

STATE OF CALIFORNIA
COMMISSION ON
PEACE OFFICERS STANDARDS AND TRAINING

POST COMMISSION MEETING



TIME: 10:00 a.m.

DATE: Thursday, June 24, 2010

PLACE: Courtyard Marriott Hotel
1782 Tribute Road
Sacramento, California



REPORTER'S TRANSCRIPT OF PROCEEDINGS



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POST Commission Meeting, June 24, 2010

A P P E A R A N C E S

COMMISSIONERS PRESENT

MICHAEL SOBEK
(Commission Chair)
San Leandro Police Department

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

WALTER ALLEN
Covina City Council

GEORGE ANDERSON
for JERRY BROWN
Attorney General's Office

ANTHONY BATTIS
Oakland Police Department

LAI LAI BUI
Sacramento Police Department

COLLENE CAMPBELL
Memory of Victims Everywhere

ROBERT COOKE
California Narcotics Officers' Association

BONNIE DUMANIS
San Diego County District Attorney

FLOYD HAYHURST
Los Angeles County Sheriff's Department

DEBORAH LINDEN
San Luis Obispo Police Department

RONALD LOWENBERG
Golden West College Criminal Justice Training Center

JOHN MCGINNESS
Sacramento County Sheriff's Department

A P P E A R A N C E S

COMMISSIONERS PRESENT

continued

LAURIE SMITH
Santa Clara County Sheriff's Department

LINDA SOUBIROUS
Public Member



POST ADVISORY COMMITTEE MEMBERS PRESENT

BRENT NEWMAN
Committee Chair
California Highway Patrol

LAURA LORMAN
Committee Vice-Chair
Women Peace Officers Association of California

JIM BOCK
California Specialized Law Enforcement

MARIO CASAS
California Coalition of Law Enforcement Associations

JOE FLANNAGAN
Peace Officers' Research Association of California

RICHARD LINDSTROM
California Academy Directors Association

JEFF MILLER
California Police Chiefs Association

NICKI WOODS
California Organization of Police and Sheriffs



A P P E A R A N C E S

POST STAFF PRESENT

PAUL CAPPITELLI
Executive Director
Executive Office

AHLHAM ALHWEITI
Senior Instructional Systems Engineer
Learning Technology Resources

CATHERINE M. BACON
Training Program Services Bureau

JODY BUNA
Training Program Services Bureau

JAN BULLARD
Chief
Learning Technology Resources

TRICIA CHISUM
Senior Consultant
Training Delivery and Compliance Bureau

RON CROOK
Multimedia Specialist
Learning Technology Resources

ALAN DEAL
Assistant Executive Director
Executive Office
Standards and Development

FRANK DECKER
Bureau Chief
Basic Training Bureau

MICHAEL DiMICELI
Assistant Executive Director
Executive Office
Field Services Division

KELLI DUGANRUT
Staff Services Analyst
Information Services Bureau

A P P E A R A N C E S

POST STAFF PRESENT

Continued

BRYON GUSTAFSON
Senior Consultant
Training Program Services Bureau

MICHAEL HOOPER
Bureau Chief
Training Program Services Bureau

REBECCA IRIZARRY
Administrative Services Bureau

PATRICE KAIDA
Staff Services Analyst
Information Services Bureau

WINDY KAISER

THOMAS LIDDICOAT
Bureau Chief
Administrative Services Bureau

KAREN LOZITO
Senior Consultant
Executive Office

PAULA MENDENHALL
Basic Training Bureau

JAN MYYRA
Supervisor
Learning Technology Resource Center

CONNIE PAOLI
Administrative Assistant
Executive Office

EDMUND PECINOVSKY
Bureau Chief
Training Delivery and Compliance Services Bureau

TRISH PIELENZ

A P P E A R A N C E S

POST STAFF PRESENT

continued

RICHARD REED
Assistant Executive Director
Executive Office
Administrative Services Division

VINCE SCALLY
Legal Counsel

STEPHANIE SCOFIELD
Management Counseling Bureau

CHERYL SMITH
Basic Training Bureau

GARY SORG
Training Program Services Bureau

DEANNA TAKAHASHI
Publication and Forms Manager
Information Services Bureau

DAVE SPISAK
Bureau Chief
Information Services Bureau

BOB STRESAK
Bureau Chief/Legislative Liaison
Executive Office



PUBLIC MEMBERS

ROLFE APPEL
Yuba College

RICHARD BELL
Escondido Reserve Police Officer

ROBERT BURNHAM
Alameda County

A P P E A R A N C E S

PUBLIC MEMBERS

Continued

GEORGE CALLOW
San Bernardino Sheriff's Department EVOC

RON COTTINGHAM
President
Peace Officers' Research Association of California
(*Welcome Address*)

STEPHEN DORSEY
San Bernardino Sheriff's Department EVOC

MICHAEL DURANT
Vice President
Peace Officers' Research Association of California

TONY FARRAR
Rialto Sheriff's Department
(*POST Excellence In Training, Individual, Awardee*)

JAMES H. FRASER
Fraser and Associates
(*O.J. Bud Hawkins Exceptional Service Awardee*)

JODY FRASER

MICHAEL GRAY
San Diego Regional Training Center

JOHN MIGIAOLO
San Bernardino Sheriff's Department EVOC
(*POST Excellence in Training, Organization, Awardee*)

JACKY PARKS
Fresno Police Officers Association

GLEN PRATT
San Bernardino Sheriff's Department EVOC

BRIAN RAFFISH
Los Angeles Police Department

A P P E A R A N C E S

PUBLIC MEMBERS

Continued

SUSIE RIVERA
Folsom Police Department

CHLOE RUTLEDGE

DEVALLIS RUTLEDGE
Special Counsel for Los Angeles County District Attorney
(*POST Excellence in Training for Lifetime Achievement
Awardee*)

D.J. RUTLEDGE

EVAN RUTLEDGE

RICHARD RUTLEDGE

RYAN RUTLEDGE

VICTORIA RUTLEDGE

GLEN SYLVESTER
San Francisco Police Department

VALERIE TANGUAY
San Bernardino Sheriff's Department EVOC

MICHELLE THOMPSON
San Diego Regional Training Center

DANE WYGAL
digital OutPost



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1 Thursday, June 24, 2010, 10:00 a.m.

2 Sacramento, California



4 CHAIR SOBEK: Welcome, everybody.

5 I'd like to call this meeting to order.

6 And it would be my honor and privilege to introduce
7 the California Highway Patrol Honor Guard to present the
8 colors.

9 Would everybody please stand?

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

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

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

14 CHAIR SOBEK: If I can have a few moments, a moment
15 of silence in honoring the officers who lost their lives
16 in the line of duty since our last meeting.

17 Sergeant Ira G. Essoe, Jr., of the Orange County
18 Sheriff's Department.

19 Deputy Joel Wahlenmaier from the Fresno County
20 Sheriff's Department.

21 Deputy Ken Collier of the San Diego County Sheriff's
22 Department.

23 Officer Javier Bejar from the Reedley Police
24 Department.

25 Officer Daniel Benavides of the California Highway

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1 Patrol.

2 Officer Thomas Coleman of the California Highway
3 Patrol.

4 And Officer Phillip Ortiz from the California
5 Highway Patrol.

6 *(Moment of silence was observed.)*

7 CHAIR SOBEK: Thank you.

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

9 CHAIR SOBEK: Please join me in thanking the
10 California Highway Patrol.

11 *(Applause)*

12 CHAIR SOBEK: You may be seated.

13 Okay, welcome, everybody. I'm Commissioner Mike
14 Sobek, Chair of the Commission.

15 And I'd like to have Connie do roll call of the
16 commissioners, please.

17 MS. PAOLI: Mike Sobek?

18 CHAIR SOBEK: Here.

19 MS. PAOLI: Allen?

20 COMMISSIONER ALLEN: Present.

21 MS. PAOLI: Batts?

22 COMMISSIONER BATTIS: Here.

23 MS. PAOLI: Bui?

24 COMMISSIONER BUI: Here.

25 MS. PAOLI: Campbell?

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1 COMMISSIONER CAMPBELL: Here.

2 MS. PAOLI: Cooke?

3 COMMISSIONER COOKE: Here.

4 MS. PAOLI: Doyle?

5 VICE-CHAIR DOYLE: Here.

6 MS. PAOLI: Dumanis?

7 COMMISSIONER DUMANIS: Here.

8 MS. PAOLI: Hayhurst?

9 COMMISSIONER HAYHURST: Here.

10 MS. PAOLI: Linden?

11 COMMISSIONER LINDEN: Here.

12 MS. PAOLI: Lowenberg?

13 COMMISSIONER LOWENBERG: Here.

14 MS. PAOLI: Lundgren?

15 *(No response)*

16 MS. PAOLI: McGinness?

17 COMMISSIONER MCGINNESS: Here.

18 MS. PAOLI: Smith?

19 COMMISSIONER SMITH: Here.

20 MS. PAOLI: Soubirous?

21 COMMISSIONER SOUBIROUS: Here.

22 MS. PAOLI: Anderson?

23 COMMISSIONER ANDERSON: Here.

24 CHAIR SOBEK: Everybody's present. That's awesome.

25 Thank you.

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1 I would like to introduce the people to my right and
2 left.

3 On my right is our Executive Director, Paul
4 Cappitelli, and on my left is our POST Advisory Committee
5 Chair, Brent Newman from the Highway Patrol.

6 Thank you, guys.

7 If I could start with Jeff, audience introductions.
8 Chief, please.

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

11 MS. WOODS: Nicki Woods, POST Advisory Committee,
12 representing California Organization of Police and
13 Sheriffs.

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

16 MR. CASAS: Mario Casas, Advisory Committee,
17 representing California Coalition of Law Enforcement
18 Association.

19 MR. RUTLEDGE: Devallis Rutledge, special counsel
20 for Los Angeles County District Attorney Steve Cooley.

21 MS. RUTLEDGE: Victoria Rutledge.

22 CHLOE RUTLEDGE: Chloe Rutledge.

23 D.J. RUTLEDGE: D.J. Rutledge.

24 RICHARD RUTLEDGE: Richard Rutledge.

25 EVAN RUTLEDGE: Evan Rutledge.

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1 RYAN RUTLEDGE: Ryan Rutledge.

2 MR. MIGAIOLO: John Migaiolo, San Bernardino
3 Sheriff.

4 MR. PRATT: Glen Pratt, San Bernardino Sheriff.

5 MR. DORSEY: Steve Dorsey, San Bernardino Sheriff.

6 MS. TANGUAY: Valerie Tanguay, San Bernardino
7 Sheriff.

8 MR. LINDSTROM: Richard Lindstrom, Advisory
9 Committee, representing California Academy Directors
10 Association.

11 MR. BOCK: Jim Bock, Advisory Committee,
12 representing Specialized Law Enforcement.

13 MS. LORMAN: Laura Lorman, Advisory Committee,
14 representing Women Peace Officers Association of
15 California.

16 MS. PIELENZ: Trish Pielenz, POST staff.

17 MS. BACON: Catherine Bacon, POST staff.

18 MS. ALHWEITI: Ahlam Alhweiti, POST staff.

19 MS. MYYRA: Jan Myyra, POST staff.

20 MS. BULLARD: Jan Bullard, POST Staff.

21 MR. DECKER: Frank Decker, POST staff.

22 MR. DEAL: Alan Deal, POST staff.

23 MR. DURANT: Mike Durant, Vice President of PORAC,
24 Santa Barbara Sheriff's Department.

25 MR. FARRAR: Tony Farrar, Captain, from Rialto

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1 Police Department.

2 MS. FARRAR: Cathy Farrar.

3 MR. LIDDICOAT: Tom Liddicoat, POST staff.

4 MR. DiMICELI: Mike DiMiceli, POST staff.

5 MR. BUNA: Jody Buna POST staff.

6 MR. WYGAL: Dane Wygal, Digital Outpost.

7 MR. PECINOVSKY: Ed Pecinovsky, POST staff.

8 MS. SCOFIELD: Stephanie Scofield, POST staff.

9 MR. REED: Dick Reed, POST staff.

10 MR. COTTINGHAM: Ron Cottingham, President of PORAC.

11 MR. GRAY: Mike Gray, San Diego Regional Training

12 Center.

13 MS. THOMPSON: Michelle Thompson, San Diego Regional

14 Training Center.

15 MR. SYLVESTER: Glen Sylvester, San Francisco PD.

16 MR. FRASER: Jim Fraser, San Diego Regional Training

17 Center.

18 MS. FRASER: Jody Fraser.

19 MR. STRESAK: Bob Stresak, POST staff.

20 MS. LOZITO: Karen Lozito, POST staff.

21 MS. DUGANRUT: Kelly Duganrut, POST staff.

22 MS. TAKAHASHI: Deanna Takahashi, POST staff.

23 MR. APPEL: Rolfe Appel, Yuba College.

24 MR. GUSTAFSON: Bryon Gustafson, POST staff.

25 MS. RIVERA: Susie Rivera, Folsom Police.

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1 MR. SORG: Gary Sorg.

2 MS. MENDENHALL: Paula Mendenhall, POST staff.

3 MS. KAISER: Windy Kaiser, POST staff.

4 MS. IRIZARRY: Rebecca Irizarry, POST staff.

5 MS. SMITH: Cheryl Smith, POST staff.

6 MR. RAFFISH: I'm Brian Raffish, LAPD.

7 MR. BELL: Richard Bell, Escondido reserve police
8 officer.

9 MR. BURNHAM: Bob Burnham, Alameda County Sheriff's
10 Office, retired.

11 MR. HOOPER: Mike Hooper, POST staff.

12 MR. SPISAK: Dave Spisak, POST staff.

13 MR. PARKS: Jacky Parks, president, Fresno Police
14 Officers Association.

15 CHAIR SOBEK: Welcome, everyone. I think that's
16 everybody.

17 It's my pleasure to introduce our keynote speaker,
18 for lack of a better word today. He has been a friend
19 for a long time. He's the president of the Peace
20 Officers' Research Association of California. And I'd
21 like to bring up Ron Cottingham.

22 *(Applause)*

23 MR. COTTINGHAM: Good morning. I'd like to thank
24 Chairman Sobek, the commissioners, and Executive Director
25 Paul Cappitelli for inviting me to speak before the

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1 Commission today and deliver the opening remarks.

2 This is quite a privilege and an honor and, as I
3 understand, the first time that a labor organization has
4 been allowed to address the Commission. So I thank you
5 again for that.

6 The partnership between PORAC and POST goes back
7 many decades. In fact, at the beginning of POST and even
8 prior to the beginning of POST, some of the leaders of
9 PORAC, one of particular note, Gene Muehleisen, believed
10 that professionalism and standardization of training was
11 the way to enhance the image of police and peace officers
12 throughout California.

13 In a PORAC conference in 1958, they came together
14 and created what they called the "Law Enforcement
15 Training Act," which in 1959 became AB 1448, which was
16 carried by a former marshal of San Diego, George
17 Crawford.

18 What may not be known -- and I know a lot was
19 talked about this this year, this being POST's 50th
20 anniversary -- is that this bill had a tough time making
21 it out. The American Legion actually opposed the bill
22 because they thought it was a communist plot to try to
23 influence the minds of young police officers.

24 And the bill actually died in what would have been
25 Appropriations Committee. And a person that many of you,

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1 if you're of significant age, may remember, Jesse Unruh
2 actually came to the rescue of the bill and got it
3 passed, got it out. It was signed by Governor Pat Brown.
4 And that became POST.

5 Gene Muehleisen, at that time president of PORAC,
6 was appointed to the first POST Commission; and within a
7 few months, he actually became what has been considered
8 the first executive director of POST.

9 So, again, POST and PORAC go back a long, long way.
10 We've had a good relationship. And I think things can
11 only get better as we go forward.

12 It's been a proud heritage and a proud history
13 because POST has become -- very shortly after the
14 creation, became the leader in the nation, not just in
15 California in training. A lot of states emulate what
16 POST has done.

17 In my travels around the state, in attending various
18 commission meetings and other committee meetings, such as
19 AIRTAC, I'm always proud to see what POST has brought to
20 the table in the training, especially in the area of
21 homeland security and antiterrorism.

22 And I would think, if you look at the training list
23 that Cal EMA has put together, that probably about
24 85 percent of it has been created and blessed by POST.
25 And I think that's a good thing, not just for California

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1 but for the nation, and especially for peace officers
2 that have this type of training available to them. And
3 that training is available to them because of the work
4 that the Commission does and also the Advisory Committee,
5 because I don't think they should be left out of this,
6 either, because they're a good adjunct to the Commission.

7 So with that, I'd like to congratulate POST and the
8 Commission for the good work you've done, for the way you
9 represent public safety. Again, not just in California
10 and throughout the nation.

11 And thank you for this opportunity to address this
12 august Commission.

13 Thank you.

14 CHAIR SOBEK: Thank you, Ron.

15 *(Applause)*

16 CHAIR SOBEK: Okay, now, for the fun stuff.

17 On behalf of the entire Commission, it is my
18 pleasure to honor several people who have distinguished
19 themselves by demonstrating a commitment to exceptional
20 service or excellence in training.

21 Each year, the Commission recognizes people in an
22 organization that have greatly contributed to the success
23 and effectiveness of the law-enforcement community.

24 Assisting me in handing out these awards is going
25 to be Brent Newman, the Chair of the Commission Advisory

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1 Committee, which is the Advisory Committee reviews the
2 nominations and recommends to the Commission of the
3 recipients of these awards.

4 Also, assisting me will be our Executive Director,
5 Paul Cappitelli.

6 At this time, I would like the award recipients to
7 come forward to be recognized.

8 The first award is the 2009 *O.J. "Bud" Hawkins*
9 *Exceptional Service Award*.

10 The first award, this award, is dedicated to the
11 memory of Bud Hawkins, a long-term representative to the
12 POST Commission for five attorney generals.

13 Nominees for this award can be a member of POST
14 staff, a subject-matter resource, a POST Advisory
15 Committee member, or a POST Commission member who has
16 made significant contributions that reflect dedication,
17 perseverance, and exceptional service to improving the
18 professionalism of California law enforcement.

19 The recipient of the *O.J. "Bud" Hawkins Exceptional*
20 *Service Award* for 2009 is James H. "Jim" Fraser of Fraser
21 and Associates.

22 *(Applause)*

23 MR. PECINOVSKY: Jim Fraser has been described as
24 the ultimate instructor. He has trained thousands of
25 instructors in California and throughout the nation.

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1 He is acknowledged as the father -- some may say
2 "godfather" -- of the Master Instructor Development
3 Program. He's known for his ability to take students to
4 the brink, bring them back, and then push them farther.
5 I know that from personal experience.

6 He has a tremendous ability to reach across lines
7 between officers and executives. He brings out the very
8 best in people. He has distinguished himself as having
9 trained seven previous winners of the Governor's award,
10 including one of our winners today.

11 Jim Fraser is the winner of the 2009 O.J. "Bud"
12 Hawkins Exceptional Service Award.

13 *(Applause)*

14 MR. FRASER: Thank you very much, Ed.

15 This is really an honor. I want to thank the
16 Commission and the POST staff for the support they've had
17 of instructor development. That's the kind of business
18 I've really been in for the last 20 years.

19 Originally, I got into the program after a vetting
20 by Don Mora. And if you've gone through that, you know
21 that that's a vetting process that is second to none.
22 But the real thing we want to do is move from having
23 things we've just covered in class, to things that are
24 actually learned. So I thought we'd take this
25 opportunity to break up the Commission into small groups.

1 (Applause)

2 MR. FRASER: I've got the Marriott staff to bring
3 out some flipcharts...

4 Just jesting, obviously. But that's one of the
5 staples of our trade, the small-group process and how you
6 really can learn. We're all about learning, not about
7 just presenting it. And that's what the programs are
8 really all about.

9 I can't recognize everybody in the POST staff who
10 has been part of this for me. It's been a wonderful
11 journey for the last 20 or so years, and I can't thank
12 you enough for the kind of support that I've been given
13 in this program.

14 I have to recognize my wife. She's in the back. Of
15 course, one of the things I realized early in my career
16 is that I needed professional help, and she's a licensed
17 social worker, so I've been able to get that on a routine
18 basis and save lots of dollars, so it's been very
19 helpful.

20 And, Jody, thank you very much for all the support
21 you've given.

22 And also the San Diego Regional Training Center,
23 Michelle Thompson and Mike Gray and their staff and all
24 the things they've done for me over the years. And the
25 confidence they've had in me, allowing me to do the kind

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1 of programs I've been allowed to do.

2 And thank you all from the Advisory Committee. And
3 everybody else, thank you very much. I appreciate it.

4 (Applause)

5 COMMISSIONER SOBEK: The POST *Excellence in Training*
6 Award was established in 1994 to encourage innovation,
7 quality, and effectiveness of peace officers training in
8 order to recognize the best of the best.

9 There are three categories of the POST *Excellence in*
10 *Training* Award: Individual achievement, organizational
11 achievement, and lifetime achievement.

12 The Commission is proud to offer these annual awards
13 which symbolize California's national status of being in
14 the forefront of law enforcement training.

15 There were 20 nominees for the three award
16 categories. The recipients were selected through a
17 rigorous screening process conducted by the 15-member
18 POST Advisory Committee and approved by this Commission.

19 In addition to the trophies given to the recipients
20 today, their names will be inscribed on a plaque that is
21 permanently located at POST in Sacramento.

22 The recipient of the POST *Excellence in Training*
23 *Individual Achievement Award* for 2009 is Captain Tony
24 Farrar of the Rialto Police Department.

25 (Applause)

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1 MR. PECINOVSKY: Tony is known for his commitment to
2 continually seeking ways to improve the way things are
3 done. He is well-known for his successes in program
4 development and implementation.

5 Tony implemented a 360-degree performance
6 evaluation. He published many articles in professional
7 journals. He has developed operational manuals for
8 several programs, training courses, supervisor
9 development programs, and electronic databases.

10 Tony attended Homeland Security training in Israel.
11 He teaches at the National Tactical Officers Association
12 and the California Association of Tactical Officers
13 annual conferences. He holds membership in several
14 law-enforcement professional associations. He is noted
15 for working with many professional organizations and
16 with nationally recognized experts in various fields.

17 Tony Farrar is the winner of the *2009 POST*
18 *Excellence in Training Award for Individual Achievement.*

19 *(Applause)*

20 MR. FARRAR: Well, it's hard to always come behind
21 Jim when he talks, so I don't know if I'll be able to
22 make you laugh like he does.

23 But I'd really like to thank POST for giving me the
24 opportunity to be here, and I really appreciate the fact
25 that you've taken your time to recognize some of the

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1 things that we've done over the past year.

2 A couple other things that I'd just like to mention
3 is that there's always reasons for people's success.
4 And for me, really, it goes back to learning what I
5 didn't know when I went through Jim's Master Instructor
6 program, where I thought I knew everything about
7 training, but I found out that I really didn't. I had a
8 lot to learn and a long way to go. And after that, I
9 really felt very confident about what I was able to do.

10 Second is, I have a very supportive police
11 department, a police chief, and a staff that's willing to
12 let me leave to go out and do some teaching, do some
13 training, but also do some learning. Because for me,
14 you're not a top-notch trainer if you're not out there
15 seeking to learn and be able to share that information.

16 And lastly, of course, because I'm gone all the
17 time, doing a lot of the training, the teaching and the
18 learning, would be the fact that my wife lets me out of
19 the house to go do that. And I don't take too much flak
20 for that, but I certainly appreciate the fact that she
21 lets me go out there to do the thing I love to do, which
22 is training.

23 Thank you very much.

24 *(Applause)*

25 COMMISSIONER SOBEK: The recipient for the POST

1 *Excellence in Training Organization Achievement Award* for
2 2009 is the San Bernardino Sheriff's Department Emergency
3 Vehicle Operations Center.

4 Accepting the award on behalf of the San Bernardino
5 Sheriff's Department Emergency Vehicle Operations Center
6 is John Migaiolo, training manager.

7 *(Applause)*

8 MR. PECINOVSKY: The San Bernardino Sheriff's
9 Department Emergency Vehicle Operations Center, EVOC, is
10 recognized for its creation of the team survival driving
11 course in conjunction with the San Bernardino County
12 Juvenile Traffic Court as a way to interdict poor driving
13 practices of local youth.

14 The San Bernardino EVOC is known for providing a
15 high-quality motorcycle update course. They are
16 recognized for the willingness of its members to travel
17 to other venues in order to provide training to
18 requesting agencies.

19 Their training has shown a reduction in officer
20 accidents even though the miles driven has increased.
21 Their reputation has resulted in more agencies using
22 their driver training services. They are also recognized
23 for the quality of their basic and advanced driver
24 training courses.

25 The San Bernardino EVOC is known as an outstanding

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1 organization for its modern, high-quality training
2 facility.

3 The San Bernardino Sheriff's Department Emergency
4 Vehicle Operations Center is the winner of the 2009
5 POST *Excellence in Training Award for Organizational*
6 *Achievement*.

7 (Applause)

8 MR. MIGAIOLO: Thank you, Ed.

9 On behalf of the Sheriff's Department, Rod Hoops,
10 and the executive staff, I'd like to thank POST and the
11 Commission for the recognition of this award.

12 We really appreciate all the support and guidance
13 that Director Cappitelli has provided throughout all the
14 associations, VOTAC, the successful campaign of the
15 Safe Driver Campaign Committee. With all the efforts,
16 hopefully, we can make all our officers safe out there on
17 the streets.

18 On behalf of our department that is here with me
19 today is Assistant Sheriff Glen Pratt, Captain Valerie
20 Tanguay, Lieutenant Steve Dorsey, and my driving
21 instructor, George Callow in the back.

22 Thank you, George.

23 With all of our commitment, hopefully we can truly
24 make all the officers safe out there. And that's our
25 common goal.

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1 *Thank you very much.*

2 *(Applause)*

3 CHAIR SOBEK: The recipient for the POST *Excellence*
4 *in Training Lifetime Achievement Award* for 2009 is
5 Devallis Rutledge, special counsel to the Los Angeles
6 County District Attorney's office.

7 *(Applause)*

8 MR. PECINOVKSY: Devallis Rutledge is known for
9 consistently applying leading edge technology to delivery
10 training.

11 From 1979 to the present, he has authored 12 books
12 on important law-enforcement subjects. He has authored
13 over 182 articles. He's presented almost 1,200 roll-call
14 video programs. He has written over a thousand
15 law-enforcement training bulletins.

16 He's highly regarded and recognized by state,
17 national, and international organizations for his work
18 in law enforcement and other related areas.

19 Devallis has received many awards, recognizing his
20 continuing contributions to the law-enforcement
21 profession.

22 As a former POST commissioner, Devallis understands
23 the value of training.

24 Devallis Rutledge is the winner of the 2009 POST
25 *Excellence in Training Award for Lifetime Achievement.*

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1 *(Applause)*

2 CHAIR SOBEK: I'm going to go off-script a little
3 bit because one of the commissioners would like to speak.
4 And I think a lot of commissioners would always like to
5 say a lot of things about the recipients. But when this
6 certain commissioner asks for something, quite frankly,
7 I'm afraid of her, so I won't say no.

8 But Collene Campbell, if you'd come up, please,
9 Commissioner Campbell.

10 COMMISSIONER CAMPBELL: You know, we all honor
11 Devallis for his professionalism. But I just had to
12 stand up because I've known Devallis since 1983, when my
13 son disappeared, and he was in Orange County.

14 He is not just a professional when he's getting
15 paid. He is a wonderful man when somebody needs him.

16 Boy, what I didn't want is for you guys to see me in
17 tears.

18 See what you do to me? It's all your fault.

19 But, anyway, this man, during overturned trials,
20 during second murders in my family, this guy was there.
21 He is just a wonderful friend on-the-duty and
22 off-the-duty. And he has a heart of gold.

23 And, Devallis, I want to thank you on behalf of so
24 many victims who have been hit really hard.

25 I love you -- and it's okay with your wife that I

1 love you.

2 Thank you so much.

3 *(Applause)*

4 MR. RUTLEDGE: Thank you, Collene. That's very
5 sweet. I appreciate it.

6 Thank you, Mike, Ed.

7 You know, a few weeks ago, when I learned I had been
8 selected to receive this award, I went home after work,
9 I told my wife the good news.

10 And she said, "It sounds like one of those
11 good-news/bad-news things."

12 I said, "Well, what do you mean?"

13 She said, "Well, it's good news you're getting an
14 award, being recognized. But 'lifetime achievement,'
15 doesn't that mean that now it's official, you're really,
16 really old?"

17 Her comments made me think of one of those courtroom
18 transcripts that floats around the Internet.

19 A lawyer has a witness on the stand and says: "Now,
20 sir, you live here in the county?"

21 "Sure do."

22 "Have you lived here all your life?"

23 The witness says, "Well, not yet."

24 I'm hoping that receiving a lifetime achievement
25 award doesn't mean your lifetime is over yet, or that

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1 your ability to achieve anything is at an end yet because
2 particularly in my case, though I'm 66 years old, the
3 youngest of my five children is only 9, so I've got miles
4 to go before I sleep.

5 Thank you, Commissioners. Thank you, Members of the
6 Advisory Committee, and POST staff for considering me and
7 especially for selecting me for this honor which I deeply
8 appreciate.

9 I'm also grateful to my boss, L.A. County Steve
10 Cooley for nominating me. And not just the nomination,
11 but he's enthusiastically supported all of my
12 POST-certified training that I've done over the years
13 that I've worked for him. He is extremely supportive of
14 law enforcement and law-enforcement training.

15 As we all know, nobody achieves anything without the
16 support of his or her family. And in that regard, I have
17 been richly blessed. My family has always been there for
18 me. They are here with me: My wonderful wife and
19 photographer of 17 years, Victoria; sons Ryan, Evan,
20 Richard, and D.J. and daughter Chloe.

21 Did I leave anybody out?

22 Thank you all for being here.

23 It's been my privilege over the last 35 years or
24 so to play a small part in the training of our heroic
25 law-enforcement officers who do this critically important

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1 work while trying to secure justice for crime victims and
2 their families and protecting the public safety. I'll
3 always treasure this recognition of my training efforts.

4 Thanks to all of you for putting up with me over all
5 of these years. And, now, if you'll excuse me, I have to
6 go and ponder how it feels to be officially really,
7 really old.

8 Thank you.

9 *(Applause)*

10 CHAIR SOBEK: Now, to the business at hand.

11 This is the time for public comment. And excluding
12 the agendized items at the end where we have a couple of
13 speakers that want to speak today for a special issue,
14 this is the time for the public comment.

15 This is the time set aside for the members of the
16 public to comment on either items on the Commission
17 agenda or issues not on the agenda but pertaining to POST
18 Commission business.

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

23 Do I have anybody here in the audience that would
24 like to speak to the Commission?

25 *(No response)*

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1 CHAIR SOBEK: Okay, easy.

2 The next item is approval of the minutes for the
3 February Commission meeting.

4 COMMISSIONER LOWENBERG: Move it.

5 VICE-CHAIR DOYLE: Second.

6 COMMISSIONER HAYHURST: Second.

7 CHAIR SOBEK: We've got a motion by whom?

8 COMMISSIONER LOWENBERG: *(Indicating.)*

9 CHAIR SOBEK: Commissioner Lowenberg.

10 And a second by --

11 VICE-CHAIR DOYLE: Doyle.

12 CHAIR SOBEK: -- Commissioner Doyle.

13 All right, all in favor, say "aye."

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

15 CHAIR SOBEK: Opposed?

16 *(No response)*

17 CHAIR SOBEK: The motion carries.

18 On consent, B.1, Course Certification/

19 Decertification report.

20 Do we have a report? Do we need a report?

21 COMMISSIONER LOWENBERG: I'll move on the consent
22 calendar.

23 COMMISSIONER LINDEN: I'll second.

24 CHAIR SOBEK: Motion by Lowenberg, and a second
25 by --

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1 COMMISSIONER LINDEN: Linden.

2 CHAIR SOBEK: -- Linden.

3 Make sure you guys mention your names so that our
4 court reporter knows who it is. Thank you.

5 All in favor, say "aye."

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

7 CHAIR SOBEK: Any opposed?

8 *(No response)*

9 CHAIR SOBEK: The motion carries.

10 B.2, Quarterly Progress Report on the POST Strategic
11 Plan Implementation.

12 Do we need a report?

13 COMMISSIONER LINDEN: I think we just approved the
14 whole consent.

15 MR. CAPPITELLI: Mr. Chairman, I believe you just
16 approved the whole consent calendar.

17 CHAIR SOBEK: Oh, yes. Okay. Sorry.

18 We just approved the whole Consent?

19 MR. CAPPITELLI: Yes, we did.

20 CHAIR SOBEK: I'm doing great. Here we go.

21 COMMISSIONER LINDEN: One more meeting, Mr. Chair.

22 CHAIR SOBEK: You know, I've followed some people
23 who've made mistakes. So I'm not too worried about it.

24 COMMISSIONER LINDEN: It should be over soon.

25 MR. CAPPITELLI: Mr. Chairman, we have resolutions

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1 also that we need to do.

2 Where are they --

3 COMMISSIONER LINDEN: They were on the consent.

4 MR. CAPPITELLI: Oh, on the consent. I'm sorry.

5 It's the last item on the consent. So we need to
6 move them forward.

7 CHAIR SOBEK: All right, I would like to have Jody
8 Buna and Gary Sorg up, please.

9 MR. CAPPITELLI: Members of the Commission and for
10 the audience, this is our opportunity to recognize two
11 of our consultants who have retired this year. And
12 both Jody Buna and Gary Sorg have made significant
13 contributions to POST on behalf of the Commission and to
14 the profession in and of itself.

15 Most recently, just to name a few things, Gary Sorg,
16 prior to his retirement this past year, was the person
17 who was responsible for ensuring the entire procurement
18 process and evaluation process that led to the purchase
19 of our law-enforcement driver simulation.

20 And as you well know, that was a multimillion-dollar
21 program that had a lot of very intricate moving parts to
22 it. And we had a couple of moments throughout that
23 process where we were concerned about our funding being
24 at risk. And Gary always stepped forward, kept us
25 apprised, and fought the good, hard fight for us, with

1 all of those that challenges that came our way. And
2 clearly, we were successful. But that is really as a
3 result of Gary's efforts.

4 And so Gary, we congratulate you on your retirement.
5 *(Applause)*

6 MR. CAPPITELLI: And Jody Buna, who most notably in
7 the last many years of his career, was responsible for
8 the ongoing development of all of our training DVDs and
9 training materials and scenarios and everything related
10 to that, and worked to -- right before he departed, he
11 was working on a project which is still in progress right
12 now, which will take all of our multimedia resources that
13 we've had for a number of years, that have been available
14 on first -- on the first-generation VHS and then DVD, and
15 now we're transferring them electronically. That was
16 Jody's idea and concept.

17 The ball is rolling on that so that all of our
18 resources, all of our videos and everything will be
19 available online using an incredible tool that you'll be
20 able to go and not only watch them, but to be able to
21 trim them and save them to use them in presentation
22 settings. And so that's just a very small snapshot of
23 Jody's accomplishment.

24 And both of these gentlemen here served in
25 law-enforcement capacities prior to working at POST, both

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1 for mainstream law-enforcement officers in their
2 respective departments, and have well over 30 years each
3 in the business.

4 And so we congratulate you, Jody. And we
5 congratulate you both on your contribution.

6 Thank you.

7 *(Applause)*

8 CHAIR SOBEK: Okay, under Administrative Services
9 Bureau, the Report on Unexpended Reimbursement Funds.
10 This will be a roll-call vote, so I would ask for a
11 report.

12 MR. CAPPITELLI: Mr. Chairman, Tom Liddicoat, Bureau
13 Chief, will be coming forward to assist with that
14 presentation.

15 MR. LIDDICOAT: Good morning, Mr. Chairman,
16 Commissioners. This is Agenda Item C in your binder.

17 This is a recommendation to the Commission to
18 reinstate backfill, reinstate commuter lunch, and
19 increase basic course subsistence, reimbursement from
20 \$46 to \$50 for fiscal year 2010-11 effective July 1st,
21 2010.

22 As you know, with the current economy and budget
23 reductions, we've seen a trend in reimbursable training,
24 a tremendous decrease.

25 Earlier in the year, I projected about 64,000

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1 trainees. Back in February, I projected a downturn, down
2 to 46,000 trainees. At the Finance Committee meeting
3 yesterday, I made a report that said we'll be lucky to
4 get 40,000 trainees this current year. We're about
5 41 percent down on training.

6 As a result, the good news is, I guess, that we're
7 going to have additional savings.

8 As you recall, back in February, because of the
9 downturn in the reimbursable trainees, the Commission
10 authorized and staff completed the administrative process
11 to transfer \$3 million from reimbursements, billable
12 reimbursement funds to funding -- or a down payment, if
13 you will, for the down payment for the law-enforcement
14 Driver Simulator program.

15 That meant that we reduced the amount that we were
16 going to have to finance by \$3 million.

17 Because of the additional downturn in reimbursable
18 trainees that I just mentioned, we have an additional
19 \$3 million estimated to be available in this year.

20 If action is not taken to utilize these available
21 funds, as you know, what happens is, they'll revert to
22 POST's reserve, which is currently approximately
23 \$17 million.

24 This was vetted through the Long-Range Planning
25 Committee meeting a month ago, and recommendations were

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1 made for both the current year, 2009, and 2010-11
2 available funds.

3 The Long-Range Planning Committee made a
4 recommendation. Staff then took that and decided,
5 however, that it would not be possible to make any
6 retroactive adjustments in the current year to utilize
7 current-year funds. It was just not feasible to do so
8 for a variety of reasons.

9 Only actions for 2010-11 can be implemented, and
10 that's what we're proposing today.

11 Basically, the Long-Range Planning Committee, and
12 yesterday at the Finance Committee, recommends approval
13 of increasing backfill reimbursement, commuter lunch, and
14 the basic-course subsistence.

15 Estimated cost of these increases is about
16 \$1.4 million for backfill reimbursement, \$800,000 for the
17 commuter-lunch reimbursement, and about \$100,000 for the
18 basic-course subsistence increase.

19 There is an Attachment A, if you'd like to refer to
20 that. Basically, it just reflects the reimbursements
21 by trainees and training reimbursement for the past
22 12 years: Ten years actual, two years estimated.

23 And you can see there's a variety of things that
24 have happened over those years, from a high of in 2007-08
25 where we reimbursed over 68,000 trainees at an expense

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1 of over \$24 million, down to what we're projecting for
2 the next year of 50,000 trainees at only \$17 million.

3 I'd be happy to answer any questions.

4 If not, the appropriate action would be a motion to
5 authorize the Executive Director to reinstate backfill
6 reimbursement, reinstate commuter lunch, and increase
7 basic-course subsistence from \$46 to \$50 for fiscal year
8 '10-11 for July 1st, 2010.

9 CHAIR SOBEK: Before --

10 COMMISSIONER MCGINNESS: So moved.

11 CHAIR SOBEK: Before -- I'm sorry, Commissioner.

12 Before that, our Executive Director would like to
13 say a few words.

14 MR. CAPPITELLI: Yes, just briefly.

15 Members of the Commission -- thank you, Mr. Chair --
16 this is another example of how, at the eleventh hour
17 here, despite our efforts to try to determine some way
18 to expend these funds, we believe that on a go-forward
19 basis, this would give us the opportunity to allow more
20 people to be able to attend training from the
21 law-enforcement community throughout the year.

22 And it is staff's recommendation at this point that
23 you adopt this.

24 Thank you, sir.

25 CHAIR SOBEK: We have a motion by Commissioner

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1 McGinness.

2 COMMISSIONER ALLEN: Second.

3 CHAIR SOBEK: Second by Commissioner Allen.

4 All in favor, say "aye."

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

6 CHAIR SOBEK: Sorry, it's a roll call.

7 I knew that, too.

8 Okay, Connie?

9 COMMISSIONER HAYHURST: Mr. Batts used to do that
10 all the time.

11 CHAIR SOBEK: Yes. So did Commissioner Linden, as
12 I recall.

13 COMMISSIONER DUMANIS: Every Chair.

14 MS. PAOLI: Sobek?

15 CHAIR SOBEK: Aye.

16 MS. PAOLI: Allen?

17 COMMISSIONER ALLEN: Aye.

18 MS. PAOLI: Batts?

19 COMMISSIONER BATTIS: Aye.

20 MS. PAOLI: Bui?

21 COMMISSIONER BUI: Yes.

22 MS. PAOLI: Campbell?

23 COMMISSIONER CAMPBELL: Yes.

24 MS. PAOLI: Cooke?

25 COMMISSIONER COOKE: Yes.

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1 MS. PAOLI: Doyle?

2 VICE-CHAIR DOYLE: Yes.

3 MS. PAOLI: Dumanis?

4 COMMISSIONER DUMANIS: Yes.

5 MS. PAOLI: Hayhurst?

6 COMMISSIONER HAYHURST: Yes.

7 MS. PAOLI: Linden?

8 COMMISSIONER LINDEN: Yes.

9 MS. PAOLI: Lowenberg?

10 COMMISSIONER LOWENBERG: Yes.

11 MS. PAOLI: Lundgren?

12 *(No response)*

13 MS. PAOLI: McGinness?

14 COMMISSIONER MCGINNESS: Yes.

15 MS. PAOLI: Smith?

16 COMMISSIONER SMITH: Yes.

17 MS. PAOLI: Soubierous?

18 COMMISSIONER SOUBIROUS: Yes.

19 MS. PAOLI: Anderson?

20 COMMISSIONER ANDERSON: Yes.

21 CHAIR SOBEK: The motion passes.

22 Thank you.

23 COMMISSIONER LINDEN: Mr. Chair?

24 CHAIR SOBEK: Yes?

25 COMMISSIONER LINDEN: I just want to thank our

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1 Executive Director and staff on behalf of the field.
2 This will bring us much needed relief, especially the
3 backfill, which is one of the things that absolutely has
4 prohibited us from sending personnel to training, to
5 advanced officer training.

6 MR. CAPPITELLI: Thank you, Commissioner.

7 CHAIR SOBEK: Okay, moving on to the Basic Training
8 Bureau, Item D, the Report on Revision to Commission
9 Regulation in Relation to the Delivery of Basic Training.

10 Do we need a report?

11 *(No response)*

12 CHAIR SOBEK: I need a motion.

13 COMMISSIONER DUMANIS: Motion to approve.

14 VICE-CHAIR DOYLE: Second.

15 COMMISSIONER DUMANIS: Dumanis.

16 CHAIR SOBEK: Motion to approve by Dumanis,

17 second --

18 VICE-CHAIR DOYLE: Doyle.

19 CHAIR SOBEK: -- Doyle.

20 All in favor, say "aye."

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

22 CHAIR SOBEK: Any opposed?

23 *(No response)*

24 CHAIR SOBEK: The motion carries.

25 Item E, Contract Request and Report on the Status of

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1 Implementing a Pilot Study of Academy Basic Driver
2 Training.

3 This is a roll-call vote so I will take a report
4 from staff, please.

5 MR. DECKER: Good morning, Mr. Chair, Commissioners.

6 CHAIR SOBEK: Good morning.

7 MR. DECKER: This report is on the pilot study
8 proposed for LD 19, the vehicle operations portion of the
9 regular basic course.

10 As a result of the VOTAC study and the Driver
11 Training Volume 1, the Commission directed that elements
12 should be added to LD 19 to include the use of law-
13 enforcement driving simulators, a speed component, night
14 driving, and use of interference vehicles.

15 We have reviewed material currently in the training
16 and testing specifications, reviewed material currently
17 presented by the academies, and we have selected seven
18 academies to serve as pilot sites.

19 We are currently bringing all the material together.
20 As of July 26th, we will be bringing a committee together
21 of subject-matter experts and pilot academies to review
22 the content for the proposed pilot.

23 As part of this, due to limited staff resources,
24 there is a need to contract for outside expertise. So
25 the request is for \$50,000 to secure the services of

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1 Dr. Ron Tarr of the University of Central Florida, who
2 is an expert in simulation training, and other experts.

3 CHAIR SOBEK: Thank you, Frank.

4 Roll-call vote, please.

5 CHAIR SOBEK: Do we have any -- actually do we need
6 a motion?

7 COMMISSIONER HAYHURST: Do we have a motion?

8 VICE-CHAIR DOYLE: Move.

9 COMMISSIONER HAYHURST: Motion. Hayhurst.

10 COMMISSIONER SMITH: Second.

11 CHAIR SOBEK: Motion by Doyle, second by --

12 COMMISSIONER SMITH: Smith.

13 CHAIR SOBEK: -- by Smith.

14 MS. PAOLI: Sobek?

15 CHAIR SOBEK: Yes.

16 MS. PAOLI: Allen?

17 COMMISSIONER ALLEN: Aye.

18 MS. PAOLI: Batts?

19 COMMISSIONER BATTIS: Yes.

20 MS. PAOLI: Bui?

21 COMMISSIONER BUI: Yes.

22 MS. PAOLI: Campbell?

23 COMMISSIONER CAMPBELL: Yes.

24 MS. PAOLI: Cooke?

25 COMMISSIONER COOKE: Yes.

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1 MS. PAOLI: Doyle?

2 VICE-CHAIR DOYLE: Yes.

3 MS. PAOLI: Dumanis?

4 COMMISSIONER DUMANIS: Yes.

5 MS. PAOLI: Hayhurst?

6 COMMISSIONER HAYHURST: Yes.

7 MS. PAOLI: Linden?

8 COMMISSIONER LINDEN: Yes.

9 MS. PAOLI: Lowenberg?

10 COMMISSIONER LOWENBERG: Yes.

11 MS. PAOLI: Lundgren?

12 *(No response)*

13 MS. PAOLI: McGinness?

14 COMMISSIONER MCGINNESS: Yes.

15 MS. PAOLI: Smith?

16 COMMISSIONER SMITH: Yes.

17 MS. PAOLI: Soubierous?

18 COMMISSIONER SOUBIROUS: Yes.

19 MS. PAOLI: Anderson?

20 COMMISSIONER ANDERSON: Yes.

21 CHAIR SOBEK: The motion carries.

22 Thank you.

23 Item F is from the Center for Leadership

24 Development, and it's a Request to Augment the Fiscal

25 Year 2010-11 Command College Contract, which also calls

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1 for a roll-call vote.

2 Do we need a report on this from anybody?

3 COMMISSIONER LOWENBERG: Move on the recommendation.

4 Lowenberg.

5 COMMISSIONER MCGINNESS: Second. McGinness.

6 COMMISSIONER DUMANIS: Second. Dumanis.

7 CHAIR SOBEK: Second, McGinness.

8 COMMISSIONER MCGINNESS: For the record, third,

9 Dumanis.

10 CHAIR SOBEK: Go ahead, Connie.

11 MS. PAOLI: Sobek?

12 CHAIR SOBEK: Yes.

13 MS. PAOLI: Allen?

14 COMMISSIONER ALLEN: Aye.

15 MS. PAOLI: Batts?

16 COMMISSIONER BATTS: Yes.

17 MS. PAOLI: Bui?

18 COMMISSIONER BUI: Yes.

19 MS. PAOLI: Campbell?

20 COMMISSIONER CAMPBELL: Yes.

21 MS. PAOLI: Cooke?

22 COMMISSIONER COOKE: Yes.

23 MS. PAOLI: Doyle?

24 VICE-CHAIR DOYLE: Yes.

25 MS. PAOLI: Dumanis?

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1 COMMISSIONER DUMANIS: Yes.

2 MS. PAOLI: Hayhurst?

3 COMMISSIONER HAYHURST: Yes.

4 MS. PAOLI: Linden?

5 COMMISSIONER LINDEN: Yes.

6 MS. PAOLI: Lowenberg?

7 COMMISSIONER LOWENBERG: Yes.

8 MS. PAOLI: Lundgren?

9 *(No response)*

10 MS. PAOLI: McGinness?

11 COMMISSIONER MCGINNESS: Yes.

12 MS. PAOLI: Smith?

13 COMMISSIONER SMITH: Yes.

14 MS. PAOLI: Soubierous?

15 COMMISSIONER SOUBIROUS: Yes.

16 MS. PAOLI: Anderson?

17 COMMISSIONER ANDERSON: Yes.

18 CHAIR SOBEK: The motion carries. Thank you.

19 Under Item G, Request for Approval to Initiate a
20 Competitive Solicitation for a Video for the Supervisory
21 course. Also a roll-call vote.

22 Would the commissioners like a report?

23 COMMISSIONER DUMANIS: So moved, a motion to
24 authorize. Dumanis.

25 CHAIR SOBEK: Motion, Dumanis.

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1 COMMISSIONER BUI: Bui. Second.
2 VICE-CHAIR DOYLE: Second. Doyle.
3 COMMISSIONER DUMANIS: You can have the third.
4 CHAIR SOBEK: I'll go with Commissioner Bui.
5 MS. PAOLI: Sobek?
6 CHAIR SOBEK: Yes.
7 MS. PAOLI: Allen?
8 COMMISSIONER ALLEN: Yes.
9 MS. PAOLI: Batts?
10 COMMISSIONER BATTS: Yes.
11 MS. PAOLI: Bui?
12 COMMISSIONER BUI: Yes.
13 MS. PAOLI: Campbell?
14 COMMISSIONER CAMPBELL: Yes.
15 MS. PAOLI: Cooke?
16 COMMISSIONER COOKE: Yes.
17 MS. PAOLI: Doyle?
18 VICE-CHAIR DOYLE: Yes.
19 MS. PAOLI: Dumanis?
20 COMMISSIONER DUMANIS: Yes.
21 MS. PAOLI: Hayhurst?
22 COMMISSIONER HAYHURST: Yes.
23 MS. PAOLI: Linden?
24 COMMISSIONER LINDEN: Yes.
25 MS. PAOLI: Lowenberg?

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1 COMMISSIONER LOWENBERG: Yes.

2 MS. PAOLI: Lundgren?

3 *(No response)*

4 MS. PAOLI: McGinness?

5 COMMISSIONER MCGINNESS: Yes.

6 MS. PAOLI: Smith?

7 COMMISSIONER SMITH: Yes.

8 MS. PAOLI: Soubirous?

9 COMMISSIONER SOUBIROUS: Yes.

10 MS. PAOLI: Anderson?

11 COMMISSIONER ANDERSON: Yes.

12 CHAIR SOBEK: The motion carries. Thank you.

13 On to the Executive Office category, under H, the
14 Report on the Composition of the POST Advisory Committee.

15 COMMISSIONER LINDEN: I'd like a presentation on
16 this one.

17 MR. CAPPITELLI: The esteemed Assistant Executive
18 Director Alan Deal will be making this presentation.

19 MR. DEAL: Mr. Chairman, Commissioners, I would
20 react to the "esteemed," but...

21 As you're aware from our previous meeting, we
22 currently have a vacancy that exists in one of the
23 public-member positions. This generated interest on the
24 part of the Commission to have a report to deal with
25 some of the background and history associated with the

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1 composition of the Advisory Committee; and a report has
2 been prepared for you under Tab H of the Advisory -- or,
3 I'm sorry, the Long-Range Planning Committee met in
4 May and reviewed various alternatives that are described
5 in the report under the tab.

6 And as a result of their review, made a
7 recommendation -- or approved a decision based upon their
8 review and assessment of two things, two areas: One was
9 that we appoint someone to the vacant public-member
10 position; and that a public-safety dispatcher position be
11 added to the Advisory Committee.

12 As you are probably aware from reviewing the agenda
13 item, since 1987, the Commission has had statutory
14 responsibility to address issues associated with
15 public-safety dispatchers in their selection and
16 training; however, they have not had representation on
17 the Advisory Committee. And it was staff's
18 recommendation that that be considered as part of the
19 review that the Commission undertake.

20 There are a significant number of law-enforcement
21 agencies that have a dispatch function. The numbers
22 are provided for you in the attachment, and there are
23 well over 7,000 dispatchers, dispatch supervisors, and
24 dispatch managers that are in agencies that are part of
25 the POST program.

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1 As you review the recommendation to the Commission,
2 I've noted, based upon some good input on the part of the
3 Advisory Committee that we specify in a more clear way
4 as to the type of nomination that should be accepted.

5 And, obviously, the discussion yesterday by the
6 Advisory Committee was the importance of having someone
7 who is within an agency that is part of the POST program.
8 One of the things that is an important consideration is
9 that for the past year and a half, there has been
10 substantial work on the part of POST staff in trying to
11 address a lot of the needs of basic training for
12 dispatchers. A number of regional meetings have been
13 conducted to draw in dispatchers to be more mainstream
14 in terms of the type of support that we provide to them.
15 And, frankly, the committee that has been established,
16 if you look at the attachment that is provided to you,
17 you can see that the advisory council that has been
18 established by staff is very representative of the entire
19 state as it relates to the dispatch function in support
20 of law enforcement.

21 There are 24 members of that body; and our
22 additional recommendation that goes along with the
23 recommendation from the Long-Range Planning Committee was
24 consideration of allowing that body to determine, through
25 a process that would be established by them, a person

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1 that would be nominated if you choose to establish an
2 Advisory Committee position for public safety dispatcher.
3 That would be staff's recommendation.

4 CHAIR SOBEK: I'm going to defer to our Advisory
5 Committee Chair, Brent Newman, to give us a report on
6 what they did yesterday.

7 MR. NEWMAN: Certainly. I'll start with the end and
8 offer a few comments.

9 There was a motion that was seconded and passed
10 unanimously to adopt the recommendation in Item H here
11 that the Commission appoint someone to the vacant
12 public-member position and add a public-safety dispatcher
13 position to the Advisory Committee.

14 The discussion leading up to that was along two
15 lines:

16 One, with respect to the dispatch position,
17 public-safety dispatcher. It's exactly as Mr. Deal said,
18 that there was concern that that person would come from
19 a POST member agency and not one of the many different
20 kinds of companies -- for example, a private ambulance
21 company or something like that.

22 I think it was absolutely non-controversial on
23 the Advisory Committee that a representation from a
24 public-safety dispatcher would be welcomed and is needed,
25 and is probably a long time in coming.

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1 With respect to the public member, it was also
2 non-controversial that that type of input, that
3 membership would be most welcome and helpful.

4 There was a brief discussion, notwithstanding those
5 two positions, about what would happen if we went up
6 from 15 to 16 members. And within the Committee -- for
7 example, if it came to a tie vote or something, but we
8 also discussed that we would, most assuredly, be able to
9 address that issue within the Committee.

10 We did not specifically address or recommend any
11 person or persons or agencies, fully deferring that to
12 this Commission.

13 And like I said, it was fairly non-controversial.
14 From an Advisory Committee standpoint, we would welcome
15 the representatives from those two stakeholder positions.

16 CHAIR SOBEK: Thank you, Brent.

17 MR. DEAL: Mr. Chairman, in consideration of the
18 discussion that the Advisory Committee had, staff is
19 recommending that, along with the existing motion that is
20 contained in your binder, that a sentence be added that
21 the nominee must be employed by an agency that is a
22 participant in the POST public-safety dispatcher program.
23 And that would acknowledge both those agencies that are
24 in the reimbursable and non-reimbursable programs.

25 CHAIR SOBEK: Thank you, Alan.

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1 MR. CAPPITELLI: Mr. Chair, Members of the
2 Commission, one issue that's somewhat related to this
3 is, I think the Commission -- staff believes that the
4 Commission should take into consideration if you're going
5 to appoint a public member. There were a couple of
6 ancillary issues that aren't contained necessarily here
7 in the written report, but I think are important for you
8 to think about before you make your decision.

9 One is that, historically, we've had public members
10 who have served us well and then wanted to continue to
11 serve. So what the Commission should consider is whether
12 or not you want, as a group, to have different
13 representation each time or whether you want the same
14 person to serve for continuity purposes.

15 And related to that, the Commission should consider
16 whether or not having a public member who had a prior
17 law-enforcement experience is, in fact, a true public
18 member; whether you believe that somebody who is a member
19 of the public who has never been a law-enforcement
20 officer could perhaps bring something different to the
21 table.

22 Clearly, that is no reflection on any of the
23 individuals who are serving or have served in this
24 capacity. It's just merely something for you to consider
25 as you move forward and you evaluate this policy item and

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1 have a discussion on that.

2 I just wanted to mention that to you.

3 CHAIR SOBEK: Okay.

4 COMMISSIONER BUI: Is there a time-line for which
5 we need to make this nomination?

6 MR. CAPPITELLI: The position is vacant now,
7 Commissioner.

8 COMMISSIONER BUI: Okay.

9 MR. CAPPITELLI: It's up to you, though, whatever
10 you want.

11 CHAIR SOBEK: Should I mention the letters of
12 support?

13 MR. CAPPITELLI: Yes, you could draw attention to
14 that.

15 CHAIR SOBEK: Just to let the commissioners know, I
16 received about seven letters of support for Alex Bernard
17 to reappoint him. I haven't seen or heard of any other
18 nominations.

19 Does anybody have any other nominations or make a
20 recommendation at this time?

21 COMMISSIONER LOWENBERG: Mr. Chair, it's fairly
22 clear to me, and maybe I'm outside the loop here, we have
23 two distinctive issues here: One is the public-safety
24 appointment, and the other is the public member.

25 Could I be so bold as to suggest we deal with one

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1 at a time? Could we possibly deal with the public-safety
2 one first as a recommendation, and then have a discussion
3 about -- because my sense is that there's going to be
4 more of a discussion about the public-member vacancy than
5 maybe the public-safety one, based on what I heard
6 happened yesterday.

7 CHAIR SOBEK: You're talking about the dispatcher
8 one, correct?

9 COMMISSIONER LOWENBERG: Correct.

10 CHAIR SOBEK: Yes, that's -- that's fine with me.

11 And then we can revisit it -- are you talking about
12 revisiting it at the next meeting?

13 COMMISSIONER LOWENBERG: No, I think we should have
14 a discussion here.

15 CHAIR SOBEK: Okay.

16 COMMISSIONER LOWENBERG: If you get a direction from
17 the majority of the Commission they want to roll this
18 decision over regarding a public member to the next
19 meeting, that's fine with me. I'm prepared to make a
20 decision at this meeting, but I don't know about anybody
21 else. I don't want to speak for my fellow commissioners.

22 CHAIR SOBEK: Well, I'm prepared to take a
23 nomination. We just haven't --

24 COMMISSIONER LOWENBERG: Well, I think -- my point
25 is that maybe before we actually take a nomination, we

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1 have to have -- I would appreciate a discussion amongst
2 my fellow commissioners about what the Executive Director
3 just said, and that is that the policy decision or the
4 principle behind do we truly want a public member or
5 don't we care too much about the fact that we've had a
6 history where we've had former law-enforcement people
7 that have been public members, so...

8 CHAIR SOBEK: Do you have an opinion?

9 COMMISSIONER LOWENBERG: I'm sorry?

10 CHAIR SOBEK: Do you have an opinion, Commissioner?

11 COMMISSIONER LOWENBERG: I have an opinion.

12 CHAIR SOBEK: Okay.

13 COMMISSIONER LOWENBERG: My opinion is -- and I'm
14 really torn here between two separate positions.

15 One is, I respect the letters we received; and I
16 respect Mr. Bernard's service to the Advisory Committee.
17 But something tells me that if, in fact, this is a
18 public-member position, then it probably should be a
19 truly public-member position.

20 And the example I use is my good friend, Collene
21 Campbell, who has no law-enforcement experience but has
22 brought, for the past almost 20 years, I believe, has
23 brought a special -- I'll use the word "special" --

24 COMMISSIONER CAMPBELL: Thank you.

25 COMMISSIONER LOWENBERG: -- a special dynamic to

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1 this circle.

2 So if, using her as an example, as just one example,
3 then I think there's a value in seriously considering
4 appointing someone that is truly a public member.

5 CHAIR SOBEK: Okay, anybody else?

6 COMMISSIONER LINDEN: Mr. Chair, I actually -- I
7 completely agree with Commissioner Lowenberg on the need
8 to have this discussion; but I really like his idea of
9 splitting the issue because I think we are dealing with
10 two very separate issues. And I'd be prepared to move
11 that we add a public-safety dispatcher position to the
12 Advisory Committee; that we authorize that members of the
13 POST Public Safety Dispatcher Advisory Council select
14 from its members a representative to be nominated to the
15 public-safety dispatcher member position, with the caveat
16 that that nominated member be employed by an agency
17 that's currently enrolled in the POST public safety
18 dispatcher position.

19 COMMISSIONER BUI: Bui. Second.

20 CHAIR SOBEK: Okay, does everybody understand the
21 motion and the second?

22 *(No response)*

23 CHAIR SOBEK: Great.

24 All in favor, say "aye."

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

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1 CHAIR SOBEK: Any opposed?

2 *(No response)*

3 CHAIR SOBEK: Motion carries for that.

4 COMMISSIONER HAYHURST: I would argue, if I may,
5 bringing about the public-member spot, the person that
6 does -- according to the documents here, in the recent
7 past, most of the public members of the Advisory
8 Committee have been a retired law-enforcement officer.

9 Most of us sitting around the table and some of
10 the more tenured ones have always had some kind of
11 association with law enforcement one way or the other or
12 else they would not even be around to talk to POST in any
13 way, shape, or form.

14 If they don't have an interest in it, they would not
15 be coming forth to be involved with POST in any way,
16 shape, or manner.

17 Collene, obviously, a public member, actively
18 involved with a lot of things in her community. The same
19 way with Linda down there. They are involved with POST
20 because of law-enforcement contact and what they want to
21 give back and what they want to do to see law enforcement
22 continue to give to the public.

23 So I think it's, in all the professions that are at
24 this table, they've had some type of law-enforcement
25 connection from the onset. And to say, like, a person

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1 that I'm going to nominate on there was a law-enforcement
2 officer, he's retired. Many of the people that we want
3 on our staff personnel for POST are retired peace
4 officers, okay. So to say that a public member shouldn't
5 really be part of it, I think that kind of goes against
6 what POST is all about.

7 We bring in people in the law-enforcement community
8 and family because we know what the needs are throughout
9 the entire community because everybody brings something
10 different that has been involved with it.

11 That's my opinion. I don't see how saying it's
12 strictly a public member, it has to be a janitor or a
13 store owner or a businessman in the community.

14 CHAIR SOBEK: Any other comment?

15 VICE-CHAIR DOYLE: I support Ron's position. And if
16 flavor is not, then we should call it an open position
17 and not a public member. Because I think a "public
18 member" connotes someone that's not from law
19 enforcement and someone that's going to bring something
20 else to the table.

21 CHAIR SOBEK: That has a different perspective?

22 VICE-CHAIR DOYLE: Yes.

23 COMMISSIONER LINDEN: Mr. Chair, I agree, and I
24 totally understand what Commissioner Hayhurst is saying.
25 But I can think of several really qualified people, even

1 in my own community, that are not from law enforcement as
2 a profession but definitely have connections and ties and
3 affiliations and knowledge of the profession that bring a
4 very valuable outside perspective.

5 And I think it's really easy at whatever level we
6 are in law enforcement, or retired law enforcement, to
7 sort of occasionally be a bit closed in our perspective.
8 And so I think that having those other voices, both at
9 the Commission level and at our Advisory Committee level,
10 is important.

11 Absolutely no commentary about Alex Bernard. I
12 mean, this has nothing to do with the personalities
13 involved.

14 But I know that I haven't had a chance to really
15 consider or talk to people that, in my community, that
16 potentially would be valuable public members or open
17 members for the Advisory Committee. And maybe one way to
18 deal with this would be to defer the decision on the open
19 seat for the next meeting, and then the commissioners can
20 bring back or notify the Commission in advance of other
21 public members that might be interested.

22 And there may or may not be any, and they could come
23 from varied backgrounds or different backgrounds.

24 COMMISSIONER HAYHURST: If I may, I will also add
25 that there are numerous letters in here for support for

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1 more than just one person in here. And we know when
2 these positions are coming available. There's people in
3 the audience that come regularly if they're interested.
4 They have been able to address the Commission.

5 If you are truly interested in getting involved with
6 POST in any way, shape, or form, you know the dates are
7 posted. To put things off to another meeting so people
8 could go out and recruit or try to find somebody else,
9 I think they've had the opportunity. They know of this
10 vacancy, what the terms are.

11 It is clearly calendared where people know when they
12 are. They have it, if they're interested. They should
13 be allowed to submit when everybody else is. And to put
14 it off is changing, as far as I'm concerned, the way we
15 have done business in the past.

16 COMMISSIONER BUI: Mr. Chair?

17 CHAIR SOBEK: Commissioner Bui.

18 COMMISSIONER BUI: I don't think that we necessarily
19 need to close the position off to any specific group,
20 whether that person be a retired officer or, you know, a
21 true public member. I mean, if the person is
22 well-rounded in their perspective and their experience, I
23 think they should be considered, no matter, you know,
24 whether or not they've been previously sworn.

25 CHAIR SOBEK: Mr. Newman?

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1 MR. NEWMAN: Just very briefly.

2 If I understand my role as the chair, it is to
3 simply facilitate a discussion of the Advisory Committee
4 to try to generate the best discussion and get the best
5 wisdom out of that group to aid you in the tasks that you
6 have.

7 And I have no strong feeling or position on this.
8 And I would say simply, from a procedural standpoint,
9 whatever you decide to do really, if you could keep that
10 the foremost in your mind. Because I think ultimately
11 it's going to serve this body very well. The greater the
12 diversity of opinion, the greater the difference among
13 the backgrounds. It does generate that type of
14 discussion that I think really gets to the issues and
15 performs that vital service that you all have the
16 Advisory Committee for.

17 So that's my comment.

18 CHAIR SOBEK: Thank you.

19 COMMISSIONER MCGINNESS: Mr. Chairman, if the goal
20 is to have a truly public member, would it make sense for
21 this body to move forward with that in mind and select a
22 public member but maybe not necessarily restrict further
23 selections from any particular group? Because as time
24 goes on, things become topical and a critical need that
25 this body may have in the future could very well be

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1 represented by somebody who is a retired law enforcement.
2 So we might be limiting our options unnecessarily.

3 Nevertheless, I think we're well advised to comply
4 with what has to be the original intent, to have truly a
5 public member as we make selections.

6 COMMISSIONER HAYHURST: I would also argue a retired
7 peace officer is no longer a peace officer working,
8 actually. He is a public member. He is out in the
9 community. He isn't recognized as a peace officer or a
10 woman that has worked in law enforcement, so...

11 COMMISSIONER LINDEN: Mr. Chair, may I ask a
12 discussion of the staff?

13 CHAIR SOBEK: Yes.

14 COMMISSIONER LINDEN: Paul, if we wanted to consider
15 nominations for the public member for the open seat at
16 our next meeting, what's the process in between now and
17 then? Are those nominations vetted with our Advisory
18 Committee itself, or do they come straight to the
19 Commission? Or how does that work and what's the timing
20 on it?

21 MR. CAPPITELLI: I'm going to defer to Mr. Deal.

22 MR. DEAL: They would come straight to the
23 Commission. And as identified in the agenda item, you'll
24 note that you'll have the second public-member position
25 also coming up for consideration at the October meeting.

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1 So, in fact, you would have two.

2 But the three positions that are part of the
3 Commission's responsibility to actually nominate and
4 select are the two public members and then the
5 specialized law enforcement.

6 The remaining individuals are all represented by
7 either an organization or an association as specified in
8 the composition of the Advisory Committee.

9 MR. CAPPITELLI: Mr. Chair?

10 CHAIR SOBEK: Yes.

11 MR. CAPPITELLI: In light of Commissioner Linden's
12 comments, what you may want to consider is, I realize
13 that it's a good idea to try to get this done because we
14 have it in front of us; but in light of what Mr. Deal
15 just said about us having two vacancies, if you want to
16 expand the field of candidates so that the Commission can
17 have a broader choice, then staff would be willing to
18 make a posting on the Web site and do what we can between
19 now and the October meeting to try to see if there are
20 any other interested candidates.

21 You would have those candidates -- the names of
22 those candidates and any recommendations, letters,
23 et cetera, that could be added to the recommendations
24 for Mr. Bernard to be considered. And then the
25 Commission could actually make two selections from that

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1 list of candidates, and that might make your decision a
2 little bit easier. But that's just a suggestion that
3 I would make.

4 CHAIR SOBEK: If we did that, I would ask -- and I
5 know this is a little bit staff working -- but we would
6 get their nominations, their letters, and be able to vet
7 them internally before we go to the next meeting, so that
8 we have an idea, as commissioners, who those people would
9 be.

10 MR. CAPPITELLI: Well, I would say, Mr. Chair --
11 and I would probably have to defer to counsel for a
12 parliamentary view, but I believe that any assessment
13 you would have as a body would probably have to take
14 place in this setting or you could vet that through the
15 Long-Range Planning Committee. I'm not so sure that it
16 would be procedurally correct.

17 Mr. Deal, do you have a comment?

18 MR. DEAL: You would have, as is required, two weeks
19 before the Commission meeting, the correspondence or a
20 form that we might post on the Web site. So you would
21 have information on which to review that and make an
22 assessment before you meet two weeks prior to the
23 meeting.

24 COMMISSIONER LINDEN: And we're making those
25 nominations of people?

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1 MR. DEAL: Correct.

2 COMMISSIONER LINDE: The commissioners?

3 MR. DEAL: Yes.

4 COMMISSIONER LINDEN: Mr. Chair, I'm prepared to
5 make a motion.

6 CHAIR SOBEK: Okay.

7 COMMISSIONER LINDEN: I would move that we defer
8 the appointment of the open public-member seat on the
9 Advisory Committee to the next POST Commission meeting;
10 that it be considered with the second public-member
11 position that will be coming open between now and then,
12 and that we're not restricting any sort of background or
13 experience of that public-member position.

14 CHAIR SOBEK: So, it could possibly be a
15 retired peace officer?

16 COMMISSIONER LINDEN: Absolutely, yes.

17 CHAIR SOBEK: Good.

18 COMMISSIONER LINDEN: And commissioners can make
19 nominations in advance of that meeting so that they're
20 appropriately included in the packet agenda.

21 COMMISSIONER ALLEN: I'll second that motion.

22 CHAIR SOBEK: Okay.

23 COMMISSIONER HAYHURST: Further discussion and a
24 second motion, I'd like to make a motion on it.

25 Do we need to do it, so it's out there for the

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1 second one?

2 COMMISSIONER LINDEN: We have to consider the first
3 motion first, right?

4 CHAIR SOBEK: We have to consider the first one. We
5 definitely have to consider the first one.

6 Point of order by anybody?

7 COMMISSIONER HAYHURST: For further comment, I would
8 also say then -- so there's going to be a second motion
9 on here -- is that we go ahead and deal with the one that
10 it is; and if we want to make the changes for the
11 upcoming one in October, do so then. But leave the one
12 that it is, as it is currently, as based on --

13 CHAIR SOBEK: I don't think we're changing. I don't
14 think we're changing -- according to Commissioner
15 Linden's motion, we're not changing what is entitled to
16 that public-safety person. We're not changing it to
17 just --

18 COMMISSIONER HAYHURST: We're shifting the filling
19 of the position for another meeting.

20 CHAIR SOBEK: Yes, but we're not changing what that
21 person's qualifications should be.

22 COMMISSIONER LINDEN: We're just changing the date.
23 The motion on the floor --

24 Commissioner, are you requesting that I modify my
25 motion? Because we have a motion on the floor.

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1 CHAIR SOBEK: Right. No, we have a motion on the
2 floor, we have a second.

3 Any further discussion?

4 COMMISSIONER ALLEN: Can I mention this? Based upon
5 your motion, I don't see any changes.

6 CHAIR SOBEK: Correct.

7 COMMISSIONER ALLEN: There's no changes except the
8 process.

9 COMMISSIONER LINDEN: Correct, yes. I'm not
10 suggesting changing -- and if there's anybody, you know,
11 currently, including Mr. Bernard, that's interested, they
12 could certainly be brought forth at the subsequent
13 meeting. I'm not suggesting any restrictions on the
14 position; merely, to defer the decision to the next
15 meeting to be considered with the second public-member
16 position.

17 CHAIR SOBEK: Did everybody understand that?

18 *(No response)*

19 CHAIR SOBEK: Any further discussion?

20 COMMISSIONER DUMANIS: I'm ready to vote today. So
21 I don't know why we have to defer it.

22 CHAIR SOBEK: Well, we have a motion. We have a
23 second.

24 COMMISSIONER DUMANIS: And that's just my comment,
25 that's all.

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1 CHAIR SOBEK: Okay, you got it.

2 COMMISSIONER DUMANIS: I get to talk, too, I think.

3 CHAIR SOBEK: Well, as the D.A., yes, it's obvious.

4 Thank you, Commissioner.

5 All in favor, say "aye."

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

7 CHAIR SOBEK: Any opposed?

8 COMMISSIONER HAYHURST: Hayhurst.

9 COMMISSIONER DUMANIS: No.

10 CHAIR SOBEK: Hayhurst.

11 COMMISSIONER DUMANIS: Dumanis.

12 CHAIR SOBEK: And Dumanis.

13 The motion carries.

14 Anything else on this issue? I don't think so.

15 *(No response)*

16 CHAIR SOBEK: Okay, Item I, Report on Recommendation
17 to Delay the Update of the POST Strategic Plan.

18 MR. CAPPITELLI: Mr. Chair, may I make a brief
19 comment?

20 CHAIR SOBEK: Yes.

21 MR. CAPPITELLI: Mr. Chair, Members of the
22 Commission, I'll have Mr. Deal available if you'd like a
23 staff report. But in short, staff's recommendation here
24 is that rather than having us move forward with a very
25 costly and labor-intensive process of trying to develop

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1 more Strategic Plan Objectives, staff is recommending
2 that the Commission allow us to delay that for another
3 year. And in lieu of that, staff would begin working on,
4 internally, a plan to reorganize and restructure and
5 assess our viability or some of our current structure
6 within POST, so that we could better serve our community.

7 That would be the recommendation.

8 VICE-CHAIR DOYLE: So moved.

9 CHAIR SOBEK: A motion by Commissioner Doyle.

10 COMMISSIONER MCGINNESS: Second. McGinness.

11 CHAIR SOBEK: Second by Commissioner McGinness.

12 All in favor, say "aye."

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

14 CHAIR SOBEK: Opposed?

15 *(No response)*

16 CHAIR SOBEK: The motion carries.

17 On to J, is a Request to Apply for and Accept the
18 Federal Homeland Security Grant Funds for the fiscal year
19 '10 and '11.

20 Every time we accept money, I don't think we need a
21 report, but...

22 COMMISSIONER MCGINNESS: So moved. McGinness.

23 COMMISSIONER SOUBIROUS: Second. Soubirous.

24 CHAIR SOBEK: Second, Soubirous.

25 All in favor, say "aye."

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

2 CHAIR SOBEK: Any opposed?

3 *(No response)*

4 CHAIR SOBEK: The motion carries.

5 On to the Learning Technology Resources Bureau, on
6 Item K, Report on Request to Redirect Funds Related to
7 the Telecourse Program.

8 This is an amount not to exceed \$4 million. So I
9 think we should get a report on this.

10 MR. CAPPITELLI: Mr. Chair, Members of the
11 Commissioner, before Bureau Chief Bullard speaks, just
12 in short and in total, this is a cost-neutral
13 recommendation. But it's in keeping with the
14 Commission's direction and staff's new direction to try
15 to enhance what we provide through Learning Technology.

16 And so with that, Ms. Bullard?

17 MS. BULLARD: Good morning, Mr. Chairman,
18 Commissioners. The purpose of this agenda item is to
19 advise the Commission of proposed changes in our training
20 programs in LTR, and then to proffer forward our strategy
21 for funding this.

22 The creation of a new bureau prompted us to review
23 all of our training contracts that were in existence, and
24 to evaluate our programs.

25 We wanted to ensure that we were expending our funds

1 effectively and that we were truly meeting the needs of
2 the field.

3 In order to define what the needs of the field were,
4 we conducted an extensive survey. And it would have been
5 of all the training managers, the training video
6 coordinators, and all of the Learning-Portal users.
7 There is a summary of that survey in Attachment A.

8 From reviewing that material, what we would like to
9 propose is adding some of the Web-based courses. We
10 would also like, since our videos have always been
11 defined as "facilitator-led training," and because of
12 this, we would like to reformat those videos and have
13 them include the facilitation materials and resources.

14 And lastly, we would like to look at a new program
15 which would be 30- to 60-second informational videos that
16 would be on the portal. These could be officer safety
17 tips. We could highlight the VOTAC information from
18 their study. We could link to other training sites. It
19 would be very relevant and very good information that,
20 in and of itself, may not warrant an entire course.

21 As for the funding, in January 2009, the Commission
22 approved a three-year contract with UC Irvine. And that
23 would be for solely the telecourse program.

24 When we were reviewing that contract, we realized
25 that we could have a substantial savings in just the

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1 administration fees if we went to a vendor-direct
2 competitive-bid contract. Because of that, we amended
3 that three-year contract. It will terminate in
4 January 2011. And that will leave us that \$4 million
5 unspent. And that's the \$4 million that we would like to
6 request be redirected to support all of the LTR programs
7 that are listed in this agenda item for a period of two
8 years.

9 There's an expenditure breakdown proposal in
10 Attachment B.

11 So basically, what we're doing is taking funds from
12 one program. We're asking to fund multiple programs.
13 And these are programs that we are confident meet the
14 needs of the field as a result of our survey.

15 COMMISSIONER DUMANIS: So moved.

16 CHAIR SOBEK: Thank you.

17 Second?

18 COMMISSIONER MCGINNESS: Second. McGinness.

19 CHAIR SOBEK: Second, McGinness.

20 Any further comment, anybody?

21 *(No response)*

22 CHAIR SOBEK: All in favor, say "aye."

23 COMMISSIONER LINDEN: Roll call.

24 CHAIR SOBEK: Whoops, it's roll call. I knew it.

25 MS. PAOLI: Sobek?

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1 CHAIR SOBEK: Yes.
2 MS. PAOLI: Allen?
3 COMMISSIONER ALLEN: Yes.
4 MS. PAOLI: Batts?
5 COMMISSIONER BATTIS: Yes.
6 MS. PAOLI: Bui?
7 COMMISSIONER BUI: Yes.
8 MS. PAOLI: Campbell?
9 COMMISSIONER CAMPBELL: Yes.
10 MS. PAOLI: Cooke?
11 COMMISSIONER COOKE: Yes.
12 MS. PAOLI: Doyle?
13 VICE-CHAIR DOYLE: Yes.
14 MS. PAOLI: Dumanis?
15 COMMISSIONER DUMANIS: Yes.
16 MS. PAOLI: Hayhurst?
17 COMMISSIONER HAYHURST: Yes.
18 MS. PAOLI: Linden?
19 COMMISSIONER LINDEN: Yes.
20 MS. PAOLI: Lowenberg?
21 COMMISSIONER LOWENBERG: Yes.
22 MS. PAOLI: Lundgren?
23 *(No response)*
24 MS. PAOLI: McGinness?
25 COMMISSIONER MCGINNESS: Yes.

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1 MS. PAOLI: Smith?

2 COMMISSIONER SMITH: Yes.

3 MS. PAOLI: Soubirous?

4 COMMISSIONER SOUBIROUS: Yes.

5 MS. PAOLI: Anderson?

6 COMMISSIONER ANDERSON: Yes.

7 CHAIR SOBEK: The motion carries.

8 Commissioner Lowenberg, do you have a comment?

9 COMMISSIONER LOWENBERG: A comment, please.

10 Thank you, Mr. Chair.

11 This is another opportunity for us to -- or at least
12 for me to thank staff.

13 I had the occasion to attend the instructor
14 symposium in San Diego earlier this month, and it was
15 highlighted at one of the workshops there, the
16 consolidation of our technical experts at POST. And I
17 got to tell you, the enthusiasm in the folks that
18 participated in that was obvious to me that POST has yet
19 done another great thing through an initiative from
20 staff, executive staff, in consolidating those resources.
21 And so this is yet another example of being able to
22 better-serve the field by incorporating these resources
23 in the same place, and then better-serving the field.
24 So especially in this highly technical area.

25 So, again, thanks to staff and thanks to you,

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1 Mr. Director, for this initiative.

2 MR. CAPPITELLI: Thank you, Commissioner.

3 Thank you, staff.

4 MS. BULLARD: Thank you.

5 MR. CAPPITELLI: Thank you, Jan. Great report.

6 CHAIR SOBEK: Under Standards and Evaluation Bureau,
7 this is a roll-call vote, but do we need a report on
8 Strategic Plan Objective C.5 on the TMAS Feasibility
9 Study?

10 *(No response)*

11 CHAIR SOBEK: Do we need a report?

12 We don't need a report?

13 It doesn't look like it.

14 COMMISSIONER MCGINNESS: I'm prepared to move.

15 CHAIR SOBEK: Okay. We -- thanks, Bob.

16 VICE-CHAIR DOYLE: I'll second.

17 CHAIR SOBEK: I've got a motion by McGinness to move
18 this and a second by Commissioner Doyle.

19 Roll-call vote, please.

20 MS. PAOLI: Sobek?

21 CHAIR SOBEK: Yes.

22 MS. PAOLI: Allen?

23 COMMISSIONER ALLEN: Yes.

24 MS. PAOLI: Batts?

25 COMMISSIONER BATTS: Yes.

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1 MS. PAOLI: Bui?
2 COMMISSIONER BUI: Yes.
3 MS. PAOLI: Campbell?
4 COMMISSIONER CAMPBELL: Yes.
5 MS. PAOLI: Cooke?
6 COMMISSIONER COOKE: Yes.
7 MS. PAOLI: Doyle?
8 VICE-CHAIR DOYLE: Yes.
9 MS. PAOLI: Dumanis?
10 COMMISSIONER DUMANIS: Yes.
11 MS. PAOLI: Hayhurst?
12 COMMISSIONER HAYHURST: Yes.
13 MS. PAOLI: Linden?
14 COMMISSIONER LINDEN: Yes.
15 MS. PAOLI: Lowenberg?
16 COMMISSIONER LOWENBERG: Yes.
17 MS. PAOLI: Lundgren?
18 *(No response)*
19 MS. PAOLI: McGinness?
20 COMMISSIONER MCGINNESS: Yes.
21 MS. PAOLI: Smith?
22 COMMISSIONER SMITH: Yes.
23 MS. PAOLI: Soubirous?
24 COMMISSIONER SOUBIROUS: Yes.
25 MS. PAOLI: Anderson?

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1 COMMISSIONER ANDERSON: Yes.

2 CHAIR SOBEK: The motion carries. Thank you.

3 The next item on the agenda is the Training Program
4 Services Bureau, under M, which is a Contract Renewal for
5 the California Highway Patrol Attendance at the Museum of
6 Tolerance Training for Fiscal Year '10 and '11. And this
7 is a roll-call vote.

8 Do we need a report?

9 COMMISSIONER MCGINNESS: Prepared to move without a
10 report.

11 COMMISSIONER SOUBIROUS: Second. Soubirous.

12 CHAIR SOBEK: Motion by McGinness, second by
13 Commissioner Soubirous.

14 MS. PAOLI: Sobek?

15 CHAIR SOBEK: Yes.

16 MS. PAOLI: Allen?

17 COMMISSIONER ALLEN: Yes.

18 MS. PAOLI: Batts?

19 COMMISSIONER BATTIS: Yes.

20 MS. PAOLI: Bui?

21 COMMISSIONER BUI: Yes.

22 MS. PAOLI: Campbell?

23 COMMISSIONER CAMPBELL: Yes.

24 MS. PAOLI: Cooke?

25 COMMISSIONER COOKE: Yes.

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1 MS. PAOLI: Doyle?

2 VICE-CHAIR DOYLE: Yes.

3 MS. PAOLI: Dumanis?

4 COMMISSIONER DUMANIS: Yes.

5 MS. PAOLI: Hayhurst?

6 COMMISSIONER HAYHURST: Yes.

7 MS. PAOLI: Linden?

8 COMMISSIONER LINDEN: Yes.

9 MS. PAOLI: Lowenberg?

10 COMMISSIONER LOWENBERG: Yes.

11 MS. PAOLI: Lundgren?

12 *(No response)*

13 MS. PAOLI: McGinness?

14 COMMISSIONER MCGINNESS: Yes.

15 MS. PAOLI: Smith?

16 COMMISSIONER SMITH: Yes.

17 MS. PAOLI: Soubirous?

18 COMMISSIONER SOUBIROUS: Yes.

19 MS. PAOLI: Anderson?

20 COMMISSIONER ANDERSON: Yes.

21 CHAIR SOBEK: The motion carries. Thank you.

22 Under Item N, Report on Recommendation to Address
23 Replacement of Law-Enforcement Force-Option Simulators.

24 And I believe this is just a motion.

25 Do we need a report?

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1 COMMISSIONER MCGINNESS: So moved. McGinness.

2 COMMISSIONER DUMANIS: Second. Dumanis.

3 CHAIR SOBEK: Motion by McGinness, second by

4 Commissioner Dumanis.

5 Any comment?

6 *(No response)*

7 CHAIR SOBEK: All in favor, say "aye."

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

9 CHAIR SOBEK: Any opposed?

10 *(No response)*

11 CHAIR SOBEK: The motion carries.

12 Under Item O, Contract Amendment to Address

13 Unanticipated LEDS Installation Costs.

14 And we had a discussion on this. And I don't know

15 if we need a report.

16 Does everybody understand this one?

17 *(No response)*

18 CHAIR SOBEK: Okay. This is a roll-call vote.

19 Do we have a motion?

20 COMMISSIONER MCGINNESS: So moved. McGinness.

21 COMMISSIONER LINDEN: Second. Linden.

22 CHAIR SOBEK: Okay, don't everybody speak at once.

23 MS. PAOLI: Sobek?

24 CHAIR SOBEK: Yes.

25 MS. PAOLI: Allen?

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1 COMMISSIONER ALLEN: Yes.
2 MS. PAOLI: Batts?
3 COMMISSIONER BATTIS: Yes.
4 MS. PAOLI: Bui?
5 COMMISSIONER BUI: Yes.
6 MS. PAOLI: Campbell?
7 COMMISSIONER CAMPBELL: Yes.
8 MS. PAOLI: Cooke?
9 COMMISSIONER COOKE: Yes.
10 MS. PAOLI: Doyle?
11 VICE-CHAIR DOYLE: Yes.
12 MS. PAOLI: Dumanis?
13 COMMISSIONER DUMANIS: Yes.
14 MS. PAOLI: Hayhurst?
15 COMMISSIONER HAYHURST: Yes.
16 MS. PAOLI: Linden?
17 COMMISSIONER LINDEN: Yes.
18 MS. PAOLI: Lowenberg?
19 COMMISSIONER LOWENBERG: Yes.
20 MS. PAOLI: Lundgren?
21 *(No response)*
22 MS. PAOLI: McGinness?
23 COMMISSIONER MCGINNESS: Yes.
24 MS. PAOLI: Smith?
25 COMMISSIONER SMITH: Yes.

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1 MS. PAOLI: Soubirous?

2 COMMISSIONER SOUBIROUS: Yes.

3 MS. PAOLI: Anderson?

4 COMMISSIONER ANDERSON: Yes.

5 CHAIR SOBEK: The motion carries. Thank you.

6 Under Item P, the Report on Acceptance of Fiscal
7 Year 2010-11 VAWA Grant Funds. Also a roll-call vote.

8 Would the Commission like a report?

9 COMMISSIONER DUMANIS: So moved. Dumanis.

10 CHAIR SOBEK: Motion by Commissioner Dumanis.

11 VICE-CHAIR DOYLE: Second.

12 CHAIR SOBEK: Second by Commissioner Doyle.

13 MS. PAOLI: Sobek?

14 CHAIR SOBEK: Yes.

15 MS. PAOLI: Allen?

16 COMMISSIONER ALLEN: Yes.

17 MS. PAOLI: Batts?

18 COMMISSIONER BATTIS: Yes.

19 MS. PAOLI: Bui?

20 COMMISSIONER BUI: Yes.

21 MS. PAOLI: Campbell?

22 COMMISSIONER CAMPBELL: Yes.

23 MS. PAOLI: Cooke?

24 COMMISSIONER COOKE: Yes.

25 MS. PAOLI: Doyle?

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1 VICE-CHAIR DOYLE: Yes.

2 MS. PAOLI: Dumanis?

3 COMMISSIONER DUMANIS: Yes.

4 MS. PAOLI: Hayhurst?

5 COMMISSIONER HAYHURST: Yes.

6 MS. PAOLI: Linden?

7 COMMISSIONER LINDEN: Yes.

8 MS. PAOLI: Lowenberg?

9 COMMISSIONER LOWENBERG: Yes.

10 MS. PAOLI: Lundgren?

11 *(No response)*

12 MS. PAOLI: McGinness?

13 COMMISSIONER MCGINNESS: Yes.

14 MS. PAOLI: Smith?

15 COMMISSIONER SMITH: Yes.

16 MS. PAOLI: Soubrious?

17 COMMISSIONER SOUBIROUS: Yes.

18 MS. PAOLI: Anderson?

19 COMMISSIONER ANDERSON: Yes.

20 CHAIR SOBEK: The motion carries. Thank you.

21 Before I get to the next one, which is Report on
22 Contract to Conduct Fatigue and Distraction Research
23 Related to the Driver Training Study, our Executive
24 Director would like to say something.

25 MR. CAPPITELLI: Thank you, Mr. Chairman, Members of

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1 the Commission. Before you consider this or have further
2 discussion, I just want to call attention to the fact
3 that as you can see, there are several items that we have
4 on this agenda that relate directly to our ongoing effort
5 to improve the safety and to enhance the skills of our
6 officers.

7 This piece here, we had hoped that we would have
8 received that federal funding to fund this piece.
9 However, as a result of not being successful there, that
10 doesn't deter us at all from our quest to try to continue
11 the research and continue to work because we believe it's
12 very viable and pertinent.

13 So what we're asking for your consideration today
14 is that you approve this expenditure here so that we can
15 continue to move forward with all of the elements that
16 are coming out of our research and our VOTAC and
17 everything else relative to safe driving and driver
18 training.

19 Thank you.

20 COMMISSIONER ALLEN: This is a very important area
21 of concern, and I move it.

22 CHAIR SOBEK: Thank you, Commissioner Allen.

23 COMMISSIONER LINDEN: I'll second, with a quick
24 comment, Mr. Chair. Linden.

25 CHAIR SOBEK: Go ahead.

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1 COMMISSIONER LINDEN: I just want to emphasize --
2 and I know that it was pointed out in the staff report
3 but especially for members of the audience -- that the
4 study is not intended to attempt to influence schedules,
5 patrol schedules, length of schedules, 12-plan, 10-plan,
6 whatever it may be. Because I know early on, when this
7 was in discussion, even at our level, there was
8 nervousness around that.

9 This is really just to get some better data about
10 the effect of fatigue on driving so that at least we have
11 some information about it. And so I just want to
12 emphasize that, and I appreciate staff pointing that out
13 in the report.

14 MR. CAPPITELLI: Thank you, Commissioner.

15 COMMISSIONER SMITH: Another comment.

16 I know that this is something already in progress,
17 but in the future I would hope that you would consider
18 Stanford University. They're probably one of the top
19 sleep-research universities in the nation. And they do a
20 real good job and they're in California -- and I know
21 you're moving forward with that. But we've worked a lot
22 with them in the past.

23 MR. CAPPITELLI: Thank you, Commissioner.

24 CHAIR SOBEK: Okay, any further comment?

25 MS. PAOLI: Sobek?

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1 CHAIR SOBEK: Yes.
2 MS. PAOLI: Allen?
3 COMMISSIONER ALLEN: Yes.
4 MS. PAOLI: Batts?
5 COMMISSIONER BATTIS: Yes.
6 MS. PAOLI: Bui?
7 COMMISSIONER BUI: Yes.
8 MS. PAOLI: Campbell?
9 COMMISSIONER CAMPBELL: Yes.
10 MS. PAOLI: Cooke?
11 COMMISSIONER COOKE: Yes.
12 MS. PAOLI: Doyle?
13 VICE-CHAIR DOYLE: Yes.
14 MS. PAOLI: Dumanis?
15 COMMISSIONER DUMANIS: Yes.
16 MS. PAOLI: Hayhurst?
17 COMMISSIONER HAYHURST: Yes.
18 MS. PAOLI: Linden?
19 COMMISSIONER LINDEN: Yes.
20 MS. PAOLI: Lowenberg?
21 COMMISSIONER LOWENBERG: Yes.
22 MS. PAOLI: Lundgren?
23 *(No response)*
24 MS. PAOLI: McGinness?
25 COMMISSIONER MCGINNESS: Yes.

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1 MS. PAOLI: Smith?

2 COMMISSIONER SMITH: Yes.

3 MS. PAOLI: Soubirous?

4 COMMISSIONER SOUBIROUS: Yes.

5 MS. PAOLI: Anderson?

6 COMMISSIONER ANDERSON: Yes.

7 CHAIR SOBEK: Okay, the motion carries. Thank you.

8 COMMISSIONER BUI: I have a question.

9 CHAIR SOBEK: Yes.

10 COMMISSIONER BUI: On a lighter note, will the
11 Executive Director be including himself in this little
12 research?

13 Anybody who has ridden with him before knows about
14 the driving distractions.

15 MR. CAPPITELLI: Thank you for putting that on the
16 record, Commissioner.

17 CHAIR SOBEK: Okay. We have decided that this is a
18 time to take a break so we can go into closed session
19 because we have counsel here, and the counsel needs to
20 leave.

21 COMMISSIONER CAMPBELL: I would like to make a
22 comment, and I hope I'm not out of line. But as it was
23 pointed out very clearly today, that I come from a little
24 bit different prospect than most of you. Even though my
25 father was a law-enforcement officer, I come from being a

1 crime victim, which nobody ever thinks they're going to
2 be.

3 I have felt very strongly that there are a lot of
4 crime victims in this state, in this nation, that could
5 help more if they had some kind of direction after a
6 homicide. I'm talking about violent-crime victims. And
7 I've had the opportunity to work with a wonderful person
8 here, Ron Crook, who has worked very hard, and all the
9 staff members to get some direction out to victims of
10 violent crime, how to better work with law-enforcement
11 officers; how to not make the mistakes that we victims
12 do, and to save time for law-enforcement officers by
13 putting together a DVD.

14 Well, it finally -- after many years, it's finally
15 up on the Web now, where people can get to it.

16 And I wanted to share with you, if I could do this.
17 I got a call this last week from the leader of the
18 Parents of Murdered Children. And she says, "I'm
19 exhausted." At the same time, I had just been informed
20 that this DVD went up on the Web site.

21 And I said, "I've got some good news for you." I
22 said, "I can send a Web site to you that will help with
23 you, how to tell your Parents of Murdered Children how to
24 better work with law enforcement."

25 She says, "Can you do it right now?"

1 So I sent it to her.

2 Two hours later, I got a phone call from her, and
3 she was in tears.

4 She says, "Oh, my God." She says, "I've got three
5 new Parents of Murdered Children; and they've all been
6 after me so much because they didn't know what to do,
7 they didn't know what to do to help." And she says, "I'm
8 exhausted, trying to explain it because I really didn't
9 know all that was on that DVD."

10 And she was just sobbing. She says, "Do you know
11 how many people this is going to help work better with
12 law enforcement?"

13 And she believes, too, as I do, that a lot more
14 cases will be solved.

15 Anyway, long story short, I want to thank the staff
16 members here, the Commission for endorsing this. I think
17 it's going to make a huge difference across the nation.

18 I'm going to try to get it to the national Parents
19 of Murdered Children. So when those people walk in the
20 door, that they have an opportunity to learn what they
21 can do to help law enforcement to not make the mistakes,
22 to know that they have to be accurate, to know they have
23 to write things down.

24 And I guarantee you, we're going to have a lot more
25 prosecutions that are successful after victims start

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1 learning how to better work with law enforcement.

2 And I thank Ron Crook, I thank the staff for working
3 with this, and you're going to change the nation.

4 Thank you.

5 MR. CAPPITELLI: Thank you, Commissioner.

6 CHAIR SOBEK: Commissioner Lowenberg?

7 COMMISSIONER LOWENBERG: As a related matter, I know
8 all the commissioners received this letter from this
9 young lady that took the time, Jacqueline McClure from
10 the Center for Justice Research Policy and Training at
11 San José State University.

12 And we all know that Collene is always quick to
13 thank staff and other folks, but she's been a champion of
14 this issue for a number of years, longer than some of us
15 have been alive, I think.

16 Not myself. Not myself included.

17 CHAIR SOBEK: What are you trying to say, Ron?

18 COMMISSIONER LOWENBERG: But, again, just for the
19 record, I want to make sure that -- I know all the
20 commissioners have seen this, but we want to make this
21 available to the public, if that's possible.

22 This is a great letter, thanking Collene for her
23 efforts, and most recently an example of the impact that
24 she's having.

25 To have 300 cops give Collene a standing ovation at

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1 a training event, we know how difficult it is to train
2 cops. So if Collene Campbell got a standing ovation from
3 300 cops, she did something right, so..

4 *(Applause)*

5 COMMISSIONER CAMPBELL: By the way, I didn't see
6 this letter.

7 *(Applause)*

8 CHAIR SOBEK: They were probably afraid of her, too.

9 So for the public members -- or for the public, we
10 have to break for a closed session here. That will give
11 us time to take a short break as commissioners.

12 We'll be back in five minutes.

13 *(Closed Executive Session was held from*

14 *11:37 a.m. to 12:08 p.m.)*

15 CHAIR SOBEK: All right, we'll come back to our open
16 meeting.

17 And we are now on to --

18 MR. CAPPITELLI: Mr. Chairman, just briefly, for the
19 record, we want it to be noted that the Commission met
20 in closed session with Counsel, Vince Scally, and got
21 some advice on what is potential litigation.

22 Is that enough?

23 MR. SCALLY: Yes.

24 MR. CAPPITELLI: Thank you, sir.

25 CHAIR SOBEK: On to Committee Reports.

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1 As the chair of the Long-Range Planning Committee,
2 I'm not going to go through the whole meeting that we
3 had.

4 On May 20th, we met in Sacramento, on video
5 conference. And I will tell you, our next meeting will
6 be September 2nd at 10:00 a.m., if anybody wants to know
7 about the meeting -- if anybody does. We've talked about
8 it already at length.

9 Finance Committee?

10 The sheriff is not here. The chair of the Finance
11 Committee is not here.

12 The Advisory Committee, my chair of the advisory
13 committee is not here.

14 There he is. All right.

15 MR. CAPPITELLI: And I think your Finance Committee
16 chair will be back shortly. He'll be back in a minute,
17 sir.

18 COMMISSIONER DUMANIS: See what you started, Ron?

19 MR. NEWMAN: Item T, Advisory Committee report?
20 We're in session?

21 All right, thank you.

22 We moved through our agenda, which was primarily to
23 review your agenda yesterday, and essentially, most of
24 the items were very non-controversial. There were a few
25 comments of support on a variety of items. And the one

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1 that generated the most discussion I've already commented
2 on earlier. So I don't really have anything else to
3 offer on that.

4 The next meeting is the day before your next
5 meeting, which is October 27th, right here.

6 CHAIR SOBEK: That's great.

7 MR. NEWMAN: Thank you for keeping me on my toes,
8 Mr. Chair.

9 CHAIR SOBEK: Thanks.

10 Okay, Legislative Review.

11 Our chair of the Legislative Review, Commissioner
12 Lundgren is not here. Commissioner Bui sat in, and she
13 has the report.

14 COMMISSIONER BUI: We took action on four bills this
15 morning, recommending neutral positions on all four of
16 them, including AB 1899, which addresses state agencies:
17 information, Internet Web site; SB 1190, which is the
18 Animal Control officers; illegal dumping enforcement
19 officers and baton training; as well as SB 1296,
20 peace-officer training, traumatic brain-injury:
21 post-traumatic stress disorder. And the last one is
22 AB 33, which is Commission on POST Missing Children
23 training.

24 There was a lot of discussion regarding SB 1296,
25 which is the training regarding veterans that are coming

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1 back from the war which have post-traumatic stress.
2 We weren't opposed to this training. We felt that the
3 training would be actually beneficial for officers,
4 from an officer's standpoint -- or an officer safety
5 standpoint as well as for, you know, your civilian
6 victims.

7 I think -- yes, we were introduced to ten other
8 bills in an oral report. We did not take any position on
9 those.

10 CHAIR SOBEK: Commissioner, do we need a motion?

11 COMMISSIONER BUI: Unless somebody wants a report on
12 any one of those, I think they were --

13 CHAIR SOBEK: Do we need a motion on the bills that
14 are moving forward, for the Commission?

15 COMMISSIONER LINDEN: Mr. Chair, I'll move that the
16 Commission take a neutral position on AB 1899, SB 1190,
17 SB 1296, and SB 33.

18 COMMISSIONER COOKE: Second.

19 CHAIR SOBEK: Second by Commissioner Cooke.

20 Any further discussion?

21 *(No response)*

22 CHAIR SOBEK: All in favor, say "aye."

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

24 CHAIR SOBEK: Any opposed?

25 COMMISSIONER DUMANIS: Will the record reflect that

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1 I'm abstaining on, I think it's the Missing Child one --
2 AB 33?

3 COMMISSIONER BUI: 33.

4 COMMISSIONER DUMANIS: I've written and testified in
5 support.

6 CHAIR SOBEK: Very good. An abstention from
7 Commissioner Dumanis.

8 The motion carries.

9 Thank you.

10 And I have our Chair of the Finance Committee.

11 COMMISSIONER MCGINNESS: Yes. Generally, we've got
12 very good news, and I think kudos are in order for
13 Mr. Dick Reed as well as Tom Liddicoat for their good
14 work. Notwithstanding a 6 percent reduction in revenue,
15 the operational budget is in good shape. In fact,
16 everything that was suggested out of the -- recommended
17 out of the Finance Committee was ratified today by the
18 full Commission.

19 A very wise decision was made to pay down debt on
20 simulators with some of the excess money, and I think
21 it represents very wise and prudent fiscal planning.
22 And I think the gentlemen are here to respond to any
23 questions that the Commission may have.

24 CHAIR SOBEK: We have -- well, we're going to need a
25 motion to spend this money, which is about seven, almost

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1 eight million: \$7,813,068.

2 Well, we've done that already, actually.

3 Everything has passed.

4 COMMISSIONER MCGINNESS: Yes, all the
5 recommendations have been ratified by the Commission.

6 CHAIR SOBEK: Absolutely.

7 Anything further on this report?

8 *(No response)*

9 COMMISSIONER MCGINNESS: Thank you.

10 CHAIR SOBEK: Do we have a motion to approve?

11 VICE-CHAIR DOYLE: So moved.

12 COMMISSIONER DUMANIS: Second.

13 CHAIR SOBEK: Any further discussion?

14 *(No response)*

15 CHAIR SOBEK: All in favor, say "aye."

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

17 CHAIR SOBEK: The motion carries.

18 Several correspondence, I'm not going to go through
19 all of them. I think you have them in your books.

20 We actually gave letters out to the different
21 organizations who lost officers in the line of duty.

22 We'll go to Old Business, and the Reserve Peace
23 Officer Program review regarding the L.A. County
24 Sheriff's Department.

25 MR. CAPPITELLI: Mr. Chair, Members of the

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1 Commission, just in brief, you have been presented with
2 an executive summary of that issue. I also forwarded to
3 all the commissioners a full copy of the report. Should
4 you choose, there are a number of elements of that report
5 that are not for full public disclosure.

6 As a footnote or an aside, I want to say that
7 Sheriff Lee Baca has been exceptional in his commitment
8 to work with us, to remedy these issues. And when I
9 presented him with the final report and made a suggestion
10 to him that it was probably in his best interest to
11 ensure that his staff not be willing to or want to try to
12 take on the elements of this report because that would
13 probably not prove to be any value in the long-term, the
14 Sheriff agreed and said, "We want to put it behind us.
15 It is what it is. And I'll make sure that my folks
16 address the issues in the report."

17 So I want to commend the Sheriff for his leadership
18 in stepping forward. It was a very difficult situation.

19 Staff worked very intensely many, many, many
20 hundreds of hours to work on this report.

21 And I'll be glad to answer any questions that you
22 have; but I believe most of what's already been presented
23 to you and/or we've already had discussion about is
24 probably about as much as there is to know.

25 CHAIR SOBEK: Okay, thank you.

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1 New Business?

2 And I would be remiss and embarrassed if I don't
3 mention, because I didn't earlier on, our new
4 commissioner, and welcome Linda Soubiros to the
5 Commission.

6 *(Applause)*

7 COMMISSIONER SOUBIROUS: I am very honored to be
8 here, and I look forward to working with all of you.

9 And I really support law enforcement. I have a lot
10 of history in my family. My father retired from the
11 Orange County sheriff's after 30 years. I'm a widow of
12 Deputy Kent Hintergardt who was with the Riverside
13 Sheriff's Department, who was killed 17 years ago.

14 I'm currently married to Lieutenant Mike Soubiros
15 with the California Highway Patrol. And my brother is
16 also with the Riverside Sheriff's Department.

17 So I thank all of you and I look forward to working
18 with all of you.

19 CHAIR SOBEK: Thank you.

20 COMMISSIONER SOUBIROUS: You're welcome.

21 CHAIR SOBEK: Okay, also under New Business, we have
22 the appointments of members to the Advisory Committee.

23 I think --

24 MR. NEWMAN: We've already addressed that.

25 CHAIR SOBEK: We've addressed it.

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1 COMMISSIONER LINDEN: Yes.

2 CHAIR SOBEK: It's all been done?

3 COMMISSIONER LINDEN: Deferred.

4 CHAIR SOBEK: Elections of new officers for the
5 fiscal year of '10-11.

6 COMMISSIONER LINDEN: Yes, poor guy.

7 CHAIR SOBEK: I think we have -- we have our
8 Vice-Chair set, and that's Commissioner Doyle.

9 And do we have a motion for the replacement of
10 Commissioner Doyle as vice-chair for '10-11?

11 COMMISSIONER SMITH: Do you usually do a committee
12 that makes a recommendation? Is that how you --

13 COMMISSIONER DUMANIS: I want to start a recall
14 election...

15 VICE-CHAIR DOYLE: Yes, that's okay.

16 MR. CAPPITELLI: I thank you for reminding me. And
17 I would ask Mike DiMiceli to come forward.

18 Procedurally, did we not have a committee that we
19 normally would use to vet this? I think that's what we
20 did last time.

21 MR. DiMICELI: Typically, the Commission has created
22 a nominating committee to work out the details of the
23 nomination and come forward with the names for the chair
24 and the vice-chair. But that's not the only way to do
25 that and it's not written as a requirement. So the

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1 Commission can essentially accept nominations from the
2 floor, if you will, for one or both of those positions
3 and then act accordingly.

4 VICE-CHAIR DOYLE: Mr. Chair, we sort of did that
5 last time. It was a little different way, but we did.

6 And so I'm prepared to nominate Lai Lai Bui for the
7 Vice-Chair.

8 COMMISSIONER SMITH: Second.

9 CHAIR SOBEK: Commissioner Bui has been nominated to
10 be Vice Chair for '10-11; and I have a second by
11 Commissioner Smith.

12 Any further discussion?

13 COMMISSIONER CAMPBELL: I see her shaking her head
14 "no."

15 COMMISSIONER LINDEN: That was a "yes." You just
16 missed that. It was a "yes." It was clearly a "yes."

17 CHAIR SOBEK: I actually think that's a nervous tic.

18 COMMISSIONER BUI: It is a nervous tic. Thank you
19 very much.

20 MR. CAPPITELLI: That's happiness manifesting
21 itself.

22 COMMISSIONER SMITH: She just got back from her
23 honeymoon.

24 CHAIR SOBEK: All in favor, say "aye."

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

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1 CHAIR SOBEK: Opposed?

2 *(No response)*

3 CHAIR SOBEK: Motion carries.

4 Thanks. That's easy, Mike.

5 MR. CAPPITELLI: Congratulations.

6 *(Applause)*

7 COMMISSIONER BUI: Thank you for your confidence.

8 I hope to serve you well.

9 COMMISSIONER LINDEN: We do need another nomination,
10 though.

11 I will nominate Commissioner Doyle to move from the
12 Vice-Chair to the Chair position.

13 COMMISSIONER LOWENBERG: Second.

14 CHAIR SOBEK: All right. We've got a motion by
15 Commissioner Linden, second by Commissioner Lowenberg.

16 Any further discussion?

17 *(No response)*

18 CHAIR SOBEK: All in favor, say "aye."

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

20 CHAIR SOBEK: Any opposed?

21 *(No response)*

22 CHAIR SOBEK: The motion carries.

23 *(Applause)*

24 VICE-CHAIR DOYLE: The only reason I accepted,
25 Mr. President, is Collene, the influence that she has

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1 over all of us.

2 COMMISSIONER CAMPBELL: What was that?

3 CHAIR SOBEK: She scared you.

4 VICE-CHAIR DOYLE: I was a-scared.

5 COMMISSIONER SMITH: It was fear.

6 CHAIR SOBEK: Are you here for the review and
7 discussion of the Leadership Team Offsite Meeting?

8 MR. CAPPITELLI: I could cover that briefly.

9 MR. DEAL: No, sir.

10 If you go back under the Old/New Business, you have
11 the -- under "New Business," the appointment of members
12 to the Advisory Committee, and you have seven members
13 that need to be reappointed.

14 CHAIR SOBEK: I was told --

15 COMMISSIONER LINDEN: This is the agency rep forms,
16 right?

17 CHAIR SOBEK: Just for the record, I was correct;
18 but I got bad advice.

19 Okay, I have nominations for the Advisory Committee.
20 I'm going to give you the names.

21 Jim Bock -- can I give you the names, please?

22 COMMISSIONER DUMANIS: Aren't they listed?

23 CHAIR SOBEK: Ed Bonner, Mario Casas, Ted Willmore,
24 Joe Flannagan, and Richard Lindstrom.

25 I have a motion by Commissioner Dumanis.

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1 COMMISSIONER MCGINNESS: Second.

2 CHAIR SOBEK: Second by McGinness.

3 Any further discussion?

4 *(No response)*

5 CHAIR SOBEK: All in favor, say "aye."

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

7 CHAIR SOBEK: Any opposed?

8 *(No response)*

9 CHAIR SOBEK: The motion carries.

10 Thank you, Alan.

11 CHAIR SOBEK: Review and discussion of the

12 Leadership Team Offsite Meeting.

13 MR. CAPPITELLI: Thank you, Mr. Chair, Members of
14 the Commission.

15 Recently, staff hired a consultant, Dr. Paul
16 Whisenand, to guide us through what was the second
17 offsite two-day workshop of our leadership team. It
18 included myself, the three assistant executive directors,
19 and all of our bureau chiefs.

20 We had a very productive meeting. We got a lot of
21 things out for discussion. And just, in short, I want to
22 let you know that we believe that we continue to work as
23 a cohesive team.

24 I'm very proud of the leadership team that we've
25 assembled and what they bring to the table. And they

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1 gave me some very direct and very candid feedback on some
2 of the ways that I could continue to do my job to better
3 serve them as the director.

4 So I encourage you, any of you, if you hear anything
5 or see anything that you'd like me to incorporate into
6 what we do on a daily basis, please feel free to present
7 that to me.

8 But internally speaking, we believe we had a very
9 productive off-site meeting. And there is actually a
10 report or an assessment that's available. If you would
11 like it, I could give it to you upon request, but it
12 really is just kind of details of what we went through --
13 the process we went through to get to, where we
14 ultimately ended up, which I believe is a better working
15 team.

16 So that concludes my report on that.

17 CHAIR SOBEK: Thank you.

18 Okay, that's it, unless there's any more New
19 Business.

20 We'll go to Item Y, which is Receiving Information
21 Concerning the Basic Training of Mr. Richard Bell.

22 Are we going to have -- Mr. DiMiceli, are you going
23 to speak first?

24 MR. CAPPITELLI: Yes. Mike DiMiceli, Assistant
25 Executive Director, will kind of set the stage for what

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1 the issue is about. And Reserve Officer Bell is here to
2 also present some information to the Commission today.

3 MR. DiMICELI: Under the tab at Y, you have a
4 seven-page staff report, together with probably another
5 dozen pages of attachments. And it would be my intention
6 to briefly summarize the staff report and to allow
7 Mr. Bell to present to you his position and the
8 additional information that he believes pertinent to
9 the staff decision involving this situation.

10 The crux of the staff's review of this is the
11 requirement that a Level I reserve officer satisfy all of
12 the Regular Basic Course training requirements.

13 Going back to 1999, prior to that time, reserve
14 training in the modular format was structured in modules
15 which were described as A, B, C and D.

16 Completion of those modules, A through D, satisfied
17 or was the equivalent of the Regular Basic Course of
18 training that was necessary for a Level I reserve. Those
19 modules had to be satisfied in succession, and entirely
20 had to be consistent with whatever the training and
21 testing specifications were in effect at that time.

22 As the report points out, essentially at the end of
23 1999 and 2000, as a result of a variety of legal changes,
24 the entire Basic Training -- Reserve Basic Training
25 structure and the modular structure was changed. And it

1 took on the configuration of what we know today as
2 Module III, II, and I.

3 It's significant that A through D did not become a
4 one-for-one transfer from -- into III, II, I, in the
5 modules. This is not version, like the software,
6 Version A.1.

7 As you see from attachment, I think, D in the
8 report, Modules A, B, and C consists of 222 hours, and
9 Modules III and II consisted of 390 hours. So one cannot
10 look at just the numbers or the configuration of those
11 modules and say, "Well, A, B, C is equivalent to III and
12 II. It's clear, just from the numbers, that there were
13 major changes.

14 Although A, B, and C went away in 2000, we continued
15 to certify and to allow Module D to be presented in order
16 to allow folks who were in the pipeline, who had
17 previously completed A, B, and C, to satisfy the training
18 requirement by going to D. And that went on for
19 essentially two full years. And in January 2002, as a
20 result of legislation, Module D went away.

21 And after that time, anybody who was left with
22 completing A, B, and C but not D, who desired to be a
23 Level I reserve, had to go back to the beginning and go
24 through Module III, Module II, and Module I.

25 And we knew that there would be some people,

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1 somewhere, who might get caught. But we went for a
2 period of two years trying to clean out the pipeline.
3 And then we came to a place where, if you wanted to be
4 a Level I reserve, regardless of prior training, you had
5 to start at the new Module III and progress through
6 Module I.

7 Mr. Bell is one of those folks. According to
8 records on file at POST, he completed in 1999 Module A,
9 B, and C; but did not, subsequent to that, complete
10 Module D.

11 In 2007, Mr. Bell was accepted by Southwestern
12 College into Module I and completed that module as they
13 presented it.

14 When Module D went away, staff from 2002 until the
15 current time very consistently reminded and told the
16 various academies who presented the modular reserve
17 training, that you should not -- you may not admit to
18 Module I people who have previously completed Modules A,
19 B, and C, because Modules A, B, and C, as the report
20 points out, are not a satisfactory prerequisite to
21 Module I.

22 Southwestern College admitted Mr. Bell in 2007 to
23 Module I. And according to the information that he has
24 provided and the records that we have at POST, he
25 satisfactorily completed the material that was presented

1 to him by Southwestern College in Module I.

2 Unfortunately, and coincidentally, staff of the
3 Basic Training Bureau discovered that Southwestern
4 College had problems, if you will, in the presentation
5 of a variety of the Basic Training courses that were
6 certified to them, including the Reserve Training
7 courses. And in some, those problems were that they had
8 not updated the various courses as necessary, as the
9 training and testing specifications change annually.

10 And so based on the research that POST staff has
11 done, we've concluded that while Mr. Bell satisfactorily
12 completed whatever was presented to him by Southwestern
13 College, the unfortunate part is that Southwestern did
14 not present the complete Module I as required in 2007 by
15 the training and testing specifications. It's not his
16 fault.

17 And as the report also points out, those of us who
18 are students will never know when we sit in a class
19 whether what we're getting is what we're supposed to be
20 getting.

21 When this came to light, we asked staff in the
22 Training Delivery Bureau, the area consultant staff in
23 the Basic Training Bureau, to do an extensive evaluation
24 and review of everything that we have.

25 Mr. Bell, to the best information that we have, has

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1 been performing satisfactorily as a reserve for the
2 Escondido Police Department throughout this period of
3 time.

4 We had a variety of long and pretty arduous
5 discussions in staff involving all three of the assistant
6 directors, at least two bureau chiefs, and various of the
7 consultant staff who were involved in the review.

8 At the end of that period of time, as the conclusion
9 of the report suggests, we concluded that, unfortunately,
10 training that Mr. Bell has completed does not satisfy the
11 requirements for the regular basic course that were in
12 effect in 2007.

13 The Executive Director delivered to Mr. Bell and to
14 the Chief of Police of Escondido a letter informing them
15 of that. And Mr. Bell appropriately asked, I think,
16 "What can I do now?," and was offered the opportunity to
17 present the best information that he could collect to
18 the Commission to allow you to consider this unusual
19 situation and his condition.

20 The report that you have concludes, by offering or
21 suggesting some alternatives for -- potentially for
22 resolving this situation. There are three that are
23 pointed out in the report. There may be others that will
24 occur to you as you go through the discussion and the
25 questions.

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1 Mr. Bell will talk to you about his position. And,
2 of course, we're available to answer questions that you
3 will have from now on.

4 CHAIR SOBEK: I have one question.

5 Did we determine -- I don't know -- I read the
6 report. I don't remember seeing. Did we determine how
7 many hours he needs to -- I know the report says he needs
8 to go back to an academy to satisfy what you're saying.
9 But does it show how many hours he's missing?

10 MR. DiMICELI: We have not done, if you will, an
11 LD hour and topic side-by-side comparison just because of
12 the complexity and the difficulty of trying to decide
13 what's here now versus what wasn't there or -- and, of
14 course, as you recall and can appreciate, the entire
15 delivery of the Basic Course has changed, in that topics
16 are not presented as discrete units, but there are
17 learning activities and there are examinations that are
18 woven throughout the Basic Course that cover these
19 learning domains and the exams.

20 What the report points out is that by going through
21 A, B, and C, and then eight years later jumping to
22 Module I, what happens, is that some material that wasn't
23 originally presented in A, B, and C, in the ensuing
24 years, was taken out of Module I and put into II and III.
25 And because of the way in which that training

1 accumulated, some things just flat are missed. They
2 weren't presented here, and today they're not presented
3 here, and so they've fallen into the cracks.

4 We haven't looked, as I say, at a line-by-line
5 comparison to decide what specifically those are and how
6 many hours are involved in that. And, very frankly, it
7 would be difficult to go back and say, "Okay, you've got
8 to get half an hour of this and an hour and a half of
9 that in the course of the basic training."

10 CHAIR SOBEK: And I know we're going to give you an
11 opportunity to speak.

12 My next question would be, we recommended -- or we
13 have a position, and it would be Number 2, which would be
14 to accept his -- Mr. Bell's position.

15 Where does the liability land if we allowed that
16 as a commission to do that? Is it on -- you know, if
17 something came up where Mr. Bell theoretically got in
18 trouble and somebody goes back and sees that he did not
19 satisfy POST's training, does the liability land on the
20 Commission or does the liability land on the city that he
21 works for?

22 MR. DiMICELI: Well, that may be something that
23 eventually Mr. Scally will answer.

24 My view is that if the Commission were to decide
25 that, "Thank you, staff, but we think you're mistaken;

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1 that his training does satisfy those standards," I think
2 that's probably the end of the discussion, but for
3 someone who would want to prove somehow that there were
4 deficiencies in his training. And I don't know how that
5 would ever come out.

6 MR. SCALLY: I would agree with that.

7 CHAIR SOBEK: Thank you.

8 Commissioner Bui?

9 COMMISSIONER BUI: Do we know how many other people
10 have been caught in the same position, and how many of
11 them have actually gone back and done the whole course?

12 MR. DiMICELI: Well, the report points out that in
13 the roster that we received for the Module I course,
14 there were two names: Mr. Bell at Escondido and
15 Deputy Caslava who was employed by San Diego County.
16 Deputy Caslava is now in the regular Basic Course and is
17 due to graduate next month.

18 There are other people who are in kind of similar
19 but different positions as a result of attending
20 Southwestern College, not in this dire a position, but
21 there is some training with a number of those folks that
22 they will have to repeat in some manner.

23 And I don't recall off the top of my head, I can ask
24 Bureau Chief Frank Decker how many there were in those
25 numbers.

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1 We started with a big group and found that, on
2 further review, these folks are okay, and a smaller
3 group, and a smaller group. And these people need some
4 training and different levels. But nobody in this --
5 there are two people in this radical position, and one of
6 them has gone back through the regular intensive academy.

7 CHAIR SOBEK: Commissioner Linden?

8 COMMISSIONER LINDEN: Thank you, Mr. Chair.

9 I think, if I understand Commissioner Bui's
10 question, for folks like -- for officers like Mr. Bell
11 who, way back, say in this case, '99, went through the
12 old A, B, C, stayed at Level II, did not go through D,
13 but then missed that two-year window, where D was
14 offered --

15 MR. DiMICELI: Yes.

16 COMMISSIONER LINDEN: -- are there reserve officers,
17 Level II, that then wanted a Level I but had to go now
18 back through the entire III, II, I, process? So forget
19 Southwestern for a second. But those Level II reserves
20 who missed that window that they could still go through
21 Module D; and after that, I presume that they would have
22 been turned away by providers for going through the new
23 Module I, did they have to go all the way back through?

24 MR. DiMICELI: We don't know that, and we would not
25 know that. I mean, that's not a separate piece of

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1 information that we would know.

2 If we looked at a record, we would recognize that,
3 yes, Mr. Smith went to A, B, and C in '99 and then,
4 according to the record, he went to III, II, and I or he
5 went to regular academy in 2007.

6 COMMISSIONER LINDEN: But they would have had to
7 have the provider -- I guess what I'm getting at, had
8 Mr. Bell gotten good information from the provider, he
9 would have been turned away and had to go back through
10 III, II, I; is that correct?

11 MR. DiMICELI: Correct, that's what would have
12 happened. And between our area consultant and academy
13 staff, a department training manager reading the
14 regulations, something should have tipped. And for most
15 people, would have tipped, and they would have said,
16 "Mike DiMiceli, I'm very sorry, but the only way for you
17 to get there is to start in III and work through it."

18 MR. CAPPITELLI: Mr. Chair?

19 CHAIR SOBEK: Yes?

20 MR. CAPPITELLI: As Mr. DiMiceli said, we probably
21 have no hard data on that. But just by sheer numbers and
22 the amount of time that has lapsed, I think we could
23 probably make an assumption that there are probably a
24 number of people who had missed the window of opportunity
25 to go back to the training. And if they were to decide

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1 today that they wanted to get to that Level I, they would
2 have to go back to the beginning. But for whatever
3 reason, we don't know how many or whatever, but there are
4 probably a number of people that have looked at that and
5 said, "I'm not going to start over; I'm just going to
6 stay where I am."

7 So we just don't know what that number might be, but
8 there probably are a number of people who have done that.

9 CHAIR SOBEK: Let's let Mr. Bell talk to us.

10 MR. BELL: All right. I want to thank everybody for
11 giving me this time. I know the meeting is going a
12 little longer than usual.

13 And as I was walking in the meeting this morning,
14 the first thing I see on the sign is the rooms that we're
15 meeting in, A, B, and C. And D is back there.

16 So I'm not sure how that's going to play out. But,
17 anyway...

18 I want to thank Director Cappitelli also. Most of
19 you probably don't know that he flew down to personally
20 deliver that letter to me and to Deputy Caslava. So
21 going way out of his way to give me bad news.

22 Anyway, thank you for doing that. I know it meant a
23 lot to both of us.

24 Deputy Caslava, by the way, interesting, him and I
25 went through the first academy in 1999. And in 2007,

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1 both of us ended up -- neither one having talked to each
2 other for about seven or eight years. Both of us ended
3 up showing up at Southwestern Academy, taking the test.

4 I'm taking the test, the entrance exam; and this guy
5 walks in, and I look at him, and I go, "What are you
6 doing here?" and he says, "The same thing."

7 So both of us kind of got directed into the same
8 position. But he decided to go full-time and I decided
9 to stay in my day job and hopefully continue to work as
10 just a reserve.

11 So, anyway, I wanted to go over just a few things
12 and, again, thank the Commission for allowing me to
13 present my request to you.

14 One of the things that did impress me in 1999, when
15 I went through the first academy, was how professional
16 POST was. I didn't really know who POST was at the time.
17 But the professionalism of becoming a police officer,
18 whether it was a reserve or a full-time officer, and I
19 was very impressed with that. Coming from a financial
20 background and being in the financial industry, I kept
21 thinking, "Why don't we do things this way? Why don't
22 we do things this way?" And lo and behold, now everybody
23 says maybe we should have. But that's a whole different
24 issue.

25 So, anyway, I'm very thankful for what a great job

1 you do.

2 My request today is not to change the academies, the
3 processes or the policies. And I tried to, in doing
4 this, is to put myself in the place of the POST staff and
5 the Commission to be able to address any questions that
6 you may have, and to honestly ask, what would I do if it
7 was me in your situation?

8 I've done a significant amount of research on
9 Southwestern Academy, POST, the Penal Code, and the POST
10 Administrative Manual known as "PAM." I want to be as
11 informed and accurate as possible in my presentation to
12 the Commission.

13 And I understand Director Cappitelli's decision.
14 However, I think that there's an amount of differences of
15 opinion based upon many different factors. And I know
16 even within the organization as they were talking about,
17 there's different opinions and trying to put those
18 together as best they can.

19 So I just want to spend a couple minutes and
20 summarize as best as I can from my perspective about the
21 issues and the things that I see.

22 There's three specific issues that are related to
23 my situation that I'd like to summarize, as well as some
24 legal perspective from the Penal Code and also from the
25 POST Administrative Manual, although most of those things

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1 are duplicate from the Penal Code.

2 But the first question about the actual academy
3 class I took at Southwestern was on page 3 of 7, in the
4 item report from Mr. DiMiceli. He stated that POST
5 became aware of significant problems with presentation of
6 Reserve Basic Training. And he said after an extensive
7 investigation, they identified problems with content, and
8 it was determined to be incomplete.

9 In April of this year, in reference to some of the
10 other officers that were involved who had gone through
11 this, one of my classmates had sent me an e-mail that he
12 had received back from Sheriff Gore, and basically it had
13 allowed him to go back into full-time or full-service
14 duty.

15 And the e-mail says:

16 "Dear Sheriff Gore:

17 "As you probably recall, I recently
18 brought to your attention that there were
19 irregularities with the Peace Officer Basic
20 Course curriculum presented to officers working
21 as a California peace officer. I'm pleased to
22 report to you that we've completed our review
23 of the curriculum presented by Southwestern
24 College, and have concluded that you may
25 consider the officers listed above as having

1 received compliant basic-academy training.
2 This means that any question about their basic
3 academy are resolved, and they may be returned
4 to full duty status as you see fit.

5 "Although there were irregularities with
6 Southwestern academy curriculum and the total
7 hours, we have concluded that the
8 irregularities were overcome by the following
9 three conditions:

10 "Number one, none of the irregularities
11 caused the students to miss more than the
12 maximum allowed of 5 percent of total academy
13 hours.

14 "Number two, all students passed the
15 required POST proficiency exams, indicating
16 that even if the curriculum did not mention the
17 content, they clearly had received it and
18 acquired the necessary knowledge.

19 "And, number three, the course curriculum
20 contained all legislative mandates.

21 "Thank you for your patience and support
22 through the review process."

23 These officers were in the same class, the same
24 academy that I was. And I understand that there is some
25 bigger pictures. But as far as the academy information,

1 the academy class content, I was right there with those
2 people in that same academy class.

3 The second question is the question of the A, B, C,
4 D format, which was retired in July of 1999. I graduated
5 in June of 1999, and at that time, I was not aware of or
6 told upon entering the academy that my training would be
7 obsolete when I graduated from the academy.

8 I was not familiar with any other professional
9 organization that would disqualify the training that
10 they required, or that it would become obsolete upon
11 graduation.

12 After graduation, in June of '99, I took the next
13 year to complete my FTO program of 450 hours, and it took
14 some time because due to scheduling.

15 After a couple years as a Level I reserve, I checked
16 into becoming -- I'm sorry, as a Level II reserve, I
17 checked into becoming a Level I reserve. Unfortunately,
18 at that point, there were two problems, as Mr. DiMiceli
19 said:

20 In 2002, Module D was decommissioned. And starting
21 at about 2001, there really was no other academies within
22 any area that would offer the Module D to do that. And
23 so there was no possible option of moving forward at that
24 point. So I continued to work as a reserve officer for
25 the next six or seven years.

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1 Let's see -- last fall, after I was notified --
2 and, Chairman Sobek, you asked this question about the
3 hours -- but after I was notified last fall by
4 Southwestern Academy that my certificate was not valid
5 according to POST, I tried to do that comparison of my
6 prior academy, and asked POST in Palomar Academy, which
7 was my first academy, to do the same.

8 Unfortunately, neither of us were able to do that
9 because the hours from Palomar Academy were not on
10 record, and neither POST nor Palomar Academy nor myself
11 had those hours to go back and do that.

12 So in reference to the question that was asked
13 earlier, as far as I know, that data is not available to
14 go back and do that which, obviously, I'd like to be able
15 to do.

16 The third question is in reference to my hours. And
17 as you can see, on page 4 of 7, I've more than completed
18 the necessary hours in the academy format and field
19 training.

20 In Mr. DiMiceli's report, he said the basis for my
21 appeal is that I focused entirely on the hours of
22 training and the appearance that training was complete
23 and proper sequence.

24 I don't want you -- and I know he didn't mean it
25 this way -- I don't want you to think that I was trying

1 to equate those as actually straight across the board
2 because they're not.

3 The fact is that the academy hours that I did were
4 done in a way that I thought were being done according to
5 POST. And, in fact, I was having come across Mr. Decker
6 at our reserve meetings every other year, I've gotten to
7 know him a little bit, and I was actually pretty excited
8 to tell him that, "Hey, I had done this, and I had done
9 it the right way, and this was exactly the way it was
10 supposed to be done."

11 So I was excited to actually talk to Mr. Decker and
12 share with him that I was all done with this. But,
13 unfortunately, I find in hindsight that it wasn't done
14 the way it should have been.

15 But, anyway, back to my total hours in academy and
16 FTO training hours are 1218 hours. And this does not
17 include the hundreds of additional hours of documented
18 professional training that I've received, both from our
19 department and our required 24 hours every other year of
20 professional training, the total of which is almost
21 2,000 hours of professional training.

22 Now, I understand that the formats may have changed
23 and some of the content may have changed. However, going
24 through the two academies and then also being involved in
25 several other people going into law enforcement over the

1 last several years and being instrumental in helping them
2 to get through the academies, I have a pretty good basis
3 and a pretty good understanding of what it takes to go
4 through the academy and what a lot of the content is.

5 And the last thing I just want to mention is, in
6 doing the research for this issue, I came across a few
7 significant -- what I think are significant Penal Codes
8 and POST Administrative Manual statutes that I believe
9 pertain to this situation.

10 One that I'd like to share with you. I think, from
11 what I understand, the basis for a lot of what POST does
12 and, obviously, as police officers, come from the Penal
13 Code, 830 through 832.

14 And in 832.6, it further defines -- the Reserve
15 Officers section. And in 832.6, there's two sections
16 that I thought were interesting.

17 Under subsection (c), it says, "In carrying out this
18 section, the Commission, (1), may use proficiency testing
19 to satisfy reserve training standards." And under
20 section (c)(3), it says, "They shall establish a
21 professional certificate for reserves," which, of course,
22 you've done.

23 And then under (4) -- and this is really kind of the
24 crux of what I think is very important -- it says -- this
25 is the Commission, "They shall facilitate the voluntary

1 transition of reserve officers to regular officers with
2 no unnecessary redundancy between the training required
3 for Level I and Level II reserve officers."

4 So I guess the other thing, in summary, is, I don't
5 see any need to change POST or change the formats or
6 anything like that because I think it's phenomenal. I
7 really do. But I think that, as Mr. DiMiceli has said,
8 that I'm one of those situations where I've fallen
9 through the cracks.

10 But I do feel like, based on training and
11 experience, that I've got that training and experience
12 having operated for almost three years as a Level I
13 reserve on the street, with very high reviews from both
14 my staff above me and my peers, that I'm very capable of
15 continuing to operate in that way.

16 And then last and final is, from the Commission
17 standpoint, I, again, I appreciate the opportunity just
18 to come up here and get to see how you operate, but also
19 talk to you and present my case to you.

20 And as Director Cappitelli has said and Mr. DiMiceli
21 and the options, there's basically three options at the
22 end of the report. And, obviously, I would be most
23 excited and most appreciative if you voted for Number 2.
24 But, anyway, thank you for your time. And I'm open to
25 any questions you might have.

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1 CHAIR SOBEK: Thank you, Mr. Bell.

2 Do we have any questions?

3 COMMISSIONER MCGINNESS: Mr. Bell, I'm just curious,
4 is it your intention to become a permanent professional
5 peace officer at some point, or is this a --

6 MR. BELL: Yes. I go out and help people in my
7 community and get the opportunity to -- as all of you
8 know, to be in those tough places when a son gets -- I
9 just had that situation with a family member who was
10 killed in Escondido last year and became very involved
11 with that family, so...

12 I'm happy as a reserve.

13 Thank you.

14 CHAIR SOBEK: Any other questions?

15 COMMISSIONER ALLEN: Now, how many years have you
16 been doing Level I?

17 MR. BELL: Since 2007.

18 COMMISSIONER ALLEN: How many hours are you
19 working -- how many hours were you working a week or --

20 MR. BELL: I put in approximately one shift every
21 week. And I'll do between eight and 12 hours. But
22 generally, between eight and ten hours.

23 COMMISSIONER HAYHURST: What is the minimum
24 requirement for your department for a reserve? How many
25 hours?

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1 MR. BELL: For a Level I, it's 30 hours, and for
2 a Level II, it's 20 hours, and for a Level III, it's
3 16 hours.

4 COMMISSIONER LOWENBERG: Mr. Chairman, could I ask
5 POST staff to maybe respond to this question?

6 Mr. Bell brings up an interesting concept or idea
7 about the 5 percent rule.

8 Have we thought about doing a quick comparison
9 between the evidence that we have at hand, that he's
10 deficient in particular areas as it relates to total
11 academy time? And, you know, do we believe making an
12 informed judgment that he's missed more than 5 percent?

13 Do you follow my --

14 MR. CAPPITELLI: Yes, I believe I understand.

15 That would be, if you will, one part of the
16 equation.

17 Mr. DiMiceli, do you have a thought on that?

18 MR. DiMICELI: I assume what you're talking about is
19 5 percent of the minimum 664, and making some judgment as
20 to -- for example, going to, I guess, it's page 6 of the
21 report, where it says, "A, B, and C in Module I didn't
22 contain the following domains and whether the accumulated
23 hours of those amount to more or less than 5 percent of
24 the minimum hours." We have not done that.

25 COMMISSIONER LOWENBERG: It would probably be

1 almost impossible to do that, considering the amount of
2 time that has passed, the number of instructors.

3 I mean, the question came up earlier about doing an
4 evaluation of hour-to-hour, of hourly distribution. That
5 would -- I mean, even if we could do that, it would be so
6 staff-intensive, that it would almost be impossible
7 to accomplish.

8 MR. DiMICELI: It's very difficult to do.

9 And we have not, as a matter of considered judgment,
10 did not lay that out in the interest of avoiding
11 misapprehension that -- let me go back.

12 One of the examples that is laid out in the report
13 is laws of arrest. That's not specified by title in
14 A, B, and C, but was presented in A and B -- or in A
15 because that, at that time, was part of the 832
16 requirement.

17 What's occurred since is that it is presented by
18 title in Module III, but it's more hours than was
19 required in '99. And it's not presented in its entirety
20 in the A, B, C, Module I framework that Mr. Bell went
21 through.

22 The difference is probably, as I recall, is about
23 five hours.

24 It's difficult to tease that out of records from
25 2007 as compared with records against '99, as diligent as

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1 the staff has always been about having to lay out those
2 changes. But it's difficult to do that.

3 So while there were some elements of some learning
4 domains that were presented in some pieces in 1999, we
5 just have not attempted to try and connect all of those
6 wires together over the course of the eight years to make
7 sure that we knew exactly what that amounted to.

8 CHAIR SOBEK: Mr. Bell?

9 MR. BELL: Yes, sir.

10 CHAIR SOBEK: Does your department require you to
11 continue your advanced officers courses as they do the
12 full-time officers through POST?

13 MR. BELL: As far as our continuing training?

14 CHAIR SOBEK: Yes.

15 MR. BELL: Yes, we do.

16 CHAIR SOBEK: And you've gone through all that?

17 MR. BELL: Yes.

18 COMMISSIONER LINDEN: Mr. Chair, let me take a stab
19 at my thoughts.

20 First of all, Mr. Bell, I think I can speak for all
21 of the commissioners. Thank you for your voluntary
22 service as a reserve. This has nothing to do with the
23 quality of your service, of your dedication, which is
24 incredible. You're a really nice guy, and we hate even
25 having to have this discussion. So please just know

1 that.

2 But here are kind of my concerns as I have thought
3 through this and thought through this about what in the
4 world do we do with this, is that -- and the reason I
5 kind of asked the question in the beginning was, you
6 know, for me, the brunt of the blame is really on
7 Southwestern, is you should never have been allowed into
8 the module course in the first place. Absolutely no
9 fault of your own. And I think we all understand that
10 and appreciate that.

11 But if we were to go back in 2007, had you been
12 denied appropriately by Southwestern of entry into the
13 module, you would have then had to go back and taken the
14 new Module III, II, and eventually I, in sequence, as
15 I think our Executive Director pointed out, others have
16 done because you missed the window, that two-year window,
17 to get Module D based on your own course.

18 The decision to do that was made back in '99, when
19 the old format was decertified.

20 So the Commission at that point, actually the law,
21 the Legislature, I think, made the decision that, "Hey,
22 if Level II reserves have sort of gone part of the way
23 and had the old A, B, C, and if they don't get D within
24 this two-year window, and then they want to become a
25 Level I, they've got to go back through the new format."

1 So that decision was in place long before you were
2 admitted into the Southwestern program, Module I program.
3 And that decision has applied to others that would have
4 been in the same boat, you know, after 2002, after that
5 window closed.

6 So when I looked at what's been the harm to you in
7 Southwestern admitting to you, to me, that harm was
8 really you going through Module I, 400 hours of training,
9 about, that basically doesn't count at this point. And,
10 in fact, I think even the content of Module I, if I'm not
11 mistaken, was found to be deficient by today's standards
12 for Module I. So even the content you got in that
13 training wasn't adequate according to what was supposed
14 to be in that Module I.

15 Had you never been admitted, we wouldn't even be
16 having this discussion because you would have had to go
17 through III, II, and I, anyway. So, in essence, you sort
18 of went through I, when you shouldn't have been. And
19 that was certainly a whole lot of time on your part that
20 you shouldn't have had to go through.

21 But to me, the remedy for that is not necessarily
22 now waiving that Module III and II requirement that you
23 would have had to go through, anyway, had Southwestern
24 turned you away at the door -- which they should have.
25 No fault of your own.

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1 And for me, it's not an hours issue. It's really
2 the missed curriculum issue. Because we had this switch
3 in formats, now, we have key -- we have curriculum. We
4 have modules or Learning Domains that you didn't get in
5 the old A, B, C, or you got part of or piecemeal or in
6 a different way and that you didn't get in the new
7 Module I, so there's this gap in some really critical
8 training.

9 And I understand the comments of the liability.
10 I am concerned about liability, and not necessarily for
11 the Commission -- I'm always concerned about that -- but
12 for you and your department, because I think a number of
13 us have, in our careers, have seen lawsuits that it
14 absolutely hinges on training. And part of the action
15 that's brought against the officer and the department,
16 and in this case potentially the state or potentially the
17 Commission, is deficient training.

18 And I think if there's this gap, and you and your
19 department are sued for an incident and they can show
20 that you never had the training in A, B, C, and I,
21 because of the change in curriculum, I'm really concerned
22 about that. I'm mostly concerned for you and your
23 department in that situation, less so than our
24 Commission.

25 So -- and I'm also concerned that others have sort

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1 of been in the same boat that haven't come before the
2 Commission but certainly the rules have been in place now
3 for a long time. So any reserve, any Level II reserve
4 that sought to become a Level I between 2002 and today in
5 that eight-year period already has had to go back and go
6 through that same training. So that's kind of where --
7 those are my concerns.

8 And I hope you understand it's nothing personal.

9 MR. BELL: No, no.

10 CHAIR SOBEK: Let me get to Commissioner Dumanis
11 first and then Commissioner Campbell.

12 COMMISSIONER DUMANIS: Always want be consistent,
13 since we've dealt with some of these issues before.

14 Here's my thinking.

15 Number one, we're punishing Mr. Bell for a mistake
16 of a third party that he wasn't responsible for. We
17 wouldn't have found it but for some issues that arose,
18 and he'd still be doing what he's doing. He's been doing
19 it for three years, and doing it quite well. He's
20 updated himself, as he's supposed to do, for a long
21 period of time.

22 And even if the classes have changed, there are
23 still people that are out there doing what he's doing now
24 that didn't go through the I, II, and III, or went
25 through the previous classes and are doing quite well.

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1 So there's a phrase that we use as lawyers,
2 "substantial compliance." And it seems to me that
3 Officer Bell has substantially complied. And if you're
4 worried about some of his deficiencies, then test him to
5 see if there are areas that he needs. Test him with a
6 written test or some kind of test to see if he needs some
7 additional work. But I, for one, think that he's done
8 what everybody's wanted him to do, and done it quite
9 well.

10 And I would make a motion that we do Number 2 and
11 accept Mr. Bell's position and declare the training to be
12 sufficient. And I think that doing that, overcomes any
13 liability issues.

14 The Chief of Police of his department is saying he
15 thinks he's okay and ought to be certified. And so he's
16 willing to say, "I think there aren't any issues here."
17 So that would be my motion.

18 COMMISSIONER HAYHURST: I'll second it.

19 CHAIR SOBEK: When I started in 1984, we only did
20 12 weeks, so...

21 COMMISSIONER DUMANIS: Ask Bob how long his was.

22 CHAIR SOBEK: Was it two weeks, Bob?

23 They gave you the gun and the horse and said, "Go
24 out there."

25 VICE-CHAIR DOYLE: You know, what happens in Marin

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1 stays in Marin.

2 CHAIR SOBEK: Commissioner Campbell?

3 COMMISSIONER CAMPBELL: There's a motion and a
4 second on the floor. However, I would like, before we
5 take the vote on that, I'd also like to call attention
6 to the fact that in the three years that he's been there,
7 he's probably put in more than a thousand hours of
8 training that a lot of people don't get while they're in
9 the training session.

10 I certainly think that -- and I'd be the first one
11 to say, "Hey, don't let somebody on board that can't do
12 the job." But I imagine he's better trained than the
13 people that went through everything.

14 And I think in this particular situation, that I
15 will certainly go along with the motion.

16 MR. DiMICELI: Chairman Sobek, if I could, since
17 we're in the comment period.

18 As you consider the motion, there are a couple other
19 alternatives that did not get to the report that may be
20 worthwhile for the Commission to consider.

21 Of course, the obvious alternative, Number 4, is to
22 suggest that Mr. Bell, although it's out of sequence,
23 complete III and II to satisfy the new format of
24 training.

25 The fifth alternative that the Commission may want

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1 to consider would be either attendance and completion of
2 the re-qualification course, which is 136 hours, and
3 testing through that process, which is based upon the
4 totality of the Basic Academy training, together with the
5 physical, psychomotor, manipulative, and firearms
6 examinations that go into that process.

7 Staff, from our perspective, is not a fan of
8 either/or of those alternatives, but they do exist and
9 are within the realm of the Commission's ability to
10 resolve this situation.

11 CHAIR SOBEK: Mr. Allen, do you have a comment?

12 COMMISSIONER ALLEN: Well, I was going to say, first
13 of all, Mike, excellent job that your staff did on this
14 report.

15 And I do like that alternative, if that's a
16 possibility. But I want to say that I'm fully supportive
17 of the comments regarding letting him continue what he's
18 doing. I think he's pretty much proven that he has the
19 capability of carrying out his duties as a Level I.

20 In addition to that, not only that, he's a Medal of
21 Valor recipient that I think has gone well beyond what
22 you see reserves doing out there.

23 So I'm in favor of Number 2, but would support
24 Number 5 if the Commission were interested in that.

25 CHAIR SOBEK: We would have to change the motion.

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1 COMMISSIONER DUMANIS: No, I'm not willing to change
2 it.

3 CHAIR SOBEK: Commissioner Bui?

4 COMMISSIONER BUI: I have a question actually.
5 Maybe I need some clarification on the motion.

6 I know that you mentioned something about a
7 competency test.

8 Is that included in that motion or --

9 COMMISSIONER DUMANIS: No.

10 COMMISSIONER BUI: -- are we taking Number 2 at face
11 value?

12 COMMISSIONER DUMANIS: Number 2 at face value.

13 COMMISSIONER CAMPBELL: Call for the question.

14 CHAIR SOBEK: Okay, no further comment?

15 I have a motion to accept Mr. Bell's position and
16 declare the training to be sufficient to satisfy the
17 basic training requirement for appointment to Level I
18 reserve officer position.

19 All in favor, say "aye."

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

21 CHAIR SOBEK: Any opposed?

22 COMMISSIONER LINDEN: No.

23 COMMISSIONER LOWENBERG: No.

24 COMMISSIONER MCGINNESS: Nay.

25 CHAIR SOBEK: Okay, who do we have?

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1 We have three: Commissioner Linden, Commissioner
2 McGinness, and Commissioner Lowenberg.

3 The motion carries.

4 COMMISSIONER COOKE: Congratulations.

5 COMMISSIONER LINDEN: That's good news for you.

6 He looks a little stunned.

7 MR. BELL: I don't want to start crying, so that's...

8 COMMISSIONER CAMPBELL: That's my job.

9 MR. BELL: Thank you. You all know how much it
10 means. Thank you.

11 CHAIR SOBEK: Yes, I think, you know, to possibly
12 set a precedent to us, but I think if we take it as a
13 case-by-case basis, we'll be okay.

14 COMMISSIONER DUMANIS: Exactly.

15 COMMISSIONER LINDEN: And please know that our
16 dissenting votes, absolutely nothing personal.

17 MR. BELL: Everything you have said, I have thought
18 through and agreed with those questions, too.

19 CHAIR SOBEK: Keep doing a great job out there. We
20 appreciate it.

21 MR. CAPPITELLI: Just for consistency, I want to
22 point out that when I met with Mr. Caslava, I offered him
23 the same opportunity to come and talk to the Commission
24 as was afforded with Mr. Bell.

25 With the time-line involved, because Mr. Caslava was

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1 already involved in the academy, he said, "By July 6th,
2 I'm going to be out." So I'm going to his graduation in
3 a couple weeks to see him graduate.

4 COMMISSIONER HAYHURST: I'd also like to comment
5 that we do have a possible 99 more reserves coming before
6 us in the very near future.

7 Don't laugh, I'm serious, it could happen.

8 CHAIR SOBEK: All right, thank you.

9 MS. PAOLI: Who was the second of that last motion?

10 CHAIR SOBEK: Commissioner Smith.

11 COMMISSIONER HAYHURST: No, I thought it was me.

12 COMMISSIONER SMITH: Hayhurst.

13 CHAIR SOBEK: I mean, Commissioner Hayhurst.

14 MR. DiMICELI: It was Dumanis and Hayhurst.

15 CHAIR SOBEK: Okay. The next Long-Range Planning
16 Committee meeting will be Thursday, September 2nd.

17 Our next Commission meeting is at the Courtyard
18 Marriott in Sacramento, right here, October 27th -- 28th.

19 And if we have nothing else, move to adjourn.

20 *The meeting concluded at 1:12 p.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 15th, 2010.

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