

Executive Director Robert Stresak,

Thank you for taking the time to read my letter and respond back. After reading your letter, I am hoping you will reconsider your decision based on the following new information. Per your letter, my 6 year exemption would have expired on December 19th, 2014. The Department of ABC and I both thought my POST Requalification certificate expired in 2011. During the middle of December 2014, I was in the final phase of the ABC hiring process. I was offered a job offer in January 2015 and I accepted it. I interviewed with the Department of ABC in the Spring of 2014. After the interview I felt confident about getting the position so I inquired through POST if I had to go through the academy if I was offered a position. I was told that I had to go through the regular academy because my certificate had expired. I was not aware it was valid till December 2014. I'm not sure if I had to tell POST that I was seeking employment in California for the first time or any other pertinent information so POST could give me the correct answer. I remember calling POST, giving my social security to them over the phone and was told that my certificate expired 2011. I didn't know that my certificate was valid till December 2014. Also, from what I remember, the ABC department also looked into if I had to go through the full academy or not. From the research they conducted, they thought I had to go through the full academy. They also were not aware I had an active POST certificate during my hiring process. If they were aware of the chance of not having me go through a full academy because of my active certificate, they would have expedited my hiring process, and put me through their field training program instead of the full academy. I am pleading to you and/or The Commission to take a look at my case and not just look at the facts, but look at my situation as a whole. I was a police officer in Illinois and when I first moved here and found out I could get a waiver, I jumped at the chance and I completed the waiver process immediately. I did not realize that the waiver was valid for three years. Then I could have taken the requalification course when the waiver was about to expire. I've applied for law enforcement positions for years and was going through the hiring stages for some, but the position would be frozen because the economy was in bad shape. Police Officers were getting laid off and nobody was hiring because there was no funding. Once the economy was getting better, laid off officers were getting rehired. Now the economy is in better shape and there are more positions available. If I waited and had applied for the waiver process in 2009 or 2010, I may have been waived and the certificate would have been valid now. I was so eager and desperate to get back into law enforcement. I thought by passing a requalification course right away my chances of getting hired would increase. If I could go back in time I would have tried to apply and take the waiver in 2009 or 2010. Then 3 years from then I would have taken the requalification course and the license would be current now.

I understand that laws are always changing and POST will need reassurance of my skills. If the Department of ABC knew my certificate was expiring in December 2014, they would have expedited my hiring process so they could have hired me before the December 2014 deadline instead of mid-January. I have seen many departments expedite hiring process during my time at the academy. I would have gone through their Field Training program for 3 months and if I did not satisfy POST and department standards they would have released me. If I was able to get a letter from the upper management of the ABC department or if they called you stating they would have hired me before my certificate expired if they had known my certificate was valid till December 2014 and not send me to the academy, would that help change my situation? If hired before December 2014 I wouldn't have received the 600 training hours while I attended the South Bay Academy. I now have those extra training hours to help me in my career.

I am more physically and mentally prepared for the department's field training process now then I would have been in December.

I am hoping that you can make an exception based on an individual case and allow me to retake the 3 week requalification course or exempt me based "upon a showing of a good cause." I hope you can look at my case as an individual basis and under special circumstances. Just as the Supreme Court can make a ruling that can change a person's life. I am pleading that you or The Commission will reconsider and change my life. I am sure, if by the approval of POST, ABC will train me in any form deemed necessary by POST to make sure I qualify for the position. It will be very difficult for me to leave my current job and sponsor myself for an academy full time or part time because I am currently commuting to Oakland from San Jose. Even if I am able to take the part time class there will be no guarantee that I would get a position with ABC again. I am hoping if I can get a waiver, take the course or whatever POST deems necessary that is a short duration, I have a better chance of getting my old job back with the ABC. I've been unemployed at times and so I need this job to help support my family. This is my last option. If you say no, I may never get the chance to get into law enforcement again which will be heartbreaking since I've dreamed of being an officer since I was young, took the academy and worked as a police officer. Then after moving to California I couldn't get a job because of the economy and when I finally do, I've missed my chance by a month with the six year exemption before actually acquiring the position. I am confident that I would have been employed by an agency if the economy was better when I first moved out here at the end of 2007 because of my experience and clean background. I am also confident that the Department of ABC would have tried to hire me before my POST certificate expired and put me through their training process if they knew that my certificate was valid till December 2014. Please don't let a one month difference of my certificate expiring and being hired affect my future, when the department and I did not know the certificate was valid till December 2014.

The ABC department and the state of California have invested a lot of time and money on me. I wish to prove that their investment was worth it if given the chance. My wife and I really hope and pray that you look at the totality of my circumstances and allow me to have some valid paper work from POST so I can try to get my job back and I can help provide for my family and to continue to fulfill my dream of working as a police officer. 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 25, 2015

Vikas Kurian


**RE: APPEAL REGARDING EXTENSION OF REQUALIFICATION COURSE
ELIGIBILITY**

Dear Mr. Kurian,

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

As mentioned in the prior letter from my office as well as email correspondence from Senior Consultant Mike Barnes, you are ineligible to take the Requalification course a second time. An audit of your POST profile revealed 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.

The circumstances described in your letter, require you to complete a full Regular Basic Course (RBC) or Specialized Investigators' Basic Course (SIBC) should you desire to qualify for employment as a California peace officer position for which the RBC or SIBC is required.

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.**

Eligibility for the Requalification course is based on criteria relating to a specific timeline. While I am appreciative of the challenges you have experienced in becoming a California peace officer, none of articulated circumstances provide my office with the authority to deviate from regulation, and this matter remains closed.

Sincerely,


ROBERT A. STRESAK
Executive Director

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