STATE OF CALIFORNIA

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

POST COMMISSION

LEGISLATIVE REVIEW COMMITTEE MEETING

TIME: 8:30 a.m.

DATE: Thursday, June 23, 2016

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

REPORTER'S TRANSCRIPT OF PROCEEDINGS

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A P P E A R A N C E S

POST LEGISLATIVE REVIEW COMMITTEE MEMBERS PRESENT

JETHROE MOORE II
(Legislative Review Committee Chair)
Public Member

RICK BRAZIEL
Educator
Humboldt State University

LAI LAI BUI
Sergeant
Sacramento Police Department

ROBERT DOYLE
Sheriff
Marin County Sheriff's Office

JOYCE DUDLEY
Santa Barbara District Attorney
Santa Barbara County

LARRY J. WALLACE
for KAMALA HARRIS
Attorney General's Office

POST STAFF PRESENT
(participating staff)

STEPHANIE SCOFIELD
Interim Executive Director
Executive Office

RALPH BROWN
Legislative Consultant
Executive Office

MARIE BOUVIA
Executive Assistant
Executive Office

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Thursday, June 23, 2016, 8:32 a.m.

West Sacramento, California

COMMITTEE CHAIR MOORE: I call the Legislative meeting to order.

Marie, do you want to do roll call?

MS. BOUVIA: Okay.

Braziel?

COMMISSIONER BRAZIEL: Here.

MS. BOUVIA: Bui?

COMMISSIONER BUI: Here.

MS. BOUVIA: Doyle?

COMMISSIONER DOYLE: Here.

MS. BOUVIA: Dudley?

COMMISSIONER DUDLEY: Here.

MS. BOUVIA: Moore?

COMMITTEE CHAIR MOORE: Here.

MS. BOUVIA: Wallace?

(No response)

COMMITTEE CHAIR MOORE: Okay, we're all set.

Approval of the action summaries and minutes?

COMMISSIONER BRAZIEL: Moved. Braziel.

COMMISSIONER DUDLEY: Second. Dudley.

COMMITTEE CHAIR MOORE: All right, well, good morning, everyone. How is everyone doing?

(Chorus of "good mornings.")

COMMITTEE CHAIR MOORE: All those in favor, we're going to keep going.

COMMISSIONER BRAZIEL: We're having a good day; right?

COMMITTEE CHAIR MOORE: Oh, we're on a roll; right?

So let's go over our action item summaries.

Ralph, will you take us there?

MR. BROWN: Sure. Will do.

Good morning, Chair, Members of the Committee.

A couple of things to start out with that are not on that, on the bills of interest.

As we discussed at the last committee meeting, there was a submission of a trailer bill from the Governor's office. That made its way into SB 843, which is the public safety trailer bill introduced by the Committee on Budget and Finance.

(Mr. Wallace entered the meeting room.)

MR. BROWN: And under section 35, it will modify 13501 of the Penal Code to state that "The Governor shall designate the chair of the Commission from among the members of the Commission. The person designated as the chair shall serve at the pleasure of the Governor. The Commission shall annually select a vice chair from its members. A majority of the members of the Commission

shall constitute a quorum."

So this bill is currently -- a package of financial bills for the budget are currently sitting on the Governor's desk for signature. So you should be aware of that.

COMMISSIONER DUDLEY: So, Chair, my understanding is that it's on his desk; and also that it will be signed by June 27th. And it's also on the agenda today for electing a chair. So it would be my suggestion, given that it's allegedly going to be signed on the 27th and it's presently on his desk, that perhaps you make a motion, Commissioner Moore, that we take that off the agenda and put it onto the October agenda. Because I fully expect that somewhere between now and then, the Governor is going to be making that appointment.

COMMITTEE CHAIR MOORE: That sounds good.

Are there any questions on that?

(No response)

COMMITTEE CHAIR MOORE: So should the Chair accept the motion, or does the Chair make the motion?

COMMISSIONER DUDLEY: I think it was just a suggestion.

COMMITTEE CHAIR MOORE: A suggestion? Well, would someone make the motion?

COMMISSIONER DUDLEY: What I'm suggesting is that

you make that motion while I'm chairing the next meeting.

COMMITTEE CHAIR MOORE: Okay, all right. I just wanted to be clear if you were going to make a motion.

COMMISSIONER DUDLEY: It's your motion.

COMMITTEE CHAIR MOORE: Okay, all right.

COMMISSIONER DUDLEY: Thank you.

COMMITTEE CHAIR MOORE: Continue, Ralph.

MR. BROWN: Thank you.

The next point is the marijuana initiative. And this is gaining a tremendous amount of speed. It has qualified for the November ballot. And this will have a significant impact throughout the state, particularly on POST operations, affecting the basic course, the FTO program, backgrounds, and several other programs.

So you should be aware that we are working internally to discuss these issues, meeting with other stakeholders, to plan for the passage of this by the voters. If it doesn't, then obviously everybody throttles back and stands down. But I think it's important that we need to be prepared for the passage of that legislation.

COMMISSIONER DUDLEY: What are we doing to prepare?

MR. BROWN: Well, right now, we just are learning -- I recently attended a workshop at Cal State Sheriffs, and received an overview of the potential impacts to

1 California based on what's currently taking place in
2 Colorado. And it's very devastating, between the
3 increased homelessness, children -- the admissions to
4 ERs, the higher THC levels that are being produced now,
5 and causing more ER visits, et cetera, et cetera.
6 Canine: Canines no longer can sniff -- wouldn't be
7 able to sniff for marijuana. So how are we going to deal
8 with that? I mean, it's just a myriad of issues.
9 So we're just starting those discussions now, so we
10 can start developing a plan. I'm sure the executive team
11 will commence with that, but…
12 INTERIM EXECUTIVE DIRECTOR SCOFIELD: It's our
13 intent to bring internal stakeholders together, identify
14 the areas within POST that this is going to touch, which
15 is a lot, from the basic course, all the way to
16 in-service training -- identify the areas that this is
17 going to touch, and then pull together external
18 stakeholders to determine what the curriculum will need
19 to be, and the changes that need to be done to the
20 training curriculum throughout the state, quite honestly.
21 COMMISSIONER DUDLEY: Excellent.
22 MR. BROWN: Yes.
23 COMMISSIONER DUDLEY: I think some of the states
24 had said, "We didn't think it wasn't going to pass. We
25 weren't ready." So I know that CDAA is talking about

that, the Sheriffs' Association. So obviously it would be good if we could get ahead of it; and if it didn't pass, terrific from my perspective; but if it does pass, we've got to be ready.

Thank you.

COMMITTEE CHAIR MOORE: I find it interesting. How does this work at airports with people coming out of Colorado?

MR. BROWN: Well, so we know that, federally, marijuana is still illegal; and that is a federal location. So I think it would still be illegal, and there would be marijuana interdiction teams there, I would suspect. But I don't know. I mean, it's all new territory for all of us, really.

The short answer is, we just don't know yet.

COMMITTEE CHAIR MOORE: So I guess we should just take a look at what they have on their books that's already working or not working, and try to apply it to us.

COMMISSIONER DUDLEY: And I think they have been speaking to the police associations, the Sheriffs' Association, CDAA. Oregon has come down and Washington has come down and have told us those kinds of things. But, again, if it's imminent, it's going to hit California, and POST is going to need to respond.

MR. BROWN: I think at the latest legislative advocate group meeting we had this month, the estimate was 56 percent of those polled would be not in favor of legalizing marijuana for recreational use.

But who knows what's going to happen by the time all the advertising hits by November, so…

COMMISSIONER DUDLEY: Thank you.

MR. BROWN: Okay. Moving forward, bills of interest:

AB 86: In essence, this bill would have required the Attorney General to appoint a special prosecutor to direct an independent investigation of an officer that's involved in use of force or deadly force. However, this bill died in Assembly Appropriations.

AB 1118: This would have established a procedural justice task force, which would be administered by the Board of State Community Corrections. However, this bill died in Assembly Appropriations.

AB 1469: This would have made technical and non-substantive changes to PC 832. That died in Assembly Appropriations -- or, correction, in Assembly.

AB 1760: Human trafficking bill. This would have been a rather large impact on POST operations. It would have required a peace officer to determine whether a suspect of a crime is a minor, and if the minor was a

human-trafficking victim, and whether or not they were suspected of a crime as a result of being human-trafficked. A lot of complexities there. That bill was referred to Assembly Appropriations suspense file, and is not moving forward.

AB 1857: This bill would require a peace officer to disclose to the staff of a hospital if an inmate was brought in or if he was brought in to a medical facility and had violent tendencies. That, the author pulled the bill on March 29th.

AB 1860 would require the Board of State and Community Corrections to develop a grant program to make funding available for law-enforcement entities to purchase body-worn cameras. That bill was referred to Assembly Appropriations suspense file also. I think there's some other activity going on behind the scenes that we'll hear about later on.

AB 1872: This actually turned out to be a gut-and-amend bill. Originally, it was for referring to deputy sheriffs of Merced County; but it has since turned into an Appropriations bill recently, as of, I think, June 1st, for UC Merced, for $1.3 million. So we'll take that off the radar.

Number 8, AB 1940: This bill is getting a lot of traction. The bill would require law-enforcement

1 agencies to -- if they employ peace officers that use
2 body-worn cameras, require to develop a body-worn camera
3 policy. And the significant part of this bill, is that
4 the bill would require the policy to be available to
5 peace officers and allow peace officers to review audio-
6 video recordings before making a report for an internal
7 affairs investigation statement. And that's huge. So
8 that's a big win.
9 The bill was read for the third time and ordered for
10 a third reading on May the 31st.
11 AB 2224: This bill would have authorized probation
12 officers, in the performance of their duties, to display
13 blue lights on their emergency vehicles. After some
14 extensive discussions with our partners and some
15 discussions with the author, the author pulled the bill.
16 A lot of complexities here, potentially liability issues,
17 with pursuits and that kind of thing. I mean, what's the
18 blue light for; right? A lot of concerns.
19 Conceptually, it is a good idea. You know, it was a
20 well-meaning piece of legislation; but potentially some
21 issues there.
22 AB 2361: So this is currently very actively being
23 pursued. As a matter of fact, I attended the Senate
24 Public Safety Hearing on Tuesday on this bill. So what
25 they want to do, is take the security force at UC --

correction, USC, which is a private university, and convert them to a law-enforcement entity.

POST did a feasibility study back in 1991, and recommended that it's not good policy to allow the individual, an independent private entity, peace-officer powers. And the current methodology and practice, is that entities seek out an MOU with a local agency -- for example, Stanford uses, for their security, they have an MOU contract with Santa Clara County. So they have Santa Clara County deputies there. So that's now -- this is just being amended to include that kind of language.

And additionally -- in addition, USC has reached out to us to start a feasibility study for them, a current one. So we'll see where that goes.

AB 2533: This bill would require a public-safety officer to provide a minimum three days' notice -- receive a three-day notice before the public safety department or any agency releases Internet audio-video recordings of the officer. That bill was referred to the Committee on Public Safety on May the 26th.

The whole idea there is, is the officer noticed whether or not their images or audio are going to be released on the Internet by the agency. So there's some POBOR issues there and privacy issues there that they're trying to work through behind the scenes.

AB 2624: That bill would require the LAO's office, in consultation with the Commission, to conduct a study to determine the effectiveness of community policing engagement programs. That bill was referred to Assembly Appropriations suspense file. It started to get a little complex, and who was going to be responsible for collecting what data, and how we were going to analyze that data.

AB 2626: This bill would require the Commission to develop and disseminate training for peace officers on principled policing –- whoops, lost my page, sorry -- and procedural justice and implicit bias.

This bill was held in Committee Appropriations on the 27th of May. However, we are still working with DOJ to develop that course, and will make it available for law enforcement in the very near future. So we've been actively working on it.

SB 1221 --

COMMISSIONER BRAZIEL: I have a question for you.

MR. BROWN: I'm sorry.

COMMISSIONER BRAZIEL: If I may? And, actually, the question is more for Stephanie.

So we know that's the direction everyone is going is, POST looking at the Basic Academy, supervisor course, management course, how do you develop -- knowing it's

1 going to eventually get that way, start now, developing
2 those, to take out of the DOJ, collaborative, and start
3 putting -- weave that through the academy and supervisor
4 course, management, SLI, all of it?
5 INTERIM EXECUTIVE DIRECTOR SCOFIELD: That's
6 correct.
7 COMMISSIONER BRAZIEL: Okay, thank you.
8 INTERIM EXECUTIVE DIRECTOR SCOFIELD: We've already
9 begun conversations for the basic course. We are
10 piloting a train-the-trainer course here coming up in the
11 next month. We're going to work off the pilot, to see if
12 there's any changes that need to be made to that course
13 based on student feedback.
14 We'll take that, and then take the objectives from
15 those courses and begin to build that into the course
16 that you mentioned.
17 COMMISSIONER BRAZIEL: Okay.
18 MR. BROWN: SB 1221: It would authorize the
19 Commission to make the Commission course on
20 law-enforcement interaction with mentally disabled
21 persons available to firefighters.
22 We had some extensive discussions with the bill's
23 author, and created some amendments to include that the
24 State Fire Marshal shall be responsible for updating the
25 curriculum. So basically, there's a piece of legislation

that says, we shall make available to fire -- or, you know, LD-37 training. But it's up to them, it's their responsibility to update the curriculum to fit the firefighter environment.

COMMISSIONER DUDLEY: So with that amendment being made, why is it being held up at all?

MR. BROWN: It's not being held up. It was referred to the Public Safety Committee on 5/12.

COMMISSIONER DUDLEY: Are any issues in it for POST?

MR. BROWN: No, no. There was initially.

Initially, it appeared a little ambiguous, in that -- so that if you read the first round of the bill, the question was, are we going to be responsible to revise the curricula for the State Fire Marshal, right.

COMMISSIONER DUDLEY: Okay.

MR. BROWN: So my request to the author was, "Can you please remove the requirement of POST, and replace that with 'State Fire Marshal shall update the curriculum'"? And they said, "Absolutely."

COMMISSIONER DUDLEY: So all they're asking us to do is to share our curriculum with them. Any amendments they want to make that are more applicable to the firefighters, they're going to make themselves, and any updates they're going to make themselves. So it's released of any liability if they come back at us and

say, “Your curriculum didn’t include that part”?

MR. BROWN: Correct.

COMMISSIONER DUDLEY: Okay, good. Thank you.

MR. BROWN: Correct. Spot on.

SB 1337: This bill would provide the members of a fire department or a fire-protection agency the ability to basically investigate or prevent terrorism with peace officers, and carry firearms under the terms and conditions of their agency. After some collaboration with POST and several other law-enforcement partners, the author pulled the bill.

I think we had a little mission creep going on there and some other concerns. So that’s no longer on the table. However, there is a --

COMMISSIONER DOYLE: Is that what it’s called, “mission creep”?

MR. BROWN: Well, it would --

COMMISSIONER DOYLE: I’m just kidding.

MR. BROWN: Sir, yes, sir.

COMMISSIONER DOYLE: I think others call it a little bit stronger.

MR. BROWN: This is a matter of public record. Thank you.

SB 1362 would authorize persons employed -- security officers of the Los Angeles County Metropolitan

Transportation Authority to detain individuals on properties controlled and operated by the Authority. And it would also allow them to carry shotguns and batons. However, after some discussion with POST and collaborators, collaboration with other agencies, the author pulled the bill.

COMMISSIONER DUDLEY: You started to say something a few minutes ago about 1337. You said, "There's been some…" and then you got interrupted.

Were you going to say something else about 1337? Some movement in some direction?

MR. BROWN: Oh, yes, I'm sorry. Yes.

So there has been some discussion with some of the other -- there's several groups of firefighting entities out there. There's the California Department of Fire -- or California Association of Firefighters, and Fire Investigators, and Arson Investigators, and Fire Chiefs Association. So a couple of those entities are interested in using this kind of bill language moving, going forward.

COMMISSIONER DUDLEY: Right.

MR. BROWN: And the visualization I received was the following: "Gee, Ralph, in a case, à la San Bernardino, wouldn't it be great if fire could work lockstep with law enforcement, arrive at the scene, and work side by side

in the initial stage of the scene?" That was the picture-thinking.

COMMISSIONER DUDLEY: It is a big issue for arson investigators whether they get to carry weapons or not, throughout California.

MR. BROWN: Right.

COMMISSIONER DUDLEY: And some jurisdictions allow it and some don't.

MR. BROWN: Correct.

COMMISSIONER DUDLEY: And those that don't, there are some investigators that are unhappy with that.

MR. BROWN: Correct.

COMMISSIONER BRAZIEL: Ralph --

MR. BROWN: Yes, sir?

COMMISSIONER BRAZIEL: I can brief the Commission once the San Bernardino report is made public -- so, in fact, I was working on it late last night since I'm on the review team -- to educate the Commission more on the appropriate uses and the reviews of firefighters being armed versus not armed. And particularly, it's meant for the paramedics going in, who goes in a hot zone versus a warm zone, and who is armed and who is not; and can you actually provide medical care when you're carrying a machine gun versus not.

MR. BROWN: Right.

COMMISSIONER BRAZIEL: So there's a lot of that debate; versus the arson investigators, it's a totally different scenario, with arrest powers and that. This is about the "Can I dress like a SWAT guy, be a SWAT guy, but be a firefighter?" -- knowing that you can't tend to someone when you're carrying all that gear.

MR. BROWN: Correct.

COMMISSIONER BRAZIEL: But once the U.S. Attorney General releases the report, then we can talk more about that in detail.

COMMISSIONER DUDLEY: You also addressed the issue of safety vests for the firefighters.

COMMISSIONER BRAZIEL: For all first responders. Ballistic equipment is the recommendation.

COMMISSIONER DOYLE: And I think there's a lot of agencies -- what we're doing in the county is, because there's an interest by firefighters to be prepared -- not to carry machine guns, but to be able to be there quickly and clear. But weapons were not part of that training preparation.

MR. BROWN: Yes, the camps used to be kind of split in that area. There are some that are saying, "Absolutely, we don't want to. It's definitely mission drift, and we don't want to have any part of that. We'll just carry the hoses. We'll come in after you guys

secure it, and we're all good."

COMMISSIONER DOYLE: True.

MR. BROWN: And there's another camp that says, "Absolutely, we can walk in there lockstep with you guys. And, you know, kick the door," and it's like, okay. That's another discussion.

COMMITTEE CHAIR MOORE: Ralph, how many other departments, fire departments, are cross-trained or have police departments who serve as police officers and firefighters? How many departments do we have like that?

MR. BROWN: I believe we only have one, which is Sunnyvale, I believe. However, I think Riverside or San Bernardino, I think, is discussing that, or reviewing that model.

COMMITTEE CHAIR MOORE: And also I just had another question on AB 1940, the policy for BWC review.

MR. BROWN: Okay.

COMMITTEE CHAIR MOORE: Did that die, or…?

MR. BROWN: Okay, let me look at that.

1940. That bill was read for the third time and amended, ordered for a third hearing -- a reading. So it was amended to include some of the language that I pointed out, which was that officers would want to be able to review video prior to -- have the right to review video prior to writing a report and doing an

1 investigation. That was the language that was recently
2 added.
3 COMMITTEE CHAIR MOORE: Prior to writing a report?
4 MR. BROWN: Correct, correct.
5 COMMITTEE CHAIR MOORE: Did POST have any
6 recommendations on that?
7 MR. BROWN: I don't know if we officially do or not.
8 Stephanie?
9 INTERIM EXECUTIVE DIRECTOR SCOFIELD: We -- in late
10 2015, we pushed out an information video on body-worn
11 cameras. Because this is equipment, the Commission's
12 usual position is not to get involved in local equipment
13 agency policy. However, this information on video pulled
14 stakeholders together to talk about what's worked, what
15 hasn't. Everywhere from CPRA requests, to viewing the
16 video, to not viewing the video. So it's more of an
17 informational video that's available to our clients. But
18 as far as its specific position, unless the Commission
19 wants to take a position, we normally don't do that.
20 COMMITTEE CHAIR MOORE: If you get a chance to look
21 at what we did down in San José, we have the officers --
22 because we want to have the officers make sure that
23 whatever they see, and they give the reason why they
24 shot, versus -- or why they did what they did, versus
25 getting a chance to look at it and then to determine what

they did. So we can have an understand- -- if there's a problem involved in a shooting.

So if you could get a chance to take a look at the San José Police.

MR. BROWN: Sure. I will.

COMMITTEE CHAIR MOORE: And the next one will be, I think, 2533, three-day notice on release of information.

That's just from the department's perspective?

MR. BROWN: Yes. And there's some discussion going on back and forth between labor and management. That's really what that is, between Cal Chiefs and CPOA and PORAC. And that's whether or not -- if the officer should have the ability to, I guess, recommend that they file an injunction to prohibit the agency from posting that information on the Internet. So there is a lot of background discussion taking place on that.

COMMITTEE CHAIR MOORE: That's interesting, because I believe that most officers should operate under the guise or understanding that the cameras are on them, anyway; and that someone, some place, is recording them. And that stuff is going to go up on Facebook, regardless if the industry releases it or not.

So I don't know how we handled it here, but that should be their understanding, was when I talked with the San José police, that whatever you do, assume it's being

1 recorded. Because today, instead of people helping, they
2 pull out cameras and record. And so I don't know how
3 that is a real concern. Maybe I'm not understanding
4 something.
5 COMMISSIONER DUDLEY: There would be a Public
6 Records request from the media, and they'd say, "We want
7 this recording. We want this document. We want
8 something." And then law enforcement would have ten
9 days -- or anybody would have ten days to respond to that
10 or ask for an extension. And I think when it becomes an
11 issue in terms of law-enforcement safety or it becomes
12 an issue in terms of victim identification or things like
13 that, that some process -– some review process should
14 occur.
15 COMMITTEE CHAIR MOORE: Should occur?
16 COMMISSIONER DUDLEY: We can never legislate what
17 civilians are going to do; but I think we are in a
18 position to legislate law enforcement's response to a
19 public-records request and the posting. I think that's
20 where the area is, as best as I can see.
21 Stephanie, your thoughts?
22 INTERIM EXECUTIVE DIRECTOR SCOFIELD: I agree.
23 COMMISSIONER BRAZIEL: And I totally appreciate
24 where you're coming from; because the reviews we're doing
25 now, whether it's Ferguson or Stockton or San Bernardino,

we're finding that not only are people posting it on YouTube, but they're streaming it live. So the story is being told from one perspective; but law enforcement tends to wait weeks, if not months, to share their perspective. And you can't control the story if you don't tell the story.

COMMITTEE CHAIR MOORE: Right, right.

COMMISSIONER BRAZIEL: So the world is changing as far as the immediate release of video versus not releasing it at all. So those are the conversations being added.

COMMITTEE CHAIR MOORE: All right.

COMMISSIONER BRAZIEL: Cal Chiefs, Cal Sheriffs, Cal DAs, says how do we deal with this new paradigm of -- in fact, with Stockton, some of the stuff was on the Web before the pursuit was over, with the bank robbery. So the chiefs and sheriffs are dealing with something the media knows something about, and they haven't seen it yet, and they're responding to it in the middle of the action. So the world has changed when it comes to video.

MR. BROWN: Yes.

COMMITTEE CHAIR MOORE: And I was just saying that because it's easier to help quell the storm if there is another side being released, instead of having to deal with the storm, and 20 days or next month it's finally

1 released, and then we've got an "aha" moment. But if we
2 could stop those "aha" moments beforehand.
3 And some of the San José policy, if you look at it,
4 is the command officer on-site has the chance to look
5 at it and determine if he'll let people in the community
6 look at it at that time to stop whatever could be
7 boiling. And it really helps, from a community
8 perspective, that we're able to keep down a lot of the
9 unrest.
10 And a part of what I'll be doing -- you guys heard
11 that Trump came to San José, and we had a great time.
12 And so the review process is ongoing, and the arrests are
13 made after they reviewed the cameras. And we were able
14 to look at and see who had weapons and who did what.
15 And then when the community comes out and we're making
16 these steps to do X, Y, and Z, there is less community
17 pushback, because the community felt that they were part
18 of the actual review process.
19 So, again, I just wanted to recommend that you get a
20 chance to look at San José's policy and what we're doing
21 in San José.
22 COMMISSIONER DOYLE: Well, I mean, on that issue,
23 about whether officers should review or not, I think what
24 POST has done is appropriate. I don't think POST's role
25 is to make a recommendation, because those are really

local issues.

COMMITTEE CHAIR MOORE: And I agree with you, Commissioner Doyle.

MR. BROWN: Agreed.

COMMISSIONER DUDLEY: The other problem is if law enforcement releases it, then they're going to come to the District Attorney's office and say that we're trying to contaminate the jury pool: "This is what the Sheriff put out, this is what all your potential jury members are going to see, and you condoned that." So that becomes yet another issue for us.

MR. BROWN: Correct.

COMMITTEE CHAIR MOORE: See, it's multifaceted, like you said.

COMMISSIONER DUDLEY: It is.

COMMITTEE CHAIR MOORE: Is there anything else right now?

MR. BROWN: No, sir.

That's the end of my report.

Does anybody have any questions?

(No response)

MR. BROWN: Great.

COMMISSIONER BRAZIEL: Before we adjourn, I have a couple comments --

MR. BROWN: Sure.

COMMISSIONER BRAZIEL: -- and potentially a motion, if I could make one.

Mr. Brown and I have had this conversation before. So before the Leg. Committee was put together, because there were positions taken on bills and votes and things like that; now, it's more informative. So we're just taking what we do here and then re-reporting it out to the rest of the Commission.

COMMITTEE CHAIR MOORE: Correct.

COMMISSIONER BRAZIEL: I think there are important conversations to have with the whole Commission.

COMMITTEE CHAIR MOORE: Okay.

COMMISSIONER BRAZIEL: So I don't know if it's a "recommends to the full Commission," a motion, a vote, then a recommendation. But my thought is to basically disband this subcommittee, and the report be presented in a structure for the whole Commission so we can have these conversations with everybody; but that this committee either be restructured or brought back as a committee that looks at organizational change within POST, so it's a subcommittee that's looking at organizational change.

We've been talking about strategic planning, hiring a new executive director. That a subcommittee on organizational change be created; and it could be this committee -- I'm just throwing it out for thought -- just

1 renamed, retasked, repurposed. Or completely done, and
2 then form a new one. I'm not sure how it is. But I
3 think these are important conversations for the whole
4 Commission to participate in, not just the subcommittee.
5 But we also -- I think we also need another
6 subcommittee on organizational change and development,
7 that helps guide the strategic planning process, the
8 executive director, all of that.
9 So I throw that there for thought.
10 COMMITTEE CHAIR MOORE: I like it.
11 COMMISSIONER BUI: Mr. Chair, I completely agree
12 with you. And years ago, we had a subcommittee called
13 the Long-Range Planning Committee, and that was disbanded
14 due to budget cuts.
15 I mean, we met, I think, probably two or three times
16 a year to talk about such issues. And I think it's a
17 great idea to maybe swap -- change this committee out
18 for the Long-Range Planning, since we did away with that
19 one years ago.
20 COMMISSIONER DUDLEY: I also agree with Commissioner
21 Braziel, especially because there is really no reason to
22 have this committee anymore because we're not taking a
23 position. When we could take a position a year ago, then
24 we would really carefully discuss these bills and decide
25 what position we would take. Since it is just

information, it should be something that's presented to the entire Commission.

And I think keeping the renaming fluid -- because right now, it's those issues; but a year from now, it could be something else -- is also important. But for now, I agree those are the issues.

COMMISSIONER BRAZIEL: A motion?

COMMITTEE CHAIR MOORE: Do we need to make a motion or take it back as a recommendation?

COMMISSIONER DUDLEY: Yes.

COMMITTEE CHAIR MOORE: Which one is it?

COMMISSIONER BUI: Is that your motion?

COMMISSIONER DOYLE: If that's your motion, I'll second it.

COMMISSIONER BRAZIEL: I'll move what I just said.

COMMITTEE CHAIR MOORE: Okay.

COMMISSIONER DOYLE: I'll second that.

COMMITTEE CHAIR MOORE: Moved and second.

MS. BOUVIA: Who was second? Excuse me.

COMMISSIONER DOYLE: Doyle. I'm sorry.

COMMITTEE CHAIR MOORE: All those in favor, say "aye."

(A chorus of "ayes" was heard.)

COMMITTEE CHAIR MOORE: The motion passes.

INTERIM EXECUTIVE DIRECTOR SCOFIELD: May I make a

recommendation to the full Commission when you discuss this to the full commission, perhaps direct staff to agendize this in the October meeting for further discussion in terms of where you want -- where the full Commission wants to go in terms of direction for this subcommittee. We can absolutely do that.

COMMISSIONER DOYLE: But when Jethroe does his update, he can obviously tell the full board.

INTERIM EXECUTIVE DIRECTOR SCOFIELD: Absolutely.

COMMITTEE CHAIR MOORE: All right.

COMMISSIONER DUDLEY: Unless we're missing something -- unless us commissioners are missing something about why we have this meeting.

Is there any other purpose besides information?

MR. BROWN: No, ma'am. It's to keep you in the loop, because it's very important that you know what's out there on the horizon and how that legislation is going to impact our operations. It's mission-critical for you guys to know that.

COMMISSIONER DUDLEY: And I again agree with Commissioner Braziel that the entire Commission should hear this because this does affect what we do and how we do it.

MR. BROWN: I agree, yes.

COMMISSIONER BUI: And if there's any direction that

the Commission wants to take on either one of these bills, we can just make that during the actual Commission meeting.

MR. BROWN: Absolutely.

COMMISSIONER DUDLEY: Except we're not allowed to take any positions anymore; right?

MR. BROWN: Correct.

COMMISSIONER BUI: That's right.

COMMISSIONER DUDLEY: No positions.

COMMISSIONER BUI: That's right. Never mind.

COMMISSIONER BRAZIEL: But we could direct staff to anticipate training needs --

COMMISSIONER BUI: Yes.

COMMISSIONER BRAZIEL: -- and things like that based on potential legislation. And also hear from representatives from Cal Chiefs, Cal Sheriffs, and the D.A.s, as to what their position may or may not be, so it helps impact and directs POST.

MR. BROWN: Correct.

INTERIM EXECUTIVE DIRECTOR SCOFIELD: I just want to say that although we can no longer take positions on bills, I want to credit Ralph and his ability to work with the Legislature. He has done an excellent job of partnering with the Legislature in terms of what you see today on this agenda, whether language has been changed

or bills have been pulled. So he's doing an excellent job.

COMMISSIONER DUDLEY: I quite agree.

I think you should keep doing your job because you are there when we're not.

MR. BROWN: Stop it. You're…

COMMISSIONER DUDLEY: That's it. Done.

COMMISSIONER DOYLE: Well, and I think it goes without saying, that you work with associations that can and help support. Because I know when our leg. committee looks at stuff and the impact on POST, I mean, we can weigh in as Cal Chiefs can.

MR. BROWN: Correct.

COMMISSIONER DOYLE: Especially if it's going to impact POST negatively.

MR. BROWN: Yes, okay.

INTERIM EXECUTIVE DIRECTOR SCOFIELD: Thank you.

MR. BROWN: Very good.

Thank you.

COMMITTEE CHAIR MOORE: All right, is that it?

MR. BROWN: That was it.

COMMITTEE CHAIR MOORE: That was it?

I will move to adjourn.

COMMISSIONER DUDLEY: Second.

COMMITTEE CHAIR MOORE: The meeting is adjourned.

1 *(Gavel sounded)*

2 *(The Legislative Review Committee meeting*

3 *concluded at 9:04 a.m.)*

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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 July 11th, 2016.

_____

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