

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

Attachment D

January 23, 2012

Mr. David Bliss
International Training Resources
2269 Chestnut Street, #161
San Francisco, CA 94123

Dear Mr. Bliss:

I received the materials you submitted, dated November 23, 2011, in support of your appeal of the staff decision to decertify the courses for which certification was active during Fiscal Year 2011-2012. Those courses are listed in the letter to you, dated October 24, 2011, announcing the decertification action that is Attachment A to this letter.

Accordingly, the decision is upheld and the appeal is denied. For the reasons summarized below, I support the staff decision to decertify the training courses:

- The decision to decertify the courses followed a preliminary investigation by POST staff into the injury to Officer Michael Short during a training course certified to ITR at which you were present as an instructor. The decision was based upon 6 findings of the preliminary investigation.
- Those findings included violation of the course safety policy involving the student-instructor ratio and the use of instructors who were not approved in the certification. The representatives of Safariland who were present during the course and serving as instructors or instructor assistants are not approved within the conditions of the certification and are not listed in any of the certification documents. As we know, a Safariland representative assisted Officer Short in placing the device that caused his injury. Further, none of the instructors named and approved in the certification were within close physical proximity to Officer Short during the deployment or detonation of the device or at the time of his injury. The materials you submitted do not state otherwise.
- Other findings include departure from the content as specified in the expanded course outline, and experimental deployment of the equipment and munitions that exceeded the experience and competence of the instructional personnel.



EDMUND G. BROWN JR.
GOVERNOR

KAMALA D. HARRIS
ATTORNEY GENERAL



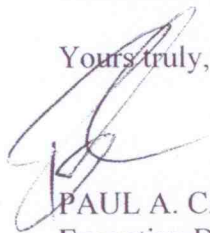
- The written report of the incident and injury you prepared and submitted to Senior Consultant Don Lane describes the decision of "students" to deploy the device in an unusual position or manner. Mr. Lane has reported his interview with you during which you described various "experiments" with charges (loads) and deployments to observe the results. Explosive experiments are not a described or approved element of the course within the conditions of certification.
- We know that you were injured, however slightly, during the deployment of the munitions in a manner similar to the deployment that resulted in injury to Officer Short.
- As stated in the October 24, 2011 letter signed by Assistant Executive Director Mike DiMiceli, POST staff is aware of the incident that occurred in 2005 that resulted in the suspension of your certification to present a SWAT course for one year. That incident also involved unsafe practices in a high risk, dangerous training course.

I have received a number of letters from former students of ITR training. I also received a copy of your correspondence to those individuals wherein you request a communication with POST on your behalf. None of those letters contained information that was directly relevant to this situation and they were not a factor in my decision.

As a result of the totality of these circumstances and findings, POST staff is concerned that future presentations cannot or will not be conducted safely. Further, POST staff is not confident that ITR is capable of complying with the conditions of certification that apply to each course. I concur with the decision to decertify those courses.

If you have questions or wish to discuss this matter further, please contact Assistant Executive Director Alan Deal at (916) 227-2809, or alan.deal@post.ca.gov.

Yours truly,



PAUL A. CAPPITELLI
Executive Director

PAC:abd:mlb

Attachment

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

Attachment A



EDMUND G. BROWN JR.
GOVERNOR

KAMALA D. HARRIS
ATTORNEY GENERAL

October 24, 2011

Mr. David Bliss
International Training Resources
1040 Grante Road, #155
Mountain View, CA 94040

Dear Mr. Bliss:

We have completed the review and investigation of the incident that occurred during the ITR presentation of the POST- certified training course, Distraction Device, Breaching – Instructor, Course Control Number 1025-33566, on July 21, 2011, causing the significant injury to Officer Michael Scott, Visalia Police Department.

After reviewing all of the information available to us, including interviews with Officer Scott and other persons who were present in the training course and at the scene, we conclude the incident occurred as a result of:

1. Violation of the provisions of the safety policy approved as a condition of certification of the course;
2. Use of instructors who are not approved as a condition of certification of the course;
3. Departure from the content of the course specified in the approved expanded outline and hourly distribution for the course;
4. Improper and incorrect preparation of distraction device munitions;
5. Experimental use of explosive materials not approved within the certification of the course; and
6. Experimental deployment of equipment and munitions that exceeded the experience and competence of all instructional personnel who were present at the scene.

Further, POST staff is aware of the incident that occurred in 2005 in the SWAT course certified to ITR that resulted in the suspension of that certification for the period of one year.

As a result of these findings, the following actions are effective on October 28, 2011:

A. The following courses are decertified:

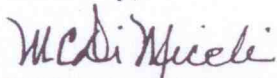
Course No.	Course Title	Hours
24015	Canine/SWAT Deployment	36
24204	Critical Incident Instructor	32
12250	Critical Incident Mgmt & Tactic	40
21635	Defensive Tactic Instructor	80
21665	Defensive Tactic Instructor Update	24
30869	Dispatcher/Tactical Ops Adv	24
30922	Dispatcher/Tactical Ops	40
33566	Distraction Device Breaching Instructor	16
21920	Diversionsary Devices - Instructor	16
31990	Firearms/Sub-Machine Gun	32
32112	Firearms/Tactical Rifle Instr.	48
30985	Less Lethal Weapon Instr.	24
23020	Rifle Marksmanship and Sniper	48
23040	Rifle Marksmanship-Sniper, Adv	48
24271	Search Warrant/Arrest High-Risk	40
23000	Special Weapons & Tactics	80
23030	Special Weapons & Tactics, Cmdr	48
23034	SWAT Commander, Adv.	48
30862	Tactical Operations, Adv.	48
33579	Technical Rope Operations Instructor	48

B. No training course listed above may start or be presented in any manner after 5:00 p.m., October 28, 2011.

C. David Bliss is prohibited from participating in any POST-certified training course as instructor, coordinator, safety officer, or instructional aide or assistant.

If you wish additional information or you wish to discuss these actions, you may contact me at 916-227-2808 or by e-mail at mike.dimiceli@post.ca.gov.

Yours truly,



MICHAEL C. DiMICELI
Assistant Executive Director

MCD:mlb

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

January 23, 2012

Mr. Ben Tisa
International Training Resources
2269 Chestnut Street, #161
San Francisco, CA 94123

Dear Mr. Tisa:

I received the materials you submitted, dated November 23, 2011, in support of your appeal of the staff decision to decertify the courses for which certification was active during Fiscal Year 2011-2012. Those courses are listed in the letter to you, dated October 24, 2011, announcing the decertification action that is Attachment A to this letter.

Accordingly, the decision is upheld and the appeal is denied. For the reasons summarized below, I support the staff decision to decertify the training courses:

- The decision to decertify the courses followed a preliminary investigation by POST staff into the injury to Officer Michael Short during a training course certified to ITR at which you were present as an instructor. The decision was based upon 6 findings of the preliminary investigation.
- Those findings included violation of the course safety policy involving the student-instructor ratio and the use of instructors who were not approved in the certification. The representatives of Safariland who were present during the course and serving as instructors or instructor assistants are not approved within the conditions of the certification and are not listed in any of the certification documents. As we know, a Safariland representative assisted Officer Short in placing the device that caused his injury. Further, none of the instructors named and approved in the certification were within close physical proximity to Officer Short during the deployment or detonation of the device or at the time of his injury. The materials you submitted do not state otherwise.
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GOVERNOR

KAMALA D. HARRIS
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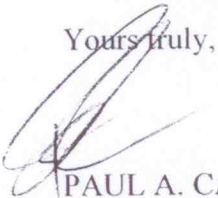
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- We know that Mr. Bliss was injured, however slightly, during the deployment of the munitions in a manner similar to the deployment that resulted in injury to Officer Short.
- As stated in the October 24, 2011 letter signed by Assistant Executive Director Mike DiMiceli, POST staff is aware of the incident that occurred in 2005 that resulted in the suspension of your certification to present a SWAT course for one year. That incident also involved unsafe practices in a high risk, dangerous training course.

I have received a number of letters from former students of ITR training. I also received a copy of your correspondence to those individuals wherein you request a communication with POST on your behalf. None of those letters contained information that was directly relevant to this situation and they were not a factor in my decision.

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If you have questions or wish to discuss this matter further, please contact Assistant Executive Director Alan Deal at (916) 227-2809, or alan.deal@post.ca.gov.

Yours truly,



PAUL A. CAPPITELLI
Executive Director

PAC:abd:mlb

Attachment



POST

EDMUND G. BROWN JR.
GOVERNOR

KAMALA D. HARRIS
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International Training Resources
2269 Chestnut Street, #161
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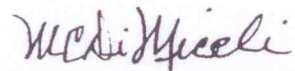
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Yours truly,



MICHAEL C. DiMICELI
Assistant Executive Director

MCD:mlb