

July 23, 2015

Executive Director Robert Stresak,

My name is Vikas Kurian. I am writing this letter as a request to extend my expired POST Requalification Certificate date or allowing me to take the Post Requalification Course again. I am requesting one of these options because of the following reasons. In December 2001, I graduated from Western Illinois University with a Bachelor's Degree in Law Enforcement & Justice Administration. I also graduated with a minor in Management. In July 2005, I was hired by Northeastern Illinois University Police Department as a full time Police Officer. I attended Chicago Metropolitan Basic Police Academy and graduated from that academy in November 2005. During that academy I graduated with approximately 620 training hours. For 2 years, I worked as a Police Officer for this department. During this time I conducted all general law enforcement duties. These duties include but were not limited to patrolling a geographical area, responding to the full range of request for police services, performing enforcement actions on the full range of law violations and conducting investigations of crimes. In July 2007 I got married to my wife and decided to move to California. Early November 2007, I resigned from Northeastern Illinois University Police Department on good terms and moved to San Jose, California. After a few months, my wife and I decided we wanted to move to the Sacramento, Ca area. I applied for a few Police Departments in that area and they were either not hiring or were laying off officers. This was the time when the economy crashed and many agencies stopped hiring or began laying off officers. I continued to apply to different agencies from the bay area to Sacramento area with no results. Mid 2008 I was informed about the Post Basic Course Waiver Process. I filled out the required paper work and turned in my application. I was granted the waiver process completion. I decided to take the Post-Certified Requalification Course thinking it would give me a better chance of obtaining a position in law enforcement. I completed the Post-certified Requalification Course in fall of 2008. I then continued to apply for state and city law enforcement positions while the economy was still down. During that time I worked as a private investigator and a manager at a restaurant. As a private investigator I would conduct covert surveillance on individuals. I would also conduct thorough interviews on other individuals. As a manager, I would be multi-tasking all duties of a general manager of a restaurant from paper work to handling customer complaints.

Finally March of 2015, I was hired by the Department of Alcohol and Beverage Control. I was hired to work at the San Jose District office near my wife's work place. This was the perfect situation for my family. Since my Post-certified Requalification certificate expired, The Department of Alcohol and Beverage Control assigned me to attend South Bay Regional Basic Police Academy. From March 23rd 2015 to June 30th 2015 I attended the academy. During

this time I received about 600 hours of training. I passed all my Learning domain tests on the first try and passed the midterm test. I spent many hours at the range at the academy, at a local range alone and with my department at the range they attend for practice. While at the range with my department, they had mentioned to me that I would pass the department range qualification the way I shot. During this time at the academy, I passed 6 out of 7 arrest and control techniques. On June 30th, 2015 I conducted my remedial test for search incident to arrest. After the test, I was informed that I failed because I didn't search the bare skin of the subject from the elbow to the wrist, and that I didn't go up to the arm pit all the way. During the academy we were told when subjects wore spandex, there was no need to search that area because we can visually see if there is any contraband or weapons there. Also, in the POST Learning Domain #33 Searches and Control, it states to check the sleeves of the subject arms. With those in mind, I did not think I had to search the bare skin from elbow to wrist. I did not search the bare skin during my first original ACT test and I was not notified that it was wrong. So I used the same search pattern for the arm for the second test. Also, to my knowledge, I went up the armpit as much as I could. During the first ACT test, I was told that I checked the crotch area wrong, so I corrected my mistake by attending after school practice and on weekends I practiced with fellow recruits for the second test, but still failed because of other reasons that were not mentioned to me before. During my time at the academy, there was a lot of inconsistency with the arrest and control portion of our academy. I have given a detailed report about my experience at the academy to POST Senior Consultant Michael Barnes and currently in the process of filing a grievance with the school. Since I was dismissed from the Academy I was terminated from the Department of Alcohol and Beverage Control (ABC).

It took me many years to obtain a job in law enforcement and to be dismissed from the academy and let go by ABC has saddened my family because they know I put in a lot of hours practicing for the academy at home. The position I had with ABC was agent trainee. The position is described as a recruiting/training level class. Under close supervision, the incumbent learns investigative techniques and procedures, including application of ABC laws, rules, and regulations, by assisting Agents in conducting routine investigations of criminal and/or administrative violations committed on or about alcoholic beverage control licensed premises by licensees, their employees and/or members of the general public. Responsibilities include assisting in locating and interviewing witnesses and persons suspected of violations; and collecting and preserving evidence to support administrative action and/or prosecution. I currently have about 1300 police training hours and two years of Police Officer experience. The two years of Police Officer experience I received gave me real job experiences that I will never forget and no one can learn from an academy. If you are able to extend my expired POST Requalification Certificate date or allow me to take the Post Requalification Course again, I would attempt to ask ABC to rehire me before they fill the position. If rehired with ABC, they will provide all Agents and Agent trainees with arrest and control techniques training about two times a year. They will also require me to shoot the department range qualification at least two times a year. If rehired with ABC the first three months I will be in my FTO phase where I will

be under the direct supervision of an agent with many years of experience. After my FTO phase, I will be working closely with other agents with experience on cases together. Once I prove to the department that I am capable of working by myself, I would have to take a department test for the Agent position. If completed, I would only then be able to work by myself on cases if needed. Please consider one of my requests. If the economy wasn't in bad shape when I first moved to California, I know I would have found a position in law enforcement. I am very dedicated and passionate about the law. I have not given up on continuing my career in law enforcement. Even when I was hired by ABC, I was thinking of new ideas to speak with my directors with to help cut down on law violations. I know I have great strengths to be a great asset for the State of California. If you care to speak with my previous department or check my records during my time I attended South Bay Academy, you will see how hard I worked and how serious I was to follow through with my dreams of becoming a peace officer again. If you have any questions or concerns, please feel free to contact me at [REDACTED], or email me at [REDACTED]. Thank you again for your time and have a wonderful day.

Sincerely,


Vikas Kurian



EDMUND G. BROWN JR.
GOVERNOR

KAMALA D. HARRIS
ATTORNEY GENERAL

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

August 6, 2015

Vikas Kurian


RE: REQUEST FOR EXTENSION OF REQUALIFICATION COURSE ELIGIBILITY

Dear Mr. Kurian,

The California Commission on Peace Officer Standards and Training (POST) received your inquiry regarding an extension of Requalification course eligibility.

The purpose of regulation with respect to basic training mandates is to ensure the applicant's competency levels are contemporary. This is of critical importance due the fact that matters regarding law enforcement training, such as statutory and case law, investigative procedures, tactics and technology are continually evolving.

The Six-Year Exception is codified in POST Regulation 1008 (b)(2)(B)1, which mandates that an individual who successfully completed a Regular Basic Course, Specialized Investigators' Basic Course, or the Basic Course Waiver Process on or after July 1, 1999, but who never served in a California peace officer/Level I reserve officer position for which a Regular or Specialized Investigators' Basic Course is required, may requalify by successfully completing a POST-certified Requalification Course one time within six years from the date of basic course or waiver process completion. **After six years, an individual must successfully complete the appropriate basic course (RBC or SIBC) to requalify, regardless of when the Requalification Course was completed.**

An audit of your POST profile reveals you completed the Requalification process on 12/19/2008. Therefore, your six year window of opportunity to utilize this process to become appointed as a California peace officer expired on 12/19/2014. There is no mechanism in regulation to allow the extension you have requested, and you are therefore ineligible to take the requalification course a second time.

Given the fact pattern of the circumstances described in your letter, you will need to complete the Regular Basic Course (RBC) or Specialized Investigators' Basic Course (SIBC) should you desire to qualify for employment as a California peace officer for which the RBC or SIBC is required.

Your independent grievance regarding your dismissal from the South Bay Regional Academy is being investigated by the POST Basic Training Bureau, as it is a separate matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert A. Stresak', is written over a horizontal line.

ROBERT A. STRESAK
Executive Director

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