
5 commissioners in the audience, if you could please  
6 introduce yourself.

7 COMMISSIONER DUDLEY: Joyce Dudley, District  
8 Attorney, Santa Barbara County.

9 COMMISSIONER MOORE: Jethroe Moore, community  
10 member.

11 COMMISSIONER KURYLOWICZ: Pete Kurylowicz.

12 COMMISSIONER LONG: Geoff Long, public member.

13 COMMISSIONER BRAZIEL: Rick Braziel, public member.

14 COMMISSIONER RAMIREZ: Batine Ramirez.

15 COMMITTEE CHAIR BLANCO: Thank you.

16 Okay, so let's review the Commission meeting agenda.

17 MS. BULLARD: You have before you the Commission  
18 agenda for tomorrow. I know you've had a chance to  
19 review this and select items for presentation. Staff  
20 has also selected some items that they felt would be of  
21 particular importance.

22 We will start with our consent calendar. And  
23 Items B.6 and B.7, I'm going to present at the same time,  
24 as they are intermixed.

25 This is the report on the update of the 2015

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1 Strategic Plan and the Organizational Study.

2 At the June 2015 meeting, Commission reviewed and  
3 approved the agenda item that accepted the 2015 Strategic  
4 Plan and the implementation document. It directed staff  
5 to indicate a nexus of future items, tied to the goals  
6 and objectives of the Strategic Plan. And it requested  
7 that staff prepare and present a progress report on an  
8 annual basis, starting in October of 2016.

9 So this is actually our first annual progress report  
10 for the work done on the Strategic Plan.

11 And I know you've had a chance to review the agenda  
12 item, and you've seen all of staff's efforts; but I would  
13 like to take an opportunity to highlight some of our  
14 accomplishments.

15 We've completed a systemwide implementation of the  
16 PASS, which is the external and internal log-in to our  
17 EDI, our Learning Portal, our training certificates, and  
18 our certificates.

19 We've made significant progress in the  
20 implementation of computer-based testing and our scoring  
21 tool.

22 We've completed the Procedural Justice Web site;  
23 and working with DOJ, we have completed the procedural  
24 justice train-the-trainer course, and an eight-hour  
25 in-service course for all law-enforcement personnel. And

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1 you'll see that there's Item I, which is on the regular  
2 agenda, which is going to be requesting funds to enter  
3 into contract in order to present those courses  
4 statewide.

5 We're also completing a "*Did You Know*" video on  
6 procedural justice. And this is going to be used  
7 actually in the course itself, and also streamed online  
8 on our main Web page, as well as on our procedural  
9 justice Web page.

10 I think of more importance to all of you is, we have  
11 established a course-certification team. And we are  
12 beginning the review of our entire course-certification  
13 process. And we are going to make it simpler. We are  
14 going to make it faster and easier for all of our  
15 presenters who are trying to get course certification.

16 The members will include representatives from CPCA,  
17 CSSA, CPOA, PORAC, CDAA. We're also going to include  
18 training managers and other presenters. And they are  
19 going to look at revamping all aspects of this process,  
20 including our EDI functionality, how do we have  
21 presenters develop their packet for submission. And we  
22 are going to standardize our review and our approval  
23 process.

24 We're also going to be working very closely with  
25 CADA to specifically focus on issues with the submission

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1 and the approval of our regular basic courses.

2 It's all going to get better. That is our promise  
3 to you.

4 We've had two plan area meetings internally; and we  
5 are going to hold our first meeting in January of 2017  
6 with our outside subject-matter experts. And between  
7 now and then, what we want to do is develop a survey  
8 instrument that will be sent to all of our EDI users who  
9 have certification access. And we'll ask them to  
10 identify their specific concerns and their specific  
11 issues that they have with the current system. And that  
12 information can be compiled and will be available to the  
13 working group when they come together in January.

14 Finally, we have started the process for our  
15 organizational study, which segues us into B.7. And as  
16 you recall, at the June meeting, the Commission did  
17 approve the Executive Director to enter into a new  
18 subcontract to pursue an outside vendor who would work  
19 with our POST staff in order to complete an  
20 organizational study. It was at the direction of the  
21 Commission for staff to work with Commissioner Braziel  
22 in order to finalize the process, and the exact wording  
23 that we would be using on what's called our request for  
24 purchase, which is an RFP, which is part of the  
25 competitive bid process for the state.

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1           And we have met with Commissioner Braziel, and he  
2           has approved our process and our wording; and we are now  
3           working with the Department of General Services in order  
4           to complete that document and to get through our  
5           competitive-bid process. And we are really hoping that  
6           this takes only four to five months, which would be very  
7           quick by our state standards, because we would like to  
8           start holding the first of our focus groups sometime  
9           around February or March of 2017.

10           So are there any questions regarding either any of  
11           the items that I have spoken about or any items that are  
12           in the agenda that we did not highlight?

13           MEMBER BANNING: Jan, I have a question.

14           Who is the facilitator for the certification  
15           committee or process?

16           MS. BULLARD: It will be co-facilitated with Joe  
17           Sampson, who is of our staff from Management Counseling;  
18           and it will be co-facilitated with whoever our vendor is  
19           when we've completed the facilitation process. And we  
20           don't know who that is yet.

21           MEMBER BANNING: Okay. Thank you.

22           MS. BULLARD: Are there any other questions?

23           *(No response)*

24           MS. BULLARD: Okay, our next item is B.8, which is  
25           the report on the status of planning for the potential

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1 passage of Proposition 64, which is legalization of  
2 recreational marijuana.

3 And what we're going to do is, I'm going to have  
4 Ralph Brown come up and he is going to give you a quick  
5 overview of what POST has been doing and planning for  
6 this potential passage. And then we are going to follow  
7 it up with a presentation by Mark Brunet who is going to  
8 report on CHP's efforts.

9 So Ralph Brown will start us off.

10 RALPH BROWN: Good afternoon, Mr. Chair and Members  
11 of the Committee.

12 This is kind of an informational report on the  
13 Commission staff preparation for the potential passage of  
14 Proposition 64.

15 We don't know if it's going to pass; but we have  
16 learned from networking with our partners that it would  
17 be wise and prudent for us to be prepared if it does  
18 pass. So that is the driver of this discussion.

19 In 1996, California voters passed Proposition 215,  
20 entitled "The Medical Use of Marijuana Initiative," that  
21 exempts patients and defined caregivers who possess or  
22 cultivate marijuana for medical treatment, of California  
23 law. And California at that time has become one of  
24 14 states that allows medical marijuana.

25 I should note that federal law does not recognize

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1 medical marijuana, and that it still is a Schedule I  
2 drug. Therefore, it's illegal to possess or to grow for  
3 personal or medical use.

4 There is a document out there called the "Cole  
5 Memo," dated August of 2013, which, in essence, states  
6 that the Department of Justice will not be pursuing any  
7 kind of enforcement action on marijuana violations, and  
8 it's going to allow the states to do that locally.

9 Proposition 64 is titled, "The Control, Regulate,  
10 Tax Adult Use of Marijuana Act." And it's on the  
11 November ballot. And if it's passed by the voters, it  
12 will extend to the decriminalization of medical  
13 marijuana, into the recreational use for those persons  
14 21 years of age and older.

15 As directed in the previous Commission meeting, POST  
16 staff has begun to review Proposition 64, identify any  
17 training and hiring gaps, and meet with our partners to  
18 collaborate on training opportunities to comply with the  
19 potential passage of this bill.

20 If Proposition 64 fails at the ballot box, then  
21 we'll put all the research back into a binder, in a box;  
22 and we'll put it away until the next election cycle.

23 Conversely, if Prop. 64 does pass, then we're ahead  
24 of the game. We're already prepared. We've got  
25 information in the pipeline, and we'd be moving forward

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1 and not get caught flatfooted.

2 So here's what we've accomplished thus far:

3 We've started the development of a Prop. 64 resource  
4 Web page that will be available to the field, similar to  
5 what we've done with mental-health training for LD 37 and  
6 the like.

7 Started an informational bulletin to provide  
8 guidance to the field. And hopefully, we'll have that in  
9 the pipeline, ready to go on November the 9<sup>th</sup> or 10<sup>th</sup>.

10 Held a stakeholder meeting with invitations to CHP,  
11 CPOA, Cal Chiefs', Cal Sheriffs', Cal DAs' Association,  
12 PORAC, to discuss plans moving forward, to make sure  
13 we're all on the same page as far as what we think the  
14 needs of the field are going to be.

15 Established a Prop. 64 internal working team to  
16 coordinate our internal efforts, so that all eight  
17 bureaus are on the same page, interacting with each  
18 other, so we're not duplicating our efforts.

19 The Basic Training Bureau held a workshop in Anaheim  
20 to meet with narcotics experts from around the state to  
21 review the aspects of Prop. 64 and how they apply to the  
22 academy curricula. And we pulled all that information  
23 together. Now, that's going to be compiled in this  
24 information as well.

25 Coordinate a Learning Technology Resources Bureau

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1 to develop a training DVD.

2 Coordinate with the Training Program Services to  
3 develop a course for the field.

4 Plan a Prop. 64 POST symposium in Northern and  
5 Southern California, so we can get a feel from the field  
6 as far as impacts and issues go, what do we anticipate,  
7 what do you guys see on the active level.

8 And then Dave Cornejo is going to be working with  
9 the Department of Finance on fiscal issues that are going  
10 to come to surface as a result of this.

11 Some of the identified concerns that we have so far  
12 with the passage of Prop. 64:

13 With a recent Ninth Circuit Court ruling, persons  
14 using marijuana, or any Schedule I drug, cannot legally  
15 possess a firearm. So the question is going to be, do  
16 any of us have anybody who has a medical marijuana card  
17 that's on board, that's working? That could be  
18 problematic. And so that's something that's going to  
19 have to be discussed on a local level. But certainly,  
20 it's an issue, nonetheless.

21 How will local agencies deal with personal use  
22 before and after January 2017, relating to background  
23 investigations? So you're looking to hiring somebody.  
24 What if they used in December, and now it's  
25 decriminalized in January? So those are internal

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1 conversations, again, you're going to have to have.

2 Based on factual experiences with Colorado POST,  
3 California POST should consider a narcotics course that  
4 deals directly with the abatement of home-grow  
5 operations. And that's going to be spoken to later on  
6 with CHP, about the dangers of such things as booby  
7 traps, chemicals, and marijuana exposures.

8 I got a phone call, as the PIO, recently from an  
9 entity who wanted to know what the standards are going to  
10 be for respirators for medical marijuana grows, for law  
11 enforcement going in.

12 Who would have thought that?

13 How large illegal grow operations are going to be  
14 disposed of. Large plant operations, in some of the  
15 houses that were found in Colorado, are going to take  
16 truckloads. And where are we going to keep this? How is  
17 it going to be maintained? How are you going to process  
18 that evidence, et cetera?

19 And then how the coordination is going to work  
20 between DAs and law enforcement and their individual  
21 jurisdictions? Because it could vary.

22 That's all I've got at this point.

23 Does anybody have any questions?

24 *(No response)*

25 RALPH BROWN: It's a big deal. Big deal.

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1           With that, I'll go ahead and turn it over to Chief  
2 Brunet and his staff, and they're going to do a  
3 presentation.

4           Thank you.

5           MEMBER BRUNET: Thank you, Ralph.

6           I'm going to have Glen Glaser, a sergeant from our  
7 DRE Unit, kind of lead us through a presentation.

8           What enlightened me of this was, we had a discussion  
9 a few months ago, realizing the impact it could have on  
10 Highway Patrol operations. And I didn't realize the  
11 budget issues and the impact, and kind of where all the  
12 money was going to go. So the discussion was, really,  
13 what's the impact to law enforcement as a whole, what's  
14 the impact to the CHP in regards to ARIDE, DRE, staffing,  
15 et cetera, et cetera.

16           So I thought we'd have Glen do a presentation,  
17 similar to what we did for our top management, so I think  
18 it would be informative.

19           When you see the numbers, you will be surprised. He  
20 did a lot of analysis from Colorado and from Washington.  
21 And what is anticipated, the impact to the state, is very  
22 large.

23           So, Glen?

24           MR. GLASER: Thank you for having me, and allowing  
25 me to present.

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1           The PowerPoint I'm going to show is going to have  
2           some figures from Washington, Colorado, and deals with  
3           the impacts that they're seeing with the recreational  
4           marijuana in their states.

5           The first number we're seeing on the screen is the  
6           amount of marijuana sold in the state of Colorado in  
7           2015.

8           What we know as of recently -- in August of this  
9           year I was in Denver for the DRE conference. We know  
10          this number is going to be 1.4 billion, is what they're  
11          expecting for Colorado. Now, you see they only have  
12          5.4 million people in the state of Colorado.

13          Here's some numbers from the state of Washington.

14          This is the amount of money they're selling per day  
15          in marijuana: \$3.4 million to \$3.6 million per day.

16          And it's a cash business. And Washington has  
17          seven million people. So when we translate that to  
18          California, when we have 37 million people in the state  
19          of California, using Colorado's and Washington's numbers,  
20          Prop. 64 is going to be anywhere from \$5 billion to  
21          \$8 billion in revenue -- or, actually, marijuana sales  
22          the first year it's hitting.

23          Talking to a lot of what they call "budtenders" in  
24          those states, they're in line to wait to move to  
25          California in January, when we recreationalize marijuana.

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1 Kind of an overview of what Prop. 64 is. Ralph  
2 covered it. It talks about the regulation, what the  
3 Marijuana Act is going to do: Regulate cultivation,  
4 distribution, and sales.

5 How they're going to do it, they're going to place a  
6 15 percent tax on marijuana and all the products sold in  
7 California. And that includes the cultivation tax of  
8 \$9.25 for a marijuana flower and \$2.75 per dry ounce.

9 The biggest question: Who is going to get the money  
10 in California? Right off the top, 4 percent is going to  
11 go to the Board of Equalization, so they can be the tax  
12 collectors, to make sure people are paying their fair  
13 share.

14 All the other agencies you see down there, there's  
15 really no set cost. The definition was put in there as  
16 "reasonable costs incurred by those agencies." So your  
17 guess is as good as mine as to what an agency is going to  
18 say what is reasonable for them.

19 There are some defined benefits in Prop. 64.

20 \$10 million going to universities within California,  
21 to research the effects of Prop. 64 and what that's going  
22 to have in California.

23 \$3 million annually to the California Highway  
24 Patrol for the first five years to study and come up  
25 with basically SFSTs, like we have for alcohol, for

1 drug-impaired drivers.

2 \$10 million is going to go off the top to the  
3 Governor's Office of Economic Development; and another  
4 \$2 million to the San Diego Cannabis Research Center.  
5 They're currently starting up a study on cannabis-  
6 impaired driving and SFSTs and cognitive impairment. And  
7 San Diego's schedules start in mid-November.

8 After all the initial money is deposited -- or taken  
9 from the fund, this is what's going to be left over of  
10 60 percent of the leftover cost is going to go to youth  
11 prevention, intervention, and treatment; 20 percent is  
12 going to go to the environmental restoration. That's  
13 the part of this proposition, saying they're going to  
14 eliminate outdoor grows and restore the environment.  
15 And what affects us is the 20 percent that goes in for  
16 state and local law enforcement.

17 When you read the Prop. 64 ballot, they're saying  
18 a lot of big things. It's going to prohibit the  
19 consumption of marijuana in public places. Well, when  
20 I was in Denver just in August, it is rampant. You walk  
21 down the street and people are smoking marijuana  
22 everywhere. You walk into the dispensaries, like I did,  
23 and there's people walking in, buying marijuana, and  
24 walking out and smoking it and getting right in their car  
25 and driving away.

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1 I thought this one was kind of funny: They're going  
2 to prohibit cultivation of marijuana on public lands.  
3 And if anybody's been to Humboldt County, good luck with  
4 that one.

5 And they'll tax it in a way that drives the illicit  
6 market out for marijuana. Well, if you talk to  
7 Washington, Colorado, and Oregon, 50 percent of that,  
8 their marijuana sales are still on the black market. So  
9 you take that \$1.4 billion of sales in Colorado, that's  
10 only 50 percent of the marijuana actually being sold in  
11 Colorado.

12 They are correct, it's going to generate hundreds of  
13 millions of dollars for California. I don't believe what  
14 they're saying is true when they say they're going to  
15 prevent the illegal production and distribution. Again,  
16 the black market is thriving in Colorado. As a matter of  
17 fact, you actually have dispensaries calling the police  
18 because they're getting pushed around by cartels.

19 And it's going to allow -- this is a huge one for  
20 employers. It's actually been upheld as recently as a  
21 few months ago in Colorado. It's going to allow public  
22 and private employers to maintain their workplace  
23 policies. That went all the way up to the Colorado  
24 Supreme Court with a Comcast employee; and they upheld  
25 that portion of their proposition in Colorado.

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1           What's not getting talked about is the amount of  
2 money that's being spent by the states. For every dollar  
3 they're receiving in tax revenue, they are spending \$6 to  
4 \$9 in services. So those services are for the police,  
5 the fire, the emergency rooms, and the social services.

6           Colorado, specifically, their commercialization and  
7 legalization of marijuana, it just continues to climb:  
8 The drivers testing positive, who are being stopped.  
9 You can see, in the little yellow arrow, that's when they  
10 commercialized marijuana, two thousand -- the green arrow  
11 is where they legalized marijuana or recreationalized  
12 marijuana, and it continues to climb.

13           A big one: Fatalities, traffic fatalities in the  
14 states continue to go up. And these are just the data in  
15 its infancy. They really had nothing in place before  
16 these propositions were put into effect to track the data  
17 the way they are currently now.

18           Colorado State Patrol, this is their numbers. Since  
19 the recreationalized marijuana has hit: 77 percent of  
20 their DUIs now involve marijuana, and 41 percent of them  
21 are just marijuana only. People are getting away from  
22 alcohol. One of the big things is the devices they're  
23 putting on their cars. You no longer -- they can get  
24 around an IED. Because if you're smoking marijuana, they  
25 can blow into a machine and start their car right up.

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1           The economic development, these are all NHTSA stats.  
2           In California, we had 882 DUI deaths in California.  
3           NHTSA estimates that costs California \$1.2 billion.  
4           They estimate each fatality is \$1.3 million. Now, that's  
5           everything from responses of police, emergency personnel,  
6           insurance settlements, property damage. And the cost of  
7           just an average DUI is just over \$10,000.

8           Some of the studies -- or the articles that have  
9           been written since the implementation: You see in the  
10          state of Washington, drivers who recently used marijuana  
11          doubled, the fatal crashes. And that's straight out of  
12          the research. And what they're finding now is,  
13          Washington implemented a 5-nanogram per se level.  
14          There's been a lot of argument going back and forth on  
15          per se levels when it comes to drugs. But the science  
16          doesn't back it up. And we'll talk about that a little  
17          bit later.

18          You see Utah, even though they don't have  
19          recreational marijuana, they are a bordering state, so  
20          their crashes have gone up over 300 percent in three  
21          years, since Colorado was recreationalized.

22          They say they're going to keep it away from kids.  
23          Well, this stat kind of shoots that one down. Colorado  
24          went from fourteenth to third in the nation when they  
25          recreationalized marijuana.

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1           This is where all the economic factors come in. The  
2   34 percent increase in expulsions for school students  
3   that were drug-related. That's a lot of things that are  
4   going under the radar when it comes to students and  
5   keeping marijuana away from youths.

6           The 29 percent increase in the emergency-room visits  
7   and the 38 percent increase in hospitalizations, that's  
8   where the economic factor is hitting the states. These  
9   people are using marijuana. They're using very  
10  high-potency marijuana, unlike what we've seen 30 years  
11  ago; and they're ending up in hospitals, and it's not  
12  getting talked about.

13          So how is this going to affect California? We  
14  talked about the Highway Patrol receiving \$3 million to  
15  come up with DUI protocols, and working with -- we're in  
16  conjunction with UC San Diego to study SFSTs, and even  
17  things such as iPads and tablets -- cognitive impairment,  
18  when it comes to DUI. So we'll be receiving funding  
19  starting in 2018 for that.

20          There's also two other functioning sources that  
21  come to the Highway Patrol. This is kind of a big  
22  number, when you say it's -- in red, beginning 2022,  
23  2023, our department is going to receive no less than  
24  \$10 million to continue the existing programs. And  
25  that's all the DUI enforcement, DRE programs that we are

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1 currently the state coordinator for: ARIDE, SFST, DITEP.

2 In addition to that \$10 million, there's going to  
3 be \$40 million given to our department to dole out for  
4 grants for agencies to do DUI enforcement, to do DUI  
5 education prevention. And that's all going to be -- that  
6 all has a minimum funding. That cannot be touched by the  
7 Legislature until 2028.

8 So you can see, there was visions of lots of money  
9 coming in, and it's true.

10 These were some of the things that Colorado -- that  
11 kind of stuck with me when I was in Denver. The people  
12 from Colorado told us in California, you know, "Smart  
13 people learn from their mistakes. Wise people learn from  
14 others." And they tell us to learn from their mistakes,  
15 because there's a lot of things they didn't get put into  
16 place. One of the big things was, the training for law  
17 enforcement when it came to DUID and marijuana-impaired  
18 driving.

19 So the other mistake they talked about is the  
20 5-nanogram rule. Colorado passed a 5-nanogram implied  
21 inference, which is basically a jury instruction when it  
22 comes to impaired driving. It's an attorney telling  
23 you: If you think they're impaired, it's your decision.  
24 Unlike California, where we have the .08, you're presumed  
25 to be impaired like alcohol, it's a jury instruction now.

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1           What that did in Colorado is now they're having  
2 challenges to their .08 alcohol, because they're using  
3 the same cases for the implied inference, and translating  
4 that to alcohol. So now they're losing a lot of their  
5 .08 convictions for alcohol.

6           Washington, on the other hand, passed a 5-nanogram  
7 per se level. So if you're over 5 nanograms, you're  
8 considered to be impaired. However, what they're  
9 learning now is -- I can talk about Orange County.  
10 Orange County did -- you could call it a study, where  
11 they actually had DREs of cannabis-only impaired drivers.  
12 And if they would have used the 5-nanogram level, over  
13 60 percent of those drivers who were considered impaired  
14 would not have been prosecuted.

15           So the science really isn't backing up the  
16 5-nanogram level. Unlike alcohol, THC is fat-soluble.  
17 So unless your officer is drawing blood at the window,  
18 or at the time of the stop, you're not getting true  
19 impairment. It's going to the brain. It's going in the  
20 fatty tissues. And so when your good draw happens an  
21 hour, an hour and a half later, and sometimes longer with  
22 the new case laws of having to get warrants, you're  
23 getting low nanogram levels in the blood that aren't  
24 consistent with what the officer saw at the scene an hour  
25 and a half or two hours ago. So that's a big problem

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1 we're going to see in California.

2 The biggest thing we can do to prepare is, we're  
3 encouraging agencies to use the State Highway Safety  
4 Plan model, which is to have a hundred percent of their  
5 people SFST-trained in the standardized field sobriety  
6 tests and have 50 percent of their staff trained in  
7 ARIDE. 10 percent of that even going further to be DREs.  
8 If you look at this, the way it was explained to me, SFST  
9 being your high-school diploma, ARIDE being your college  
10 degree, and DRE being your doctorate degree. Because we  
11 want a lot of experts out there.

12 So from the CHP point of view, we've been mandated  
13 by December 2017 all of our rank-and-file will be going  
14 through ARIDE training. So we're trying to get ahead of  
15 the curve, and I think we'll get there.

16 What can we do? I know there's been several  
17 discussions and meetings I've been at. We're encouraging  
18 SFST curriculum to be part of POST academies. Currently,  
19 there's not many POST academies where officers come out  
20 SFST-certified to a NHTSA standard. The NHTSA standard  
21 is either a 16-hour or a 24-hour curriculum.

22 When they come out of a non-certified -- or  
23 non-training academy that doesn't have the full  
24 curriculum, they have to go to that NHTSA curriculum  
25 before they can take ARIDE and DRE. So putting it on the

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1 front end cuts time off the back end.

2 We also want to encourage ARIDE -- we're encouraging  
3 that to be put into the field training programs. So when  
4 our people come off training, we want them to be ARIDE.  
5 They want to see the seven drug categories and know what  
6 they're seeing there.

7 What we also need to do is, we -- the three legs of  
8 the stool is the way it's been described to me -- is we  
9 need not only have police on board, but we need  
10 prosecutors and DAs, as well as the crime labs. Because  
11 if the crime labs don't have the technology and the  
12 machines to test for drug-impaired drivers and the  
13 prosecutors don't have the comfort to prosecute impaired  
14 drivers, we don't have a successful DUID case. And so  
15 officers naturally get frustrated. They feel like it's  
16 a waste of their time, like they're seeing in Colorado.  
17 A lot of their state patrol are just writing tickets for  
18 public consumption, and not arresting for DUI because  
19 they can prove the \$375 ticket that the person was  
20 smoking, but they don't want to take the chance in front  
21 of a jury of trying to get a conviction for impaired  
22 driving.

23 A little bit about California. Being the state  
24 coordinator for our state, we have the biggest DRE  
25 Program, or the DEC Program, in the world. We have more

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1 DREs than anywhere else in the world. We train more than  
2 everybody else in the United States annually. We train  
3 about 400 people annually a year. Currently, we have  
4 just over 1700 DREs.

5 Here's our numbers as of June of 2016 compared to  
6 last year. So we're moving in the right direction;  
7 however, we need more. DAs like DREs on the stands, to  
8 have their expertise.

9 Just our last grant cycle, that ran from October of  
10 2015 to August of 2016, these are the number of classes  
11 we put on. You can see the number of people who went  
12 through SFSTs class, who went through ARIDE and DRE  
13 schools. We ran just over 261 POST-certified schools in  
14 that 11-month period.

15 So the training is out there. It's free to every  
16 agency, and we encourage every agency to participate.

17 And lastly, that's a shot of our Web site that  
18 anybody can go to, to get any class throughout the state,  
19 whether it's DRE, ARIDE, DITEP, and SFST. And we'd  
20 encourage people to visit that and get ahead of the curve  
21 because DUID is coming with the passage of Prop. 64.

22 And with that, are there any questions?

23 MEMBER SPAGNOLI: I had a question on the training.

24 MR. GLASER: Yes.

25 MEMBER SPAGNOLI: Sandra Spagnoli.

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1 Do you have to do -- is there a prequal for the  
2 course? So do you have to do the basic before you go  
3 into the higher-level courses?

4 MR. GLASER: Correct, yes. It's a NHTSA  
5 requirement. And to attend ARIDE school, they want you  
6 to be SFST-certified; and to attend DRE school, you have  
7 to have SFST/ARIDE prior to.

8 MEMBER SPAGNOLI: Do you do it all on one period,  
9 back-to-back?

10 MR. GLASER: No. Most of the time, the people will  
11 attend SFST, and then they will go back out in the field.  
12 And they'll come back, they'll get the taste, and they'll  
13 want more. They want to know more about drug impairment,  
14 so they'll come to ARIDE.

15 We do do a five-day class where we run SFST and  
16 ARIDE concurrent. But it's hard to get patrol people  
17 off, out of the field for five consecutive days.

18 MEMBER BANNING: Sergeant, are you guys working with  
19 the California Narcotics Officers Association at all?

20 MR. GLASER: We do, yes. As a matter of fact, in  
21 two weeks we'll be down there. We do an annual recert  
22 training with them. And, as a matter of fact, several of  
23 the instructors for CNOA are DRE instructors; and they  
24 encourage people to get into the DRE program and, at  
25 minimum, ARIDE programs.

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1 MEMBER BANNING: You are running that before the  
2 conference; is that correct?

3 MR. GLASER: Correct.

4 And it's completely free of charge. Everything we  
5 do is free of charge for any agency to attend.

6 MEMBER BANNING: Perfect. Great, thank you.

7 MR. GLASER: You're welcome.

8 MS. BULLARD: Any other questions?

9 *(No response)*

10 MS. BULLARD: Thank you so much.

11 MR. GLASER: Thank you.

12 MS. BULLARD: Mark, thank you for making this  
13 available to us.

14 MEMBER BRUNET: You're welcome.

15 MS. BULLARD: And before we move on, I need to make  
16 a correction because, yes, Jan Bullard made a mistake.

17 I answered your question, thinking you were saying  
18 the organizational study.

19 The certificate -- the course-certificate program  
20 will be run by Janna Munk, who is in Training Program  
21 Services. And Janna is right there -- if she could wave  
22 her hand.

23 MEMBER BANNING: Okay.

24 MS. BULLARD: And I think she's awesome, and she is  
25 going to do a tremendous job with this.

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1 MEMBER BANNING: And that is -- okay, just to get  
2 this right, so if somebody needs to get a class  
3 certified, she is going to be heading that group? Is  
4 that what we're talking about?

5 MS. BULLARD: She's going to be heading the group  
6 that is going to review and redo the course-certification  
7 process. You're still going to be working through your  
8 area rep to get your courses certified. What this group  
9 is going to do is revamp that whole process to make it  
10 easier. And as that gets in place, as we start making  
11 progress through there, then you'll still be going  
12 through your regional consultant, it will just be an  
13 easier, better, faster process.

14 MEMBER BANNING: And maybe this is way out of the  
15 scope of this committee meeting, but are they going to  
16 look at budgetary concerns? Is that going to be part of  
17 it as well?

18 MS. BULLARD: We're already looking at the 1054  
19 regulation regarding budgets.

20 MEMBER BANNING: Right.

21 MS. BULLARD: All those will be a component. We  
22 have the 1054 budget.

23 MEMBER BANNING: Right.

24 MS. BULLARD: We also are going to be looking at the  
25 student safety guidelines. And if we provide a template,

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1 that makes it easier, it makes it consistent for agencies  
2 so they're not guessing as much. So all of those are  
3 going to be parallel tracks that will be happening; and  
4 they'll all come together into this whole, entire  
5 process.

6 We're also looking at the EDI functionality. There  
7 are things that our process -- that our computer can do  
8 in order to make this easier. Can we transport  
9 information? All these things are what we have to look  
10 at in order to make the entire process a lot easier.

11 MEMBER BANNING: Okay, and that will all be  
12 incorporated in the PAM then; right?

13 MS. BULLARD: Yes, because eventually, everything  
14 will require a PAM regulation update.

15 MEMBER BANNING: Okay.

16 MS. BULLARD: And we'll come to the Commission for  
17 regulation changes.

18 MEMBER BANNING: Perfect.

19 Thank you, thank you, thank you.

20 MS. BULLARD: You are welcome, welcome, welcome.

21 Are there requests for any other items on the  
22 consent calendar?

23 *(No response)*

24 MS. BULLARD: Then we'll be moving on to the regular  
25 agenda.

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1           And I'm going to be reporting on Item F, which is a  
2 report to request to amend POST Regulation 1005(d)(4).

3           COMMITTEE CHAIR BLANCO: Just a sec, Jan. Can we  
4 back up for just a second?

5           Can we get the Procedural Justice Program?

6           MS. BULLARD: That's going to be on -- that's on the  
7 agenda.

8           COMMITTEE CHAIR BLANCO: On that one?

9           MS. BULLARD? Yes.

10          COMMITTEE CHAIR BLANCO: Perfect. My bad.

11          MS. BULLARD: No, I'll put it right after that.

12          COMMITTEE CHAIR BLANCO: Thank you.

13          MS. BULLARD: Okay, just for the record, now we have  
14 both made a mistake. We are good to go. We are good  
15 now.

16          MEMBER BONNER: That's why you're sitting there,  
17 too.

18          MS. BULLARD: I like to have an effect on people,  
19 but...

20          COMMITTEE CHAIR BLANCO: Okay. We're going to get  
21 Randy down, so we're all a trifecta.

22          He knows better. He sits there quietly.

23          COMMITTEE VICE CHAIR WALTZ: Go, Cubs.

24          MS. BULLARD: You'll be next.

25          So this is a report on the request to amend POST

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1 Regulation 1005(d)(4), which is pertaining to the  
2 training requirement for PSP-qualified instructors.

3 And I would like to thank all of you that submitted  
4 your responses to my survey because it certainly helped  
5 us to develop the information for this agenda item.

6 This agenda item was created in response to  
7 direction from the Commission to review that regulation  
8 as it pertains to current training requirements for  
9 PSP-certified instructors.

10 And a little history on this: That it was in  
11 January of 2000 that the Commission approved and we  
12 enacted the perishable skills program, which basically  
13 stated that officers that are below the middle rank, that  
14 are assigned to traffic or patrol or regularly make  
15 arrest, will have to complete perishable skills training  
16 every two years, in driving, firearms, and arrest and  
17 control.

18 At that meeting, the Commission opted to also add  
19 tactical and interpersonal skills communication; and it  
20 was passed.

21 At that time, the perishable skills instructors were  
22 not exempt. And currently, they have to attend a course  
23 as a student in the topic that they're qualified to teach  
24 every two years in order to receive their CPT/PSP  
25 credits. And the reasoning behind this was that

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1 instructors may spend the majority of their time  
2 observing and correcting students and may not always work  
3 through or perform all of their skills. They could  
4 inadvertently be teaching a technique inaccurately and  
5 that would be something that could be caught if they were  
6 performing for another instructor or taking a class.

7 And also, if the instructor was involved in some  
8 type of an incident either in the class or when they were  
9 out on duty, there could be a potential liability for an  
10 agency if they could not produce any kind of validation  
11 that they have either updated their instructor training  
12 or that their instructor's skills had not been evaluated  
13 by showing their competencies to another instructor. And  
14 we also know that there is an advantage for instructors  
15 to attend other courses because they pick up facilitation  
16 skills or any updated information that may occur.

17 So in response to the Commission's direction, staff  
18 conducted a survey of the Advisory Committee. We also  
19 asked for the Consortium Advisory Council, the Instructor  
20 Standards Advisory Committee, and posted it on our  
21 training network in order to solicit responses from our  
22 training managers.

23 A majority of all the responses -- which included  
24 CPCA and 12 of the 19 sheriffs who responded -- were in  
25 favor of amending this regulation to exempt perishable

1 skills instructors from having to attend training in the  
2 topic area that they are qualified to teach in. Now,  
3 this is as long as they have taught a class within the  
4 same two-year CPT cycle. Because we would not want an  
5 instructor who hadn't taught in six or seven years  
6 saying, "I'm still an instructor, so I'm still exempt."

7 Those who were not in favor of a complete exemption  
8 supported that the instructors minimally should have to  
9 validate their competency of their skills by  
10 demonstrating them to another instructor. This does not  
11 have to be in a classroom setting. And it could be done  
12 with one of your own instructors or, if you needed to or  
13 wanted to or your preference was to, an instructor from  
14 another agency.

15 So based on all of those results, we have created  
16 three options that we will be presenting to the  
17 Commission tomorrow for them to vote on:

18 Option 1 is not to amend and still require them to  
19 attend training.

20 Option 2 would be to amend in order to allow an  
21 exemption for perishable-skills instructors to attend  
22 courses. And the amended language proposal for that  
23 option is Attachment A to your item.

24 And the third option would be to require the  
25 instructors to minimally have to perform their skills to

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1 another instructor every two years. And, again, all of  
2 this is based on the fact that they are actively teaching  
3 a class within the two-year CPT cycle.

4 We've also left an option in both of those options,  
5 that the agency head may set a higher standard if they  
6 opted to do so.

7 So are there any questions regarding that item?

8 COMMITTEE CHAIR BLANCO: Okay, so as we move  
9 forward, I think what we need to do as an advisory  
10 committee, is come up with either a consensus or some  
11 type of direction for the Commission tomorrow, since we  
12 are the stakeholders for the Commission.

13 So at this point, how do we want to proceed? I will  
14 ask you guys; and you can either put it in the form of  
15 a motion or we can talk about it here, in general, to  
16 come up with a consensus. Do we want to support one  
17 specific recommendation, or get a majority vote on one  
18 recommendation, or something of that nature? So that  
19 tomorrow, as this item comes up for the Commission, then  
20 I can report from this committee how we feel they should  
21 proceed.

22 MEMBER BONNER: Bonner. What I would like to do is  
23 for those coalitions and stakeholders that opted for  
24 Option 3, I'd like to hear the pros of that.

25 The State Sheriffs vote as recorded were in favor of

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1 Option 2. And as we discussed this among ourselves, a  
2 lot of times, when we do perishable skills, you're not  
3 doing it by yourself; you are with other experts. And  
4 I think that that negates the concern that you might be  
5 teaching wrong techniques, et cetera.

6 But I would be curious -- again, with that being  
7 said -- that Option 2 is probably the preferred by the  
8 body I represent. But I'd be interested in Option 3, and  
9 why some of the stakeholders chose that over 2.

10 COMMITTEE CHAIR BLANCO: I know in Option 3, PORAC  
11 had looked at Option 3 from some of the folks that I  
12 surveyed. And I think part of the concept behind it,  
13 that I had heard, is because not always -- yes, it's  
14 taught by multiple instructors, but at times, each  
15 segment of it is taught by an individual instructor.  
16 So the feeling was that instructor should be able to  
17 display or demonstrate that they're able to do the  
18 specific activities involved, to another instructor. I  
19 think that's what most of the consensus was from our  
20 group.

21 MEMBER BONNER: In our agency, we do that also. All  
22 of our instructors are recertified every two years by an  
23 outside agency.

24 COMMITTEE CHAIR BLANCO: By an outside? Okay.

25 Any other thoughts from the group, or...?

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1 MEMBER GARNER: I'll just echo -- Greg Garner,  
2 CPCA -- echo the same thing, why CPCA chose Option 2 as  
3 well is basically the same thing that was just mentioned:  
4 Instructors are involved in actually doing the skill --  
5 demonstrating the skill when they're teaching, so we  
6 didn't see a need.

7 But as Ed pointed out, I'd be curious as to why  
8 there was questions about actually having to be observed  
9 by a third-party if you're actually demonstrating the  
10 skill as a part of the instruction.

11 MEMBER BONNER: Bonner again.

12 I see that as an ideal certainly. But I would, I  
13 guess, at this point, just make a motion on behalf of the  
14 Advisory board that we advance Option Number 2 to the  
15 board tomorrow.

16 I make a motion.

17 MEMBER GARNER: Garner. Second.

18 COMMITTEE CHAIR BLANCO: Okay, so we have a motion  
19 and a second.

20 Any further discussion on that motion?

21 COMMITTEE VICE CHAIR WALTZ: Randy Waltz from CAPTO.

22 Speaking for my agency, which is a fairly small  
23 agency of D.A. investigators, under 50 sworn, we do most  
24 of our perishable skills training in-house, and we have a  
25 limited number of instructors. And so having the

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1 instructors be a student in the course has been  
2 cumbersome on us, because some of our courses require a  
3 minimum number of instructors that pretty closely matches  
4 the number of instructors that we have.

5 So it's been a little bit difficult and we've been  
6 able to do it; but it would certainly be a lot more  
7 streamlined for us to be able to do it, as long as  
8 they're still presenting within the same two-year cycle.  
9 So I would agree with Option Number 2.

10 COMMITTEE CHAIR BLANCO: Any other discussion?

11 *(No response)*

12 COMMITTEE CHAIR BLANCO: Okay, and --

13 MEMBER BANNING: Banning, just on 3. Sorry.

14 Option Number 3, I mean, what was it going to look  
15 like? I mean, you've got a couple of guys -- or a couple  
16 of instructors in a room, and one says, "Okay, you did it  
17 well," and they sign off on it, and then they go to  
18 Starbucks?

19 MS. BULLARD: Yes, it would be pretty much that  
20 informal.

21 MEMBER BANNING: Is it any more complicated than  
22 that?

23 MS. BULLARD: It is no more complicated than that,  
24 that they could choose any environment that they chose  
25 to. It could be an informal setting, it could be during

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1 a class, that they go off and they demonstrate their  
2 skills. But the agency has to retain some type of  
3 documentation that the skills were performed and  
4 observed.

5 MEMBER BANNING: I like 2.

6 MS. BULLARD: Okay, and there you have it.

7 COMMITTEE CHAIR BLANCO: Any other discussion?

8 *(No response)*

9 COMMITTEE CHAIR BLANCO: Hearing none, all those in  
10 favor?

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

12 COMMITTEE CHAIR BLANCO: Any opposed?

13 *(No response)*

14 COMMITTEE CHAIR BLANCO: Any abstentions?

15 *(No response)*

16 COMMITTEE CHAIR BLANCO: Motion carries.

17 Thank you.

18 MS. BULLARD: Okay, we've had a request for a  
19 presentation on Item I, which is a report on the request  
20 to contract for principled policing training and  
21 mentoring program.

22 And I'll ask Bob Ziglar, Bureau Chief of TPS, to  
23 give a report on that item.

24 MR. ZIGLAR: Good afternoon, Mr. Chair and Committee  
25 Members.

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1           We've been working with the Attorney General's  
2 office for about the last six months to put together a  
3 couple of courses.

4           First, a two-day train-the-trainer course on  
5 principled policing based off of the course that they  
6 worked with Bob Stresak and a statewide committee for the  
7 chiefs that they had developed a couple -- about a year  
8 and a half ago. That course was presented, and then they  
9 came to us, and they said they'd like to have a course  
10 that would be presented toward the patrol level, which is  
11 what we've been working on.

12           We have done a couple things in that project.

13           First off, we worked together. We brought the two  
14 agencies that were involved and are currently teaching  
15 the program, Oakland and Stockton. They do the program  
16 a little different and that's okay, and the tenets of the  
17 course to promote that.

18           We brought the information together into an extended  
19 course -- course outlines for a two-day and also a  
20 one-day, melding the two styles of course.

21           Once we did that, we did a couple basically dress  
22 rehearsals.

23           Now, one of the things that we want to do is immerse  
24 this within our training here at POST. And we took that  
25 opportunity to present those courses here in this

1 classroom; and we brought in all of our groups -- the  
2 Regular Basic course, sergeants, supervisory.

3 Part of my program is the Institute of Criminal  
4 Investigation. We wanted to look at how that works with  
5 the investigators. And it's actually already being put  
6 into the core course and specific courses.

7 So during that time, we were able to bring the  
8 courses together. We used the opportunity to, again, do  
9 our show-and-tell, our dress rehearsals, in a way, so  
10 that we could bring POST staff in and our presenters in.

11 And then we presented two: One recently at the CHP  
12 Academy; and one again here, that was certified under the  
13 Attorney General's program.

14 Again, this has been done in conjunction. And the  
15 next step would be then for POST to develop a contract.  
16 And within the remaining time of the fiscal year, we  
17 would like to present eight two-day train-the-trainer  
18 courses, and also eight one-day courses that would work  
19 for probably smaller types of agencies.

20 The other thing that we've added to that is a  
21 12-hour block that would include mentoring. We think  
22 it's really important, because the way that this course  
23 is developed, the history in the six modules that are  
24 occurring, one of them is history. And it's a history of  
25 how people of color have been treated; but it can also be

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1 the area that you, your agency, is in, and whatever the  
2 predominant cultural groups are that are in that area.

3 So we felt that it was really important not just to  
4 give a train-the-trainer and then say, "Go ahead and do  
5 it," but we want to have support. And this 12 hours  
6 would be for one of our subject-matter experts, those  
7 people currently teaching the course, to be there for  
8 those chiefs and sheriffs who want to have somebody kind  
9 of guide them through the process of meeting with the  
10 community, identifying the types of process that you can  
11 go through to be successful in making that course  
12 tailor-made for your own community. So we've added that.

13 So that's what we're asking for at this time.  
14 Again, it's been a collaborative effort. The Attorney  
15 General's office has been with us throughout the process;  
16 and we have assisted them with developing the expanded  
17 course outlines, hourlies. We have a facilitation guide.  
18 All of that is going to be a part of what our trainees  
19 receive off of our Procedural Justice Web site that's on  
20 the POST -- the POST homepage.

21 So successful candidates from the course will be  
22 able to pull down the approved expanded course outline  
23 and hourly.

24 We'll also have the facilitation guide and have an  
25 ability to also access a link that brings them into

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1 Stanford, where we have an agreement currently for them  
2 to utilize their toolbox that they have for the implicit  
3 bias.

4 This is the first course that we know of anywhere in  
5 the country where you're doing procedural justice; and in  
6 addition to that, in an eight-hour day, incorporating the  
7 implicit bias in the course.

8 With that, are there any questions with what we're  
9 doing?

10 MEMBER GARNER: Actually, I have one. Garner.

11 MR. ZIGLAR: Sure.

12 MEMBER GARNER: While you were working in this  
13 process, can you give me some examples of which  
14 subject-matter experts were you using to help put this  
15 together? Who was around the table?

16 MR. ZIGLAR: We had a community member out of  
17 Oakland, California, who currently teaches in their  
18 course, Ben McBride, he was one.

19 We had -- and prior to my time, they had multiple  
20 members from throughout the United States. This came  
21 from Chicago. So our experts went to Chicago where they  
22 had the initial training. They came back -- primarily  
23 what would be the instructor staff that were at both  
24 Oakland and also at Stockton.

25 In addition to that, through Stanford, is

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1 Dr. Jennifer Eberhardt. She is an expert in the area of  
2 implicit bias; and that is who is assisting us with the  
3 tool-kit for that topic area.

4 MEMBER GARNER: Were there any other --

5 MR. ZIGLAR: So those would be the people that we  
6 were using primarily. I can't tell you exactly who the  
7 people they used during the year prior with the  
8 management course, because I wasn't involved at that  
9 time.

10 MEMBER GARNER: I'm just curious if there was anyone  
11 related to the Museum of Tolerance that was on that  
12 board.

13 MR. ZIGLAR: We have worked with the Museum of  
14 Tolerance extensively. And as a matter of fact, they  
15 have incorporated parts of procedural justice within  
16 their racial profiling course.

17 So, yes, we -- Charles Evans, who is the project  
18 manager for this, works with the Museum of Tolerance.  
19 And, yes, they have been one of the folks that would like  
20 to train for us.

21 MEMBER GARNER: Thank you.

22 MR. ZIGLAR: You're welcome.

23 MS. BULLARD: Thank you, Bob.

24 MR. ZIGLAR: Thank you.

25 MS. BULLARD: Is there a request for any other items

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1 on the regular agenda?

2 (No response)

3 MS. BULLARD: Then this concludes my review of the  
4 Commission agenda.

5 COMMITTEE CHAIR BLANCO: At this time, I'd like to  
6 entertain a motion to support the items on the regular  
7 agenda.

8 MEMBER BOCK: Moved. Bock.

9 MEMBER GARNER: Second. Garner.

10 COMMITTEE CHAIR BLANCO: Any further discussion?

11 (No response)

12 COMMITTEE CHAIR BLANCO: Hearing none, all those in  
13 favor?

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

15 COMMITTEE CHAIR BLANCO: Any opposed?

16 (No response)

17 COMMITTEE CHAIR BLANCO: Any abstentions?

18 (No response)

19 COMMITTEE CHAIR BLANCO: Motion carries.

20 Do you have a presentation?

21 MS. BULLARD: Yes, we have one very quick  
22 presentation for you; but I think you're going to be very  
23 impressed with it.

24 And to introduce it, I would like to introduce Janna  
25 Munk, senior law enforcement consultant, "Did You Know"

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1 for "Motors." And she worked very, very hard with this  
2 group; and some remarkable things came from it, which you  
3 heard about when we talked about the guidelines last  
4 meeting.

5 MS MUNK: Good afternoon. As Jan said, my name is  
6 Janna Munk; and I've been a law-enforcement consultant at  
7 POST for the last two years. One of my responsibilities  
8 is the Safe Driving Campaign; and one of my initial  
9 assignments was to complete the guidelines of the  
10 motorcycle trainers that started years ago.

11 Last time, you got an opportunity to take a look at  
12 the guidelines. They've been approved; and they are now  
13 up. And one of the things that I wanted to show you,  
14 that was also a result of the motor trainers coming  
15 together was, it was very important to them that  
16 law-enforcement agencies and motor officers have some  
17 resources, as well as guidelines. So we created a Web  
18 page on the POST Web site for them to refer to.

19 And on the Web page, as you can see, we have some  
20 quick links to the course catalog, Officer Down Memorial.

21 But one of the unique things about this Web page is  
22 the motor trainers really wanted to be available to  
23 answer questions about the guidelines or any other  
24 operating concerns. So if you went into the motorist  
25 advisory group, anybody wanting to talk to one of the

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1 trainers that developed it can e-mail them directly and  
2 have a conversation with them. So if you were to click  
3 on one of their names, it will bring up an e-mail.

4 Now, from the Web page, there's -- can you scroll  
5 down a little bit? -- there's some articles that are law  
6 enforcement motorcycle-related, some training resources.  
7 A couple of things on -- you don't have to go into each  
8 one -- and some information on uniforms and equipment.  
9 And anyone who goes to the Web page can actually directly  
10 download the guidelines from there.

11 Now, from 2005 to 2014, we had 11 law-enforcement  
12 officers killed in on-duty motorcycle collisions. During  
13 the same time period, we had 26 law-enforcement officers  
14 killed in vehicle collisions. The numbers seem pretty  
15 high when you consider the ratio of law-enforcement  
16 motorcycle officers to officers in a vehicle. So when we  
17 had the opportunity to do a "Did You Know" video, that  
18 was what we were focusing on, was the officers that had  
19 died.

20 Jan Bullard joined us with Digital OutPost at one of  
21 our motorcycle workshops, and we talked about what would  
22 be important in this video. And we were focusing on the  
23 LEOKA; but as the conversation evolved, we thought, you  
24 know, what's really important is, there's so many  
25 injuries that are debilitating or career-ending for these

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1 officers as well, so let's kind of take a look at that.

2 Trainers had an opportunity to talk about all the  
3 things they'd like to see in the video. And everyone but  
4 two -- the mother and the son -- in the video is a  
5 motorcycle officer, the actors. Orange County was kind  
6 enough to host us. They allowed us to get all of the  
7 filming done that we needed to.

8 And let's just go to the video, if we can, David.

9 (*"Did You Know" video presentation*  
10 *commenced:*

11 (*Scene: Motorcycle officers practicing on*  
12 *a training course with orange cones.*)

13 TRAINING OFFICER: You guys bring it on  
14 in.

15 While we're taking a break, let's talk  
16 about the importance of keeping our head in the  
17 game while we work...

18 (*Next scene: Motorcycle officer at home*  
19 *getting ready for work. He picks up folder and*  
20 *speaks to his son, who is sitting on couch*  
21 *playing video games.*)

22 OFFICER A: Did you fill out any of these  
23 job applications that I got for you?

24 OFFICER A'S SON: No.

25 OFFICER A: And when did you plan on doing

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1           that?

2                   OFFICER A'S SON: I will later.

3                   OFFICER A: I hope you don't think you're  
4 going to sit here all summer and play these  
5 stupid videos games. That's not going to  
6 happen.

7                   If you want to keep driving that car out  
8 there, you're going to have to figure out a way  
9 to put gas in it.

10                   Kind of hard to date on a skateboard.

11                   OFFICER A'S SON: I said, I'd do it.

12                   OFFICER A'S SPOUSE (to son): Your lunch  
13 is in the fridge. I'll be home around 6:00.

14                   OFFICER A (to son): Get yourself  
15 together.

16                   *(Next scene: Officer A and his spouse*  
17 *walk to the garage, and officer mounts his law*  
18 *enforcement motorcycle.)*

19                   OFFICER A'S SPOUSE: Mike, he's only been  
20 out of school a week.

21                   OFFICER A: If he doesn't start looking  
22 for a job, he's not going to get one. No job,  
23 no car. It's that simple.

24                   OFFICER A'S SPOUSE: Yes, I agree, but --

25                   OFFICER A: Look, he has to learn that

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1 every decision we make has consequences.

2 *(Officer A drives his motorcycle out of*  
3 *his garage and drives down the road quickly,*  
4 *and narrowly misses getting hit by a car*  
5 *backing out of a driveway.)*

6 *(Back to opening scene at motorcycle*  
7 *training)*

8 TRAINING OFFICER: So things going on in  
9 our personal lives can affect how we ride.

10 OFFICER 1: I mean, I'll admit that I've  
11 caught myself going too fast when I've been  
12 pissed off. But, I mean, you just miss things  
13 if you're not paying attention.

14 OFFICER 2: That's true.

15 OFFICER 3: What's true?

16 *(Next scene: Officer A speaking with*  
17 *another officer)*

18 OFFICER B: So I guess I'll see you at  
19 training tomorrow?

20 OFFICER A: No, you guys go ahead and play  
21 in those cones patterns. I took a vacation  
22 day. I'm going to the desert to do some real  
23 riding.

24 OFFICER B: Weren't you on vacation last  
25 training day?

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1           OFFICER A: I don't know, was I?

2           *(Back to opening scene at motorcycle*  
3           *training)*

4           TRAINING OFFICER: We have agreed it's  
5           important. Why do you think some guys don't  
6           like to train?

7           OFFICER 4: Because they think they're  
8           good enough already.

9           TRAINING OFFICER: Is that the only  
10          reason?

11          Isn't it embarrassing when you dump your  
12          bike in a cone pattern?

13          OFFICER 5: Hell, yeah, because then  
14          you've got to buy the beer.

15          TRAINING OFFICER: It's okay to kid with  
16          each other, but do we have a tendency to be  
17          unmerciful when someone screws up?

18          OFFICER 6: If you're going to screw up,  
19          you might as well screw up out here, not out on  
20          the street.

21          OFFICER 7: So someone might avoid  
22          training because they're not confident and they  
23          don't want to be embarrassed?

24          TRAINING OFFICER: It's something to think  
25          about.

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1                   *(Next scene: Funeral procession with*  
2                   *motorcycle officers. Officer A swerves in and*  
3                   *out of motorcycle procession.)*

4                   OFFICER 8: He almost ran me off the damn  
5                   road. I mean, here's my problem: How do you  
6                   tell a guy that's been riding ten years longer  
7                   than you that he's riding like an idiot?

8                   OFFICER 5: How about, "You're riding like  
9                   an idiot"?

10                  OFFICER 8: Gee, thanks. That helps.

11                  OFFICER 3: Aren't we responsible to go  
12                  out every day and correct the public's driving  
13                  behavior? Shouldn't we do the same to correct  
14                  our own? We need to speak up.

15                  TRAINING OFFICER: Absolutely. I'd rather  
16                  have someone pissed off at me than go to their  
17                  funeral.

18                  There's a lot of things that happen that  
19                  we have no control over. There's a lot of  
20                  things that happen that we do have control  
21                  over.

22                  We talk about WIN, "What's Important Now,"  
23                  what's important is riding safe and keeping  
24                  your head in the game. Every decision we make  
25                  has consequences.

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1                   *(New scene: Close-up shot of a motorcycle*  
2                   *wheel, as it drives down the road; then the*  
3                   *motorcycle wheel morphs into wheel of a*  
4                   *wheelchair. Son is assisting Officer A who is*  
5                   *silently sitting in the wheelchair.)*

6                   OFFICER A'S SON: Is there anything I can  
7                   get you, dad?

8                   OFFICER A: (Shaking head "No.")

9                   *(Officer A is wheelchair-bound and looking*  
10                  *at the blinds)*

11                  SCREENSHOT: What's important now?

12                  Prioritize.

13                  Evaluate.

14                  Focus.

15                  WWW.Below100.org

16                  *(End of video presentation.)*

17                  MS. MUNK: So you can see at the end, we give a  
18                  shout-out to Below 100. We don't have money to fund our  
19                  Safe Driving Campaign, so one of the things I've been  
20                  really working on is partnerships. What can we leverage  
21                  out there? They're doing really a good job, too, in safe  
22                  driving. Below 100 has been a great partner.

23                  Any questions?

24                  MEMBER McFADON: No, that's a good video.

25                  MEMBER BONNER: Very good.

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1 MS. BULLARD: Thank you so much, Janna.

2 COMMITTEE CHAIR BLANCO: Okay, we'll move to  
3 committee reports.

4 We can start with Mr. Baron.

5 MEMBER BARON: Nothing to report from CCLEA at the  
6 moment.

7 MEMBER BANNING: Public. I think it's been answered  
8 with the certificate deal. I get a lot of -- from a lot  
9 of different folks I got, that it seems like it's a bad  
10 hairdo. And the people are just -- every place you go,  
11 you get a different answer, and that was, they were  
12 getting kind of frustrated.

13 I commend that whole process. I'm going to talk to  
14 Janna about some things, too.

15 So just from the public standpoint, from the private  
16 presenters, too. Thank you.

17 MS. BULLARD: You're very welcome. Thank you.

18 MEMBER BERNARD: No report.

19 MEMBER BOCK: No report.

20 MEMBER BONNER: State Sheriffs met in Bakersfield.  
21 I don't know, no report.

22 MEMBER BROWN: Nothing from CADA.

23 MEMBER BRUNET: Nothing from CHP.

24 MEMBER GARNER: No, I don't want to slow us up.

25 MEMBER McFADON: Just quickly, from the Dispatch

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1 Advisory Committee, that I'm being replaced by Ms. Jamie  
2 Young. I was hoping she was here today for an  
3 introduction, but I don't see her.

4 So she comes to us from San Mateo County. She'll be  
5 here at the next meeting.

6 COMMITTEE CHAIR BLANCO: Excellent. Well, thank you  
7 for your service.

8 MEMBER SPAGNOLI: From CPOA, we're a partner in the  
9 Women Leaders in Law Enforcement Conference, with  
10 Cal Chiefs and CHP, which will be November 2<sup>nd</sup> through 4<sup>th</sup>  
11 in San Diego.

12 COMMITTEE CHAIR BLANCO: Thank you.

13 MEMBER YOUNG: From CAAJE, no report.

14 COMMITTEE VICE CHAIR WALTZ: From CAPTO, no report.

15 COMMITTEE CHAIR BLANCO: All right, we don't have  
16 anything from PORAC.

17 Any commissioner comments from the audience?

18 *(No response)*

19 COMMITTEE CHAIR BLANCO: Okay, it looks like no  
20 report from the commissioners.

21 Let's go into old business.

22 MS. BULLARD: Just a reminder: The *Excellence in*  
23 *Training* nomination period is going to end December 2<sup>nd</sup>,  
24 and then we will generate out another bulletin to the  
25 field in order to remind them. But you can also drum up

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1 some nominations for us. And we have some cards that are  
2 right here that we will certainly be able to give you,  
3 that gives all the information, also a link to how they  
4 can do the nominations. So please remember that.

5 COMMITTEE CHAIR BLANCO: No other old business?

6 MS. BULLARD: No other old business.

7 COMMITTEE CHAIR BLANCO: Okay, let's move into new  
8 business.

9 MS. BULLARD: So just a reminder, in February,  
10 that's the meeting that you will come a day early to,  
11 in order to look at the nominations and select your  
12 recommendation for the *Excellence in Training*. And that  
13 will be held on the 21<sup>st</sup> of February, at three o'clock;  
14 and we will be meeting at the Majestic Gardens Hotel in  
15 Anaheim. So that information will be coming out to you.

16 Your next meeting, the Commission approved that the  
17 Legislative Committee become the Strategic Plan and  
18 Organizational Development Committee. So they will be  
19 holding their first meeting tomorrow morning at 8:30.  
20 And that's in Training Room C, which is right down the  
21 hall here.

22 The Commission will follow immediately, at  
23 ten o'clock, in this building -- or meeting room.

24 And your next Advisory Meeting will be February 22,  
25 at one o'clock in Anaheim.

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1 COMMITTEE CHAIR BLANCO: Is that all the new  
2 business we have, Assistant Executive Director, Jan?

3 MS. BULLARD: That's all I have.

4 COMMITTEE CHAIR BLANCO: Okay, wonderful.

5 I have a little bit of new business. I know it's  
6 not on the agenda. But as most of you know, that  
7 Janice "Jan" Bullard is going to be retiring here very  
8 soon. So I would like to, on behalf of this committee,  
9 give you a heartfelt thank-you for your service.

10 And if I may read just a little brief bio of what  
11 Jan has done over the years.

12 She has 26 years in law enforcement. She began  
13 with the Glendora Police Department as their first female  
14 police officer. For three years, she was the first  
15 female assistant executive director for the Standards  
16 and Development Division here at POST. And a total of  
17 18 years of service to POST and the State of California.  
18 So she has done a tremendous job for all of us.

19 She's a lifesaver to me; because otherwise today,  
20 I wouldn't -- I don't know where the hell I'd be, trying  
21 to get this meeting through and do what we need to do.

22 So thank you very much, Jan, for everything.

23 MS. BULLARD: Thank you.

24 COMMITTEE CHAIR BLANCO: And we hope you have a  
25 wonderful retirement.

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1 I know, I've heard some of your plans already. So  
2 consulting is not part of it yet; but, you know, I'm sure  
3 it may come down the line.

4 So thank you very much for everything you have done  
5 for us.

6 MS. BULLARD: Thank you.

7 *(Applause)*

8 MS. BULLARD: And I want to thank all of you because  
9 the Advisory Committee, I consider you friends as well as  
10 colleagues. And I've tremendously enjoyed my time with  
11 you. And I am going to miss all of you very much. But  
12 if you're ever in Santa Barbara, look me up. There's  
13 wine to be consumed.

14 COMMITTEE CHAIR BLANCO: And if anybody has any  
15 other comments before we close, for Jan?

16 *(No response)*

17 COMMITTEE CHAIR BLANCO: No? Okay, you'll save  
18 those for later, I'm sure.

19 If we don't have any further business before the  
20 body, then we will be adjourned.

21 MS. BULLARD: Thank you.

22 COMMITTEE CHAIR BLANCO: We're done.

23 *(Gavel sounded.)*

24 *(The Advisory Committee meeting concluded*  
25 *at 2:15 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 16<sup>th</sup>, 2016.

---

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