



**POST ADVISORY COMMITTEE MEETING**  
**Courtyard by Marriott - Cal Expo**  
**1782 Tribute Road, Sacramento, CA 95815, (916) 929-7900**

**June 27, 2012**  
**AGENDA**  
**1:00 PM**

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**A. Call to Order and Welcome**

The Advisory Chair will call the Meeting to Order.

**B. Flag Salute**

Chair will call for Flag Salute.

**C. Moment of Silence**

Chair will call for Honoring Peace Officer(s) Killed in the Line of Duty Since the Last Meeting:

- Deputy Robert Paris, Stanislaus County Sheriff's Department.

**D. Introductions**

Chair will call for Introductions of the Advisory Committee Members and POST Commissioners.

Chair will call for Introductions of the Audience.

**E. Roll Call**

Chair will call for Roll Call.

**F. Announcements and Correspondence**

Chair will call for Announcements and Correspondence.

**G. Approval of Minutes**

Chair will call for Approval of the Minutes.

- [Action Summary \(Minutes of February 22, 2012\)](#)
- [Meeting Minutes \(Transcript - February 22, 2012\)](#)

**H. Review of Commission Meeting Agenda**

Staff will call for the Review of the Commission Meeting Agenda.

## **I. Presentations**

Staff will call for the Presentations of:

- Sexual Assault Online Training Course - Learning Technology Resources, Senior Instructional Catherine Bacon; and
- SAFE Driving News Alerts - Training Program Services Bureau, R.C. Smith.

## **J. Advisory Committee Member Reports**

Chair will call for the Advisory Committee Member Reports.

## **K. Commissioner Comments**

Chair will call for Commissioner Comments.

## **L. Old and New Business**

Chair will call for Old and New Business.

- [Staff will call for the 2012 Opening of the Nominations for the POST Excellence in Training Awards.](#)
- [Staff will call for the 2012 Opening of the O.J. "Bud" Hawkins Exceptional Services Awards.](#)
- Staff will call for the Election of Advisory Committee Chair and Vice Chair.

## **M. Next Meetings**

Staff will announce upcoming meetings:

- Advisory Committee Meeting  
**Wednesday, October 24, 2012 @ 1:00 p.m.**  
**Embassy Suites, Burlingame**
- Commission Meeting  
**Thursday, October 25, 2012 @10:00 a.m.**  
**Embassy Suites, Burlingame**

## **N. Adjournment**

The Chair will now adjourn the meeting.

## AGENDA ITEM REPORT

**Title:** ACTION SUMMARY (MINUTES OF FEBRUARY 22, 2012)

### REPORT PROFILE

<b>MEETING DATE</b> 6/27/2012	<b>BUREAU SUBMITTING THIS REPORT</b> Executive Office	
<b>RESEARCHED BY (PRINT NAME)</b>		<b>REVIEWED BY (PRINT NAME)</b>
<b>REPORT DATE</b> 06/04/2012	<b>APPROVED BY</b>	<b>DATE APPROVED</b>
<b>PURPOSE</b>	<b>FINANCIAL IMPACT</b> No	

### ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

**ISSUE:**

**BACKGROUND:**

**ANALYSIS:**

**RECOMMENDATION:**

### **ATTACHMENT(S):**

Name:

Type:

 [February 22, 2012 Advisory Committee Meeting Minutes.pdf](#)

Executive Summary

## POST Advisory Committee Meeting Minutes

### Action Summary

Doubletree Hotel, San Diego – Mission Valley  
7450 Hazard Center Drive  
San Diego, CA 92108  
(619) 297-5466

Wednesday, February 22, 2012

#### A. CALL TO ORDER

Chair Sandra Spagnoli called the meeting to order at 1:05 p.m.

#### B. FLAG SALUTE

Chair Spagnoli asked Advisory Committee Member Jeff Miller to lead the group in the flag salute since this is his last POST Advisory Committee meeting.

#### C. MOMENT OF SILENCE

Those present recognized the following officer killed in the line of duty since the last meeting with a moment of silence for Officer Jim Capoot, Vallejo Police Department.

#### D. INTRODUCTIONS

Advisory Committee members, POST Commissioners, POST staff, and members of the audience introduced themselves.

#### E. ROLL CALL

##### Members Present:

Elmo Banning – Public Member  
Alex Bernard – Public Member  
Jim Bock – Specialized Law Enforcement  
Ed Bonner – California State Sheriffs' Association (CSSA)  
Mario Casas – California Coalition of Law Enforcement Associations (CCLEA)  
Joe Flannagan – Peace Officers' Research Association of California (PORAC)  
Richard Lindstrom – California Academy Directors' Association (CADA)  
Alan McFadon – Public Safety Dispatcher Advisory Council (PSDAC)



EDMUND G. BROWN JR.  
GOVERNOR

KAMALA D. HARRIS  
ATTORNEY GENERAL

Members Present (continued):

Jeff Miller – California Police Chiefs’ Association (CPCA)  
Sandra Spagnoli – California Peace Officers’ Association (CPOA)  
Tim Willmore – California Association of Police Training Officers (CAPTO)  
Bradley Young – California Association of Administration of Justice Educators (CAAJE)

Commissioners Present:

Floyd Hayhurst  
Jim McDonnell  
Mike Sobek

POST Staff Present:

Catherine Bacon, Senior Instructional Designer, Learning Technology Resources Bureau  
Marie Bouvia, Executive Assistant, Executive Office  
Janice Bullard, Bureau Chief, Learning Technology Resources Bureau  
Paul Cappitelli, Executive Director, Executive Office  
Patricia Chisum, Senior Consultant, Center for Leadership Development Bureau  
Ron Crook, Production Manager, Learning Technology Resources Bureau  
Alan Deal, Assistant Executive Director, Standards and Development Division  
Frank Decker, Bureau Chief, Basic Training Bureau  
John Dineen, Bureau Chief, Management Counseling Services Bureau/Training  
Delivery and Compliance Bureau  
Darla Engler, Bureau Chief, Administrative Services Bureau  
Charles Evans, Legislative Liaison, Executive Office  
Tamara Evans, Senior Consultant, Training Program Services Bureau  
Michael Gomez, Bureau Chief, Training Program Services Bureau  
Mike Hooper, Bureau Chief, Center for Leadership Development Bureau  
Connie Paoli, Executive Assistant II, Executive Office  
Ed Pecinovsky, Special Consultant, Training Program Services Bureau  
Dick Reed, Assistant Executive Director, Administrative Services Division  
Stephanie Scofield, Bureau Chief, Standards and Evaluation Services Bureau  
Robert Smith, Senior Consultant, Training Program Services Bureau  
Shelley Spilberg, Senior Personnel Selection Consultant, Standards and Evaluation  
Services Bureau  
Robert Stresak, Assistant Executive Director, Field Services Division

Guests Present:

Daniel Feldheus, CSR, Inc.  
Delwin Hanson, Sacramento Regional  
Maria Wood, Lieutenant, San Diego County Sherriff’s Department  
Dane Wygal, Digital OutPost

## **F. ANNOUNCEMENTS AND CORRESPONDENCE**

No announcement or correspondence was reported.

## **G. APPROVAL OF MINUTES**

**MOTION** – Bernard, **SECOND** – Bock, carried unanimously to approve the action summary and minutes of the October 19, 2011, Advisory Committee meeting held at the Marriott San Francisco Airport Waterfront, 1800 Old Bayshore Highway, Burlingame, California.

## **H. REVIEW OF COMMISSION MEETING AGENDA AND ADVISORY COMMITTEE COMMENTS**

### Consent Calendar - Agenda Items B.1 through B.17

Robert Stresak asked the Advisory Committee if they wanted a report made on the Consent Calendar – Agenda Items B.1 through B.17. None were made.

**MOTION--** Bonner, **SECOND --** Willmore, carried unanimously to approve Consent Calendar, Agenda Items B.1 through B.17.

### Finance Report – Agenda Item C

Robert Stresak asked the Committee if they wanted a report made on the Finance Report. None were made. Later, as a point of order, Chair Spagnoli came back and asked for a motion to approve the Finance Report.

**MOTION** – Flannagan, **SECOND** – Bernard, carried unanimously to approve the Finance Report and recommended it to the Commission.

### Action Agenda Items D through N

Robert Stresak asked if the Advisory Committee wanted a report on any of the Action Agenda Items, D through N. None was made.

However, Lindstrom requested a report under Tab P of the Legislative Review Committee Agenda, Item C – Legislative Proposal, Attachment A - Report on Request for Authorization to Pursue Legislation to Address Compromises of POST Test Security. A lengthy discussion ensued on proposed legislation making it a misdemeanor to cheat in the academy (refer to the attached transcript for further details).

**MOTION** Young, **SECOND** Lindstrom, carried unanimously to approve the Action Agenda Items C through N.

**BREAK** at 1:53 p.m., and **RECONVENED** at 2:08 p.m.

## **PRESENTATIONS**

Three presentations were made:

- Revision of the Supervisory Course – Center for Leadership Development Bureau, Bureau Chief Michael Hooper, Senior Consultant Tricia Chisum, Dane Wygal, Digital OutPost, and Delwin Hanson, Sacramento Regional.
- Quality Assessment Program Plan – Training Program Services Bureau, Senior Consultant Tamara Evans.
- Incident Preparedness Assessment Tool (IPAT) Learning Technology Resources Bureau, Bureau Chief Jan Bullard and Senior Instructional Designer Catherine Bacon.

All presentations were well received.

## **I. REPORT ON THE NOMINATIONS FOR THE POST EXCELLENCE IN TRAINING AWARDS**

Vice Chair Casas announced the winners and the runner-ups for the nomination of the POST Excellence in Training Awards.

**MOTION -- Young, SECOND** – Bonner, and carried unanimously to accept and forward to the Commission the recommended nominations for the POST 2011 Excellence in Training Awards to:

### ***Individual Achievement***

- **Winner** – Chris J. Perez, Lieutenant, Los Angeles County Sheriff's Department
- **Runner-up** – Debbie Eglin, Corporal, San Diego Miramar College, School of Public Safety

### ***Organizational Achievement***

- **Winner** – Alameda County Sheriff's Office (ACSO)
- **Runner-up** – Criminal Justice Institute (CJI)
- **Honorable Mention** – Los Angeles County Sheriff's Department, Muslim Community Affairs Unit – Sergeant Mike Abdeen and Deputy Sherif Morsi

### ***Lifetime Achievement***

- **Winner** – Michael B. Gray, Executive Director, San Diego Regional Training Center (SDRTC)
- **Runner-up** – Robert Schirn, Head Deputy District Attorney (Retired), Los Angeles County District Attorney's Office

#### **J. REPORT ON THE O.J. “BUD” HAWKINS EXCEPTIONAL SERVICE AWARD**

**MOTION --** Young, **SECOND** – Bonner, and carried unanimously to accept and forward to the Commission the nomination of Michael C. DiMiceli as the recommended winner for the 2011 O.J. “Bud” Hawkins Exceptional Service Award.

#### **K. ADVISORY COMMITTEE MEMBER REPORTS**

See transcript for Advisory Committee Members reports.

#### **L. COMMISSIONER COMMENTS**

No comments from the Commissioners.

#### **M. OLD/NEW BUSINESS**

Bob Stresak commented that a question was raised during the selection committee awards meeting that, “If the Commission is going to great extents to acknowledge excellence in training with some programs, then what do we do with it beyond just administering an award to the individuals that initiated and created it?” Stresak suggested POST should begin looking at ways to better disseminate among stakeholders information on how to support the delivery of training or, other ways to encourage best training practices beyond posting the award on a Website.

#### **N. NEXT MEETINGS**

- June 27-28, 2012 – Courtyard by Marriott – Cal Expo, Sacramento
- October 24-25, 2012 – Embassy Suites, Burlingame

**O. ADJOURNMENT** – Chair Spagnoli called the meeting to be adjourned at 3:35 p.m.

Respectfully submitted,

MARIE BOUVIA  
Executive Secretary



## AGENDA ITEM REPORT

**Title:** MEETING MINUTES (TRANSCRIPT - FEBRUARY 22, 2012)

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### REPORT PROFILE

<b>MEETING DATE</b> 6/27/2012	<b>BUREAU SUBMITTING THIS REPORT</b>	
<b>RESEARCHED BY (PRINT NAME)</b>		<b>REVIEWED BY (PRINT NAME)</b>
<b>REPORT DATE</b> 06/04/2012	<b>APPROVED BY</b>	<b>DATE APPROVED</b>
<b>PURPOSE</b>	<b>FINANCIAL IMPACT</b> No	

### ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

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**ISSUE:**

**BACKGROUND:**

**ANALYSIS:**

**RECOMMENDATION:**

### **ATTACHMENT(S):**

Name:

 [22 Feb 2012 POST Advisory \(2\).pdf](#)

Type:

Backup Material

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STATE OF CALIFORNIA  
COMMISSION ON  
PEACE OFFICERS STANDARDS AND TRAINING

ADVISORY COMMITTEE MEETING



TIME: 1:00 p.m.

DATE: Wednesday, February 22, 2012

PLACE: DoubleTree Hotel  
San Diego - Mission Valley  
7450 Hazard Center Drive  
San Diego, California



REPORTER'S TRANSCRIPT OF PROCEEDINGS



Reported by:

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

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A P P E A R A N C E S

POST ADVISORY COMMITTEE MEMBERS PRESENT

SANDRA SPAGNOLI  
*Committee Chair*  
California Peace Officers' Association

MARIO A. CASAS  
*Committee Vice-Chair*  
California Coalition of Law Enforcement Associations

ELMO BANNING  
Public Member

ALEX BERNARD  
Public Member

JAMES BOCK  
California Specialized Law Enforcement

EDWARD N. BONNER  
California State Sheriffs' Association

JOE FLANNAGAN  
Peace Officers' Research Association of California

RICHARD LINDSTROM  
California Academy Directors' Association

ALAN McFADON  
Public Safety Dispatcher Advisory Council

JEFFREY MILLER  
California Police Chiefs' Association

TIM WILLMORE  
California Association of Police Training Officers

BRADLEY YOUNG  
California Association of Administration of  
Justice Educators



A P P E A R A N C E S

POST COMMISSIONERS PRESENT

FLOYD HAYHURST  
Los Angeles County Sheriff's Department

JAMES McDONNELL  
Long Beach Police Department

MICHAEL SOBEK  
San Leandro Police Department



POST STAFF PRESENT

PAUL CAPPITELLI  
Executive Director  
Executive Office

CATHERINE BACON  
Senior Instructional Designer  
Learning Technology Resources Bureau

MARIE BOUVIA  
Executive Assistant  
Executive Office

JANICE BULLARD  
Bureau Chief  
Learning Technology Resource Bureau

PATRICIA CHISUM  
Senior Consultant  
Training Delivery and Compliance Bureau

RON CROOK  
Multimedia Specialist  
Learning Technology Resource Bureau

ALAN DEAL  
Assistant Executive Director  
Executive Office  
Field Services Bureau

A P P E A R A N C E S

POST STAFF PRESENT

*Continued*

FRANK DECKER  
Bureau Chief  
Basic Training Bureau

JOHN DINEEN  
Bureau Chief  
Training Delivery and Compliance Bureau

DARLA ENGLER  
Bureau Chief  
Administrative Services Bureau

CHARLES EVANS  
Legislative Liaison  
Executive Office

TAMARA EVANS  
Senior Consultant  
Training Program Services

MICHAEL GOMEZ  
Bureau Chief  
Training Program Services

MIKE HOOPER  
Bureau Chief  
Center for Leadership Development

CONNIE PAOLI  
Administrative Assistant  
Executive Office

EDMUND PECINOVSKY  
Former Bureau Chief  
Training Delivery and Compliance Services Bureau

RICHARD REED  
Assistant Executive Director  
Executive Office  
Administrative Services Division

A P P E A R A N C E S

POST STAFF PRESENT

*Continued*

STEPHANIE SCOFIELD  
Bureau Chief  
Training Delivery and Compliance Bureau

ROBERT SMITH  
Senior Consultant  
Management Counseling Services

SHELLEY SPILBERG  
Supervising Personnel Selection Consultant  
Standards and Evaluation Services Bureau

BOB STRESAK  
Assistant Executive Director  
Executive Office  
Standards and Development Division



PUBLIC

DELWIN HANSON  
Instructor, Sacramento/Regional  
(Ret. Chief of Police, City of Woodland)

RAEGAN MATTHEWS  
*digital* OutPost

MARIA WOOD  
Lieutenant  
San Diego Sheriff's Department

DANE WYGAL  
*digital* OutPost



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**POST Advisory Committee Meeting, February 22, 2012**

1                   **Wednesday, February 22, 2012, 1:05 p.m.**

2                   **San Diego, California**



4                   *(The gavel was sounded.)*

5                   CHAIR SPAGNOLI: Good afternoon. I'd like to call  
6 the meeting to order of the POST Advisory Committee  
7 meeting in beautiful San Diego.

8                   We're going to start with a flag salute. And I am  
9 going to ask that Chief Jeff Miller, since this is his  
10 last meeting, to lead us in the Pledge.

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

12                  CHAIR SPAGNOLI: I'd like to ask for a moment of  
13 silence honoring peace officers killed in the line of  
14 duty since the last meeting.

15                  The following officers died in the line of duty  
16 since the last meeting:

17                  Officer Jim Capoot, Vallejo Police Department.

18                  *(Moment of silence.)*

19                  CHAIR SPAGNOLI: Thank you. Please be seated.

20                  We're going to start with introductions, and start  
21 with the Advisory Committee.

22                  Sandra Spagnoli, representing CPOA.

23                  Mario?

24                  VICE-CHAIR CASAS: Mario Casas, representing the  
25 California Coalition of Law Enforcement Associations.

**POST Advisory Committee Meeting, February 22, 2012**

1 THE REPORTER: Dan Feldhaus, the hearing reporter.

2 MEMBER BERNARD: Alex Bernard, public member.

3 MEMBER LINDSTROM: Richard Lindstrom, representing  
4 the California Association of Academies.

5 MEMBER WILLMORE: Tim Willmore, California  
6 Association of Police Training Officers.

7 MEMBER FLANNAGAN: Joe Flannagan, PORAC.

8 MEMBER YOUNG: Brad Young, CAAJE, community  
9 colleges.

10 MEMBER McFADON: Alan McFadon, Dispatchers.

11 MEMBER MILLER: Jeff Miller, California Police  
12 Chiefs' Association.

13 MEMBER BANNING: Elmo Banning, public member.

14 MEMBER BOCK: Jim Bock, Specialized Law Enforcement.

15 MEMBER BONNER: Ed Bonner, representing the  
16 California State Sheriffs' Association.

17 MS. BOUVIA: Maria Bouvia, POST staff.

18 MR. CAPPITELLI: Paul Cappitelli, POST staff.

19 MR. STRESAK: Bob Stresak, POST staff.

20 CHAIR SPAGNOLI: Audience, please.

21 COMMISSIONER McDONNELL: Jim McDonnell, POST  
22 commissioner.

23 MR. DEAL: Alan Deal, POST staff.

24 MR. REED: Dick Reed, POST staff.

25 MS. ENGLER: Darla Engler, POST staff.

**POST Advisory Committee Meeting, February 22, 2012**

1 MS. BULLARD: Jan Bullard, POST staff.  
2 MS. BACON: Catherine Bacon, POST staff.  
3 MR. DECKER: Frank Decker, POST staff.  
4 MR. SMITH: R.C. Smith, POST staff.  
5 COMMISSIONER HAYHURST: Floyd Hayhurst, POST  
6 commissioner.  
7 MR. EVANS: Charles Evans, POST staff.  
8 MR. HOOPER: Mike Hooper, POST staff.  
9 MS. SPILBERG: Shelley Spilberg, POST staff.  
10 MS. SCOFIELD: Stephanie Scofield, POST staff.  
11 MR. PECINOVSKY: Ed Pecinovsky, formerly POST staff.  
12 MS. PAOLI: Connie Paoli, POST staff.  
13 MR. DINEEN: John Dineen, POST staff.  
14 MS. EVANS: Tami Evans, POST staff.  
15 MR. GOMEZ: Michael Gomez, POST staff.  
16 MR. HANSON: Del Hanson, instructor, Sac Regional.  
17 MS. CHISUM: Tricia Chisum, POST staff.  
18 MS. WOOD: Maria Wood, lieutenant of the San Diego  
19 County Sheriff's Department.  
20 MR. WYGAL: Dane Wygal, *digital* OutPost.  
21 MS. MATTHEWS: Raegan Matthews, *digital* OutPost.  
22 CHAIR SPAGNOLI: Thank you.  
23 Next is roll call.  
24 MS. BOUVIA: Banning?  
25 MEMBER BANNING: Here.

**POST Advisory Committee Meeting, February 22, 2012**

1 MS. BOUVIA: Bernard?

2 MEMBER BERNARD: Here.

3 MS. BOUVIA: Bock?

4 MEMBER BOCK: Here.

5 MS. BOUVIA: Bonner?

6 MEMBER BONNER: Here.

7 MS. BOUVIA: Casas?

8 VICE-CHAIR CASAS: Here.

9 MS. BOUVIA: Flannagan?

10 MEMBER FLANNAGAN: Here.

11 MS. BOUVIA: Lindstrom?

12 MEMBER LINDSTROM: Here.

13 MS. BOUVIA: McFadon?

14 MEMBER MCFADON: Here.

15 MS. BOUVIA: Miller?

16 MEMBER MILLER: Here.

17 MS. BOUVIA: Spagnoli?

18 CHAIR SPAGNOLI: Here.

19 MS. BOUVIA: Willmore?

20 MEMBER WILLMORE: Here.

21 MS. BOUVIA: And Young?

22 MEMBER YOUNG: Here.

23 CHAIR SPAGNOLI: Thank you.

24 I'll defer to Bob Stresak for any announcements and  
25 correspondence.

**POST Advisory Committee Meeting, February 22, 2012**

1           MR. STRESAK: There are no announcements, and  
2 I believe there is no correspondence.

3           CHAIR SPAGNOLI: Excellent.

4           So does everyone have the opportunity to approve  
5 the minutes of October 19<sup>th</sup>, 2011, which are  
6 Attachment A?

7           Alex?

8           MEMBER BERNARD: Motion -- Bernard -- to approve.

9           MEMBER BOCK: Second. Bock.

10          CHAIR SPAGNOLI: All in favor?

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

12          CHAIR SPAGNOLI: Oppose?

13          *(No response.)*

14          CHAIR SPAGNOLI: Thank you.

15          MR. STRESAK: I need to go back.

16          CHAIR SPAGNOLI: We're actually going to go back to  
17 Item F, which is Announcements and Correspondence.

18          MR. STRESAK: My apologies for that.

19          Under Item Q, there is a series of correspondence,  
20 beginning with a letter from the Governor, expressing his  
21 concerns regarding crowd-management procedures. And then  
22 we have a letter to Commissioner Bui from Farrell,  
23 Commissioner Farrell, from the California Highway Patrol.  
24 And several letters of correspondence in response to the  
25 IRT decision to decertify the course, the presentation of

1 the course by IRT.

2 CHAIR SPAGNOLI: Thank you.

3 Item H, review of the Commission meeting agenda.

4 MR. STRESAK: Okay, we'll go over this.

5 I think most of you have received my e-mail. You  
6 should have all received my e-mail, explaining that  
7 rather than go line by line, item by item, that there was  
8 issues that if you wish to have discussed, that you could  
9 refer to your checklist that was mailed out to you, and  
10 we could bring those up for discussion.

11 I'll just briefly go over the overview, and then you  
12 can stop me once we get through the consent items.

13 So under Item B, there are 17 items for consent.

14 B.2 addresses the strategic plan. In short, 17  
15 objectives are still in progress, one is recommended for  
16 addition, one recommended for deletion, and one on hold,  
17 for a total of 20.

18 A brief overview on B.3, a report on the status of  
19 the Pilot Study of Driver Training. The San Bernardino  
20 Sheriff's Department and Los Angeles PD are the first  
21 agencies to participate in the validation of the driver  
22 training forms. That will be ongoing. And the  
23 expectation is to add a couple of academies to that to  
24 validate the forms.

25 Item B.4, SAFE Driving Campaign. The research team

1 has four studies underway currently: Fatigue and  
2 distraction, agency culture study, state-level  
3 differences study, and officer epidemiology study.

4 As a side note, I think we received a request from  
5 Idaho POST. They wanted to partner with us and sponsor  
6 our efforts in the SAFE Driving Campaign.

7 Item B.7 refers to expand a level of cognitive  
8 testing for peace officers.

9 If you recall, that we're required to administer a  
10 cognitive test. That test has been under review for  
11 about two years to see if it really evaluates what needs  
12 to be evaluated in terms of reading and comprehension.

13 That form is being currently piloted at academies  
14 beginning April 11 of 2011. And results are just  
15 starting to trickle in now. We expect to complete that  
16 evaluation by June of 2012.

17 Of significance is Item B.9, Crowd Management  
18 Summit. In response to the Governor's correspondence  
19 regarding our crowd-management guidelines, we've convened  
20 a summit in December of 2011. And then under the  
21 tutelage of Consultant R.C. Smith, he led a group of  
22 subject-matter resources to upgrade the 2003 crowd-  
23 management guidelines. Those guidelines will be  
24 submitted to the Commission for their review and  
25 approval.



**POST Advisory Committee Meeting, February 22, 2012**

1 Any other questions on the consent calendar?

2 CHAIR SPAGNOLI: Is there a motion to approve the  
3 consent calendar?

4 MEMBER BONNER: Bonner. So moved.

5 MEMBER WILLMORE: Willmore. Second.

6 CHAIR SPAGNOLI: All in favor?

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

8 CHAIR SPAGNOLI: Opposed?

9 *(No response.)*

10 CHAIR SPAGNOLI: Great. Thank you.

11 MR. STRESAK: Moving on to the remainder of the  
12 agenda, are there any items of particular interest for  
13 discussion?

14 MEMBER LINDSTROM: This is Lindstrom.

15 It's not on the agenda, but it's part of the  
16 package, and it's under P. So I don't know the  
17 appropriate point where we can talk about that, but it's  
18 the new proposed legislation regarding misdemeanor for  
19 cheating in the academy.

20 MR. STRESAK: If there is no discussion on the  
21 previous items, go ahead, Rich.

22 MEMBER LINDSTROM: I'm going back to P on the last  
23 page, the attachment.

24 There is a proposed amendment for people who  
25 knowingly cheat in the academy, and where they would be

1 charged with a misdemeanor.

2 And I know that this all emanated from the Rio Hondo  
3 incident. But it is my feeling in this particular  
4 case -- and we've had a couple of cases over the years in  
5 our academy, where people have cheated, but they have not  
6 compromised the test, and they were kicked out of the  
7 academy. But I don't know that we want to go in and if  
8 somebody is cheating off another person's paper, to go in  
9 and hook 'em and book 'em on a misdemeanor. And that's  
10 the way I read it, that they would be subject to arrest  
11 by a person that observed them cheating.

12 I can understand if the test was compromised, like  
13 maybe it was at Rio Hondo; but I think we overreach if  
14 we're going to make it a misdemeanor for somebody to  
15 cheat.

16 I mean, their punishment is getting expelled out of  
17 the academy.

18 So if anybody has any discussion on that, that's  
19 just my personal opinion on that.

20 MR. STRESAK: Well, let me provide a brief overview  
21 on that.

22 Rich is right. This was spawned from the Rio Hondo  
23 investigation. And at the time, our authority to conduct  
24 an investigation involving the compromise of almost  
25 90 percent of our testing material was limited to

1 administrative remedy, and nothing further. And at the  
2 same time, the investigation also revealed that what I  
3 refer to as the "treadmill of technology," that students  
4 were moving faster than we could respond in terms of  
5 their ability to either distribute, copy, manipulate, or  
6 use the test in unethical ways.

7 Following that, the idea was proposed during the  
8 test task force that was convened subsequent to the  
9 Rio Hondo investigation. The test task force's primary  
10 objective was to renovate, if you will, all the damaged  
11 tests, and to begin creating new item test banks. That  
12 continues today, to this day.

13 The cost to the state of California is anywhere  
14 from \$25,000 to \$50,000 to replace a test. And we have  
15 23 tests that are initially administered -- or were  
16 compromised. And then we had to have a backup test for  
17 each one of those 23. So 46 tests have to be recreated,  
18 to the tune of \$25,000 to \$50,000.

19 Following that proposal that some legislation be  
20 drafted, it also came to light that not only were  
21 students cheating, but, frequently, there was a strong  
22 undercurrent of instructor misconduct that was occurring.  
23 So when this legislation was drafted, it was basically  
24 drafted to encompass the entire academy staff, to involve  
25 students that were involved in test compromises; and also

1 to allow for some kind of remunification or cost, should  
2 you be convicted of this, of cheating on a test.

3 And the final coup d'état on the language states  
4 that if you are convicted of any of these sections, you  
5 are preempted from ever being a police officer in the  
6 state of California.

7 So that's kind of the overview.

8 Since then, since that was drafted, we've had two  
9 additional occurrences -- significant -- surfacing of  
10 the study guide again. One investigation was conducted  
11 by a law-enforcement agency, an internal affairs  
12 investigation. Two students were dismissed.

13 Most recently, out of a class of 28, in one law  
14 enforcement academy, 16 students were dismissed for using  
15 this test -- our test questions.

16 I don't think this problem is going to go away. And  
17 I think that perhaps the depiction of "hook 'em and book  
18 'em," I'm not sure that's even realistic. It would be a  
19 misdemeanor. It probably would be submitted via  
20 complaint. I don't know how that would work. But that's  
21 the background behind the proposed legislation that  
22 currently Leg. Counsel is moving forward in the State  
23 Legislature.

24 So with that background, I think it would probably  
25 be wise for me just to open it up to discussion by the

1 Advisory Committee.

2 MEMBER LINDSTROM: Well, I'd just like to add to  
3 that --

4 MR. STRESAK: Are there any questions?

5 MEMBER LINDSTROM: I'd like to add on that I think  
6 we're talking about two different things, because I  
7 totally agree with you on compromising the test, of  
8 anything that occurred along those lines, whether it be  
9 instructor, staff, students, or whatever. But I think  
10 all of us are aware at some point in our lives, of people  
11 looking over at their partner's paper; and without  
12 compromising the test, only cheating. And I don't see a  
13 distinction in the proposed language on that.

14 But what you described, I fully agree with  
15 100 percent. I'm talking about this other person. That  
16 even though "hook 'em and book 'em" is just a slang term,  
17 but it does leave itself open, as it's written, to a  
18 person that witnessed it, whether it be an RTO  
19 coordinator to make an arrest. It would leave it open to  
20 that. And I don't know if there's a way to draw a  
21 distinction in the proposed language or not. But that  
22 was my first concern, and it still is a concern, the way  
23 it's written.

24 MR. STRESAK: All right, are there any comments from  
25 the Committee?

1           VICE-CHAIR CASAS: I'd also like to add, too, I  
2       don't know if we can actually hold Rio Hondo completely  
3       responsible for this; but, unfortunately, the disc, if  
4       I'm not mistaken, the investigation, as it was conducted,  
5       also identified that it has raised its head in other  
6       training locales throughout the state. And I think most  
7       recently, it popped up also again.

8           So I don't know if that disc has actually been --  
9       the disc concept has been put to rest.

10          Is it going to happen again? I think it's safe to  
11       believe that it probably will, as long as we have  
12       individuals that are able to manipulate something like  
13       that and work it.

14          But although Rio Hondo unfortunately got the major  
15       tag of it, I think it was a problem that was about ready  
16       to pop up anywhere else.

17          And fortunately, though, we're able to be a little  
18       bit more vigil on those type of things going on, by  
19       monitoring the classes a little bit more, maybe having  
20       cameras in the classrooms, like some training facilities  
21       do. But I, too, agree that I don't know if that's  
22       something that we want to push for, is to have actually  
23       criminal prosecution against an individual like that.  
24       I think banning them from the profession itself or ever  
25       getting hired might be enough.

1 MR. STRESAK: Go ahead.

2 MR. CAPPITELLI: Just to offer a thought.

3 We currently have no consequence for doing this, yet  
4 we continue to have a problem. And we would just suggest  
5 that -- it's kind of along the lines of the philosophy of  
6 crime and punishment. If there is no consequence, and  
7 especially what we're seeing when we read materials and  
8 we look at the attitudes surveyed by a lot of the people  
9 that are involved in attending the school and things  
10 these days, it's not an issue of right or wrong; a lot of  
11 times, it's the issue of the consequence that they weigh.  
12 And if there's no consequence, then they figure, "I'll  
13 give it a try."

14 And so our belief is that we have to do everything  
15 within our reach to try to strengthen the case for why  
16 this is unacceptable and intolerable in this profession.

17 MEMBER LINDSTROM: Well, is there a way to  
18 extrapolate the type of cheating that I was referring to,  
19 about glancing over at the neighbor's paper versus where  
20 the actual test is compromised by telling other people a  
21 test question or something like that? Is there a way to  
22 extrapolate that? I don't know. I would think there  
23 would be.

24 MR. STRESAK: If you're asking if there's ways to  
25 define degrees of cheating, I think that would be a

1       difficult task.

2               CHAIR SPAGNOLI:   And maybe to answer your question,  
3       I think this would be like any law, that it would be at  
4       the discretion of the person who witnesses on how you  
5       would be handling it.   And so the expectation is, just  
6       like every law, we're not enforcing everything.   You  
7       would take the totality of the circumstances into  
8       consideration before some sort of enforcement.

9               And I'm sure POST would send out some guidelines if  
10       this was put into law.

11              MR. STRESAK:   That's an excellent point:   That the  
12       spirit of the law versus the letter of the law is usually  
13       how the law is applied in minor infractions.

14              MEMBER LINDSTROM:   And I do agree with that, but  
15       discretion can be abused at some times, too, if it's an  
16       unpopular student.   And it's just the way it's written,  
17       I don't agree with it.   That's all.

18              CHAIR SPAGNOLI:   Flannagan?

19              MEMBER FLANNAGAN:   I have two points to make.

20              One is, I'm not sure this is a remedy to the problem  
21       because it involves other agencies.   When you start  
22       writing citations for misdemeanors, it involves a  
23       district attorney filing it, if that is even going to  
24       occur or not with the individual county and stuff.   It  
25       seems kind of cumbersome.



1 But my second point is, short of this, is there any  
2 mechanism in place that if somebody is caught cheating in  
3 one academy, that prevents them from going to another  
4 academy and reenrolling -- I mean, do academies share  
5 attendance enrollees on either the Web or, you know,  
6 something like that? Like I say, somebody in Sacramento  
7 gets bounced out of the academy for cheating. They turn  
8 around and come down to Southern California to a  
9 community college and enroll in the system.

10 Do the academies share information that would have  
11 this ban, if you want to call it that, that the name  
12 would pop up and say, "Well, you were booted out of  
13 academy A. You cannot enroll in academy B"?

14 And the third part of that, does that violate  
15 something with the community colleges?

16 MEMBER YOUNG: I would take a look at Title 5.

17 And as Richard is aware, they're very careful when  
18 it comes to plagiarism and cheating, and "Does the  
19 punishment fit the crime," more or less.

20 And I think I would look at it -- if you're banning  
21 somebody -- if somebody cheats, as Richard's trying to  
22 break away, somebody looks on somebody else's test, is  
23 that enough to ban them from a career -- for a life  
24 career? And that's kind of what I'm hearing.

25 Would that be correct?

1 MR. STRESAK: If you were convicted of that proposed  
2 legislation, you would be banned from entering into the  
3 profession of law enforcement.

4 MEMBER YOUNG: Is that the equal punishment for the  
5 BRN, for the Bureau of Registered Nurses?

6 MR. STRESAK: That's a good question.

7 MEMBER YOUNG: All I'm doing, I'm trying to draw the  
8 argument here, because I see it as a legislative  
9 challenge and a legal challenge.

10 And again, if -- and then we start -- I'm not going  
11 down that slippery slope, but I'm just trying to get a  
12 good grasp on how it's written; because what's the degree  
13 of plagiarism versus the cheating versus conspiracy to --  
14 now, actually, you're looking at a conspiracy to release  
15 all the POST exams. That might be another situation.

16 Again, I deal with this at a college level on a  
17 regular basis. I probably field maybe 80 cases of  
18 plagiarism and cheating per semester now. And that is a  
19 lot.

20 And you look at it, it's 1 percent of about 8,000 to  
21 9,000 students, you know, within one area. And it's not  
22 simple. Every case is different. And it is not a simple  
23 answer, is what I'm saying. And I don't know if the  
24 punishment fits the crime if somebody, ten years later,  
25 wants to get into the profession or wants to apply for

1 another academy.

2 Would that be a lifelong, if somebody did that at  
3 21?

4 MR. STRESAK: A fair point.

5 A couple quick points on Title 5. My understanding  
6 on Title 5 is that the report of that incident is really  
7 open to the discretion of the presenter -- to the  
8 college, whether they're going to make a permanent file  
9 of an incident of cheating or not.

10 So to answer your question, my understanding is that  
11 under current configuration, you could move from academy  
12 to academy without having that blemish on your record.  
13 And if the candidate was not forthcoming in the  
14 application process, perhaps that could skate.

15 Point Number 2: If it was reported in an academy,  
16 I would assume it would also become a Brady issue down  
17 the road. If somebody was terminated from an academy for  
18 ethical violations and hired through another academy, you  
19 could possibly have Brady implications.

20 And then Point Number 3, that the legislators have  
21 already approached us on the adding, "Nursing schools and  
22 other technical schools" into the statute because they  
23 are encountering the same, identical problems.

24 Now, whether they support the clause that says,  
25 "You're banned from the profession for the rest of your

1     life," I don't know. That remains to be hammered out in  
2     the legislative process.

3             But all those factors have been at least considered  
4     in the proposal of this legislation.

5             You know, and the core issue is, do we protect the  
6     ethics of the profession or not? And if we do, how do  
7     we go about doing that, and what is the balance we  
8     strike?

9             MEMBER YOUNG: And just one point also with, for  
10    example, East LA College, that handles LASO, the policy  
11    within our district, which East is a part of, is the  
12    first -- how would you put it -- not conviction, but when  
13    you're found to have cheated or plagiarized, you get one  
14    pass, and it doesn't go in your transcript.

15            So, for example, East is a part of our district. So  
16    even if they did find somebody within the -- you know,  
17    if they had one case and they had that person, say, at  
18    the Sheriff's Academy, I don't think that would go on the  
19    person's transcript, even if they reported it back.

20            MR. STRESAK: I don't know.

21            MR. CAPPITELLI: I have one more, just a quick  
22    thought, which is -- I mean, we could probably get into a  
23    very spirited discussion all day about the degrees of  
24    cheating and the standard for academia versus the  
25    standard for law enforcement.

1           But I think anybody who is a career law enforcement  
2 person, you know, when you work alongside those people  
3 who push that envelope -- it's the officer who wants to  
4 look inside the trunk of the car before they get a search  
5 warrant. It's wrong; it's always wrong. The person who  
6 glances over and looks at somebody else's test is wrong,  
7 and it will always be wrong.

8           And so from our perspective, if we allow ourselves,  
9 allow the standard to soften up because the prevailing  
10 winds suggest that some people have a greater tolerance  
11 for cheating than others, and there's varied degrees of  
12 cheating, I would suggest to you that we're not going to  
13 be able to solve this problem. It's just going to  
14 continue to get bigger and bigger.

15           MEMBER LINDSTROM: I would draw a distinction on  
16 that because, you're right, cheating is cheating, it will  
17 always be cheating. But that person is expelled from the  
18 academy, and it will be in that person's file forever.

19           It will be on that person -- it will be on the POST  
20 profile that that person was in a particular academy.  
21 So any agency that does their due diligence on a  
22 background investigation would have ample access to that  
23 information. Because when they come to the academy, they  
24 come in with a release to review the entire file, except  
25 for the HIPAA information.

1 Other than that --

2 MEMBER FLANNAGAN: And that's my question: Does  
3 POST track somebody that's bounced out of the academy for  
4 cheating?

5 And I agree with Paul: Cheating is cheating, okay.  
6 But if somebody's bounced out of, you know, one academy,  
7 is there something in POST -- their POST profile or  
8 something -- that if they enroll in another academy, that  
9 that profile pops up automatically? Is there a tracking  
10 mechanism? Because, in my opinion, that helps solve the  
11 problem, in that you're going to prevent somebody from  
12 enrolling in another academy because of their actions at  
13 the prior facility.

14 Is there a way to do that? Or does it happen?

15 MR. STRESAK: I'm going to call Dick up on that. I  
16 believe there is not. I believe it just --

17 MR. REED: At this point, there is no mechanism for  
18 tracking that on an officer's P101.

19 Remember also, that a number of students in the  
20 academies are non-sponsored officers, and they only get a  
21 profile number when they signed up. But we don't track  
22 cheating.

23 We do track reasons for termination from departments  
24 but not from academies. So there is a code on each P101  
25 that says that if an officer was fired or resigned and

1 retired.

2 MEMBER FLANNAGAN: When is their POST ID number  
3 issued?

4 MR. REED: When they sign up for their first POST  
5 class, whether that be an 832 class or some other  
6 entry-level class.

7 MEMBER FLANNAGAN: But if you're pre-service in the  
8 academy, taking POST classes, are you given that POST ID  
9 number?

10 MR. REED: Yes.

11 MEMBER FLANNAGAN: Well, that's your actual tracking  
12 mechanism?

13 MR. REED: Yes, that's a tracking mechanism for  
14 their whole career.

15 MEMBER FLANNAGAN: I think that's a way to look at  
16 it, is, you know, when they get their POST ID number,  
17 because it's name and number, if I understand correctly,  
18 right?

19 MR. DEAL: But one of the issues consistently is  
20 that when someone signs up to go to the academy, is  
21 they're supposed to go on the same salmon-colored roster  
22 that you saw -- we're on an electronic roster -- that  
23 ultimately is edited as the process goes along and some  
24 people fail and they go away for other reasons.

25 The theory is, that we get a complete roster that

1 shows everybody that was there day one.

2 In reality, what we get is, everybody that graduated  
3 on day 612. It's one of those issues where it's  
4 inconsistent in terms of how it's reported.

5 In the direct-reporting workshop, we emphasize that  
6 you need to report everybody that showed up at day one,  
7 and you can show what happened to them in that right-hand  
8 column. But it's not a fail-safe means by which we can  
9 track them and ensure that there's some type of an  
10 analysis to be done by the next academy.

11 MEMBER FLANNAGAN: Well, I just think it would be a  
12 smarter way to do business than issuing misdemeanor  
13 citations.

14 MR. STRESAK: Let me pose one more scenario to you.  
15 That in the most recent event involving the study guide,  
16 when 16 out of 28 students were terminated from the  
17 academy, they were given the option to voluntarily resign  
18 versus being terminated.

19 Now, even under your scenario, that would show that  
20 they voluntarily resigned from the academy with no reason  
21 given.

22 And if they're not forthcoming during the  
23 administration of a test, I'm not sure it's a consistent  
24 conclusion that they would be forthcoming during a  
25 background investigation on those pieces of information.



1 Even recently, within the last couple of years, we  
2 have amended legislation that up until about 2009,  
3 preempted a background investigator from finding multiple  
4 academy -- or multiple law-enforcement applications under  
5 DOJ, and we had to seek legislative relief also for that.

6 So I'm sure there's a positive scenario somewhere.  
7 But I believe the legislation is necessary to protect the  
8 ramparts of law enforcement, if you will.

9 MEMBER YOUNG: I just want to continue on with what  
10 Paul said -- and I agree with you, Paul, and there is  
11 something that we need to do in the situation -- but,  
12 again, I just see an upward battle. Whatever is put  
13 forward, it seems it would have to be consistent with the  
14 other regulated bodies. And, again, I just use the BRN  
15 for an example. Something that would be consistent  
16 within the career tech type of fields. And that would be  
17 one comment.

18 And secondly, I'd also like to see stiffer penalty  
19 or sanctions against those, again, who are running the  
20 academies and that have knowledge of some of this. And  
21 without opening up another discussion, I just wanted to  
22 put that on record only because I have a strong feeling  
23 on that part, too. That's called accountability.

24 CHAIR SPAGNOLI: Chief Miller?

25 MEMBER MILLER: A couple of observations as I've

1       been listening to this.

2               One, I wholeheartedly agree that cheating is wrong.  
3       If I had information on a background investigation that a  
4       candidate from my department had cheated in the academy,  
5       that would be the end of it. We'd stop. I wouldn't even  
6       bother with completing the background. That would be it  
7       if we had credible information that that happened.

8               That's much like telling a lie on your PHS or  
9       anything else. For me, that's the end of it. We're just  
10      not going to take you on.

11              If we can't trust you at the beginning stages, there  
12      is so much more responsibility, so much more at stake  
13      when you're out there. If you've already demonstrated a  
14      proclivity to dishonesty, why in the world would I want  
15      to give you a badge and a gun and a car that lets you run  
16      red lights?

17              That said, I hear what you're saying about the  
18      degrees of cheating, perhaps, looking over a paper versus  
19      compromising a test. And I'm trying to resolve that in  
20      my mind. Are we going to start handing out citations for  
21      something like that?

22              But when I look at it, the reality on it is, there  
23      has got to be some way for someone to appeal that charge  
24      of cheating, and is it done at the academy level? Is it  
25      done -- does POST administratively hold hearings? Or is

1 it in a neutral third-party setting, which is the court?

2 And the section does say "if convicted." It doesn't  
3 say "if accused," it says "If convicted."

4 So the bar is pretty high for someone who might be  
5 looking over at a test, because you're still going to  
6 have to convince the judge or the jury, if they want a  
7 jury trial on a misdemeanor, that this person actually  
8 cheated.

9 What I do like is Member Flannagan's idea about a  
10 master list of who has been to these academies. And I'm  
11 sure that's a pretty heavy onus to put administratively  
12 on POST. I don't know. But it would be nice to be able,  
13 as part of a background investigation, to call up POST  
14 and say, "What academies has this person attended?"  
15 Whether they attended one day or they attended all but  
16 the last day? Because that lets the investigator then  
17 call that academy and say, "John Smith was in your  
18 academy. I notice he didn't complete it, according to  
19 POST. Can you please tell us why? We'd like to access  
20 those records and find out what's going on."

21 It could be that John Smith was having a problem  
22 with firearms and has since overcome that, but he had  
23 completely failed that learning domain.

24 It could be that John Smith had other problems in  
25 there that we need to know about, and we need to gauge

1 whether that person has moved on from that problem; or  
2 whether, after three academies, that seems to be a  
3 continuing theme, and we just bounce from Fresno to Napa  
4 to Santa Rosa to San José to San Diego, because, "I want  
5 to be a cop, and I'll just keep trying it at every other  
6 academy until I find one that's going to let me pass."

7 So I would encourage a look into that.

8 The bottom line on it is, I think there does need  
9 to be a sanction. I don't have any clear recommendation  
10 of how to get by those different degrees because I  
11 understand what happens in academics. And does a glance  
12 over at somebody else's paper -- "Boy, I'm way behind on  
13 this test. How's he doing? Is he farther along than I  
14 am," have I now committed a cheating violation, because  
15 in your eyes, I just looked over at somebody else's  
16 paper.

17 So I don't know how we get to those finer points  
18 unless we do have a venue that is completely separated  
19 from POST -- and that's the courts -- to say, "I'm sorry,  
20 you haven't risen to the level to impose this drastic a  
21 sanction." But once convicted of this misdemeanor, yes,  
22 that is going to be Brady, and that's going to follow you  
23 for the rest of your life.

24 I think it's the same things that we try and counsel  
25 people who pursue a career in law enforcement. Even from

1 the time they're in elementary school and high school:  
2 Keep your noses clean because what you do at 17 is going  
3 to come back to haunt you, you know, if you're out  
4 causing trouble.

5 So what you do at 18 in the academy, it's a nice  
6 talk at the beginning: "This is where your first test of  
7 honesty and ethics is really going to come to bear. Are  
8 you going to stand up and do the right thing or are you  
9 going to ignore it?"

10 And finally, I think we have to look at not only the  
11 other professions -- nursing or doctors or something like  
12 that -- but what do the military academies do? There is  
13 an honor in the military academy, and there is a code of  
14 honor among academy cadets.

15 MEMBER FLANNAGAN: They're gone.

16 MEMBER MILLER: Huh?

17 MEMBER FLANNAGAN: They're gone.

18 MEMBER MILLER: And I would probably draw a closer  
19 distinction to that because we are, for the most part,  
20 paramilitary organizations. We are armed. For the most  
21 part, those of us in this profession are armed in the  
22 discourse of our duties. We have awesome, awesome power  
23 and responsibility to carry our duties out.

24 So I think we need to consider what they do at West  
25 Point or what they do at Annapolis.

1 I'll get off my soapbox.

2 MEMBER YOUNG: And then a follow-up, if I may. One  
3 other question, if we look at plagiarism and cheating.  
4 Synonymous, will you agree?

5 What if we have active-duty people that attend a  
6 POST-sanctioned class, a POST class?

7 Sheriff Bonner sends two deputies. After a  
8 preliminary investigation, you have two deputies that  
9 cheated.

10 It's unfortunate, but does it happen? Is it written  
11 in about active personnel? We know it's happened.

12 MR. STRESAK: You're referring to --

13 MEMBER YOUNG: Would this have any effect there?

14 MR. STRESAK: That legislation does not cover  
15 in-service applications.

16 MEMBER YOUNG: I understand, because I agree  
17 100 percent, you know, exactly what Jeff just said.  
18 There is zero tolerance for it. Perjury on the job, it's  
19 zero tolerance.

20 However, we're looking at recruit level or somebody  
21 within a college, in an academy, college setting, that's  
22 banned; but yet we have somebody on the job who is,  
23 through an internal affairs investigation, is found to be  
24 in violation.

25 MR. STRESAK: Sheriff Bonner, did you have a

1 comment?

2 MEMBER BONNER: I do have a couple of things, and I  
3 don't have any answers.

4 Because actually I cheated on a spelling test in  
5 third grade in St. Joseph's Catholic School.

6 I did not cheat very well. I got caught. But I  
7 somehow was allowed an opportunity for redemption.

8 My concerns boil down to a couple things.

9 One is called "realignment." I think the processes  
10 of the court system -- the District Attorney's resources  
11 are going to be overwhelmed.

12 I do think that there is a consequence, Paul, to be  
13 kicked out of the academy. That is a consequence. It  
14 may not be that of criminal.

15 I'm trying to think, what other misdemeanors result  
16 in a ban for life from a career?

17 I just -- I'm concerned about that. And I think  
18 that there may be a different way to skin that cat. I  
19 mean, I can go either way: If the law is enacted, it's  
20 enacted.

21 I know that there is a case, I think it's *Goode*  
22 *versus Kolander*, where, when the recruit signed on, he  
23 said, "I will not lie, cheat, or steal, or tolerate those  
24 that do." And they signed a pledge to do that, not  
25 unlike the service academies. And he did, in fact, lie;

1 and they hung their hat on that, and they dismissed him  
2 on that.

3 But I think that, for a lot of people that are not  
4 sworn officers, that are going into our community-college  
5 systems and be convicted, how are they going to get  
6 filed? And to me, how are they ever going to get that  
7 case filed with realignment? With, you know, probation  
8 officers are now parole officers, with violations of  
9 parole being handled by the District Attorney? I mean,  
10 there's going to be a lot of things -- a fundamental  
11 shift in the way that we do criminal justice in this  
12 state.

13 And it just seems to me that if we had a system --  
14 as cumbersome as it might be -- but if we had that  
15 system -- you're not allowed -- if you're caught cheating  
16 in the academy, you're not allowed to resign. We're  
17 kicking you out for college, period.

18 If we could have some uniformity in thought among  
19 the academies that this is the deal, that gets  
20 coordinated. That is, in effect, that ban that you may  
21 be looking for.

22 You know, I just -- I don't know. And maybe, again,  
23 a misdemeanor would be an automatic ban for this.

24 And, on the other hand, you know, I wholeheartedly  
25 support the idea that we should do something. And there



1 has been a mindset -- I teach a junior college class  
2 also, and it's a different -- I've been doing this for,  
3 I guess, 12 years now, and there is a difference in who  
4 we're seeing and their attitudes.

5 And I don't know about -- it seems to me that some  
6 of the people that go through academies, they are  
7 enrolled in a junior-college class. They would never  
8 make it through a background, regardless.

9 So a lot of these people that are going into these  
10 classes, you know, already are non-starters; but they're  
11 entitled to have the education.

12 So, you know, I don't have the answer; and I  
13 certainly don't want to beat the dead horse anymore. But  
14 these are just some of the concerns that I have, just  
15 floating around.

16 It's an important issue; and, unfortunately, it's  
17 been highlighted by POST's diligent work on taking a look  
18 at the academies and the performance.

19 So thank you.

20 MR. STRESAK: Elmo?

21 MEMBER BANNING: Sheriff Bonner, Jesuit High School  
22 has also kicked him out, just for the record.

23 If you're going to steal a penny, you might as well  
24 steal a million. What's the difference? In my opinion.

25 It must have been extremely frustrating for POST

1 when they started the Rio Hondo investigation to have no  
2 bite.

3 What do you do? You find out that all of this has  
4 taken place, and you have no resolve -- you have no  
5 methodology other than to decertify the academy, kick  
6 everybody out, and have no actual bite.

7 Just because you have teeth doesn't necessarily mean  
8 you have to use them; but I think the legislation gives  
9 an investigative body, be it the District Attorney's  
10 office, the local sheriff, the local police, whoever it  
11 is, to actually go ahead and take that bite, if they have  
12 to.

13 Yes, if you saw somebody looking over a paper,  
14 glancing, I don't know that -- not a District Attorney in  
15 all 58 counties would file that case. But if you find  
16 somebody with a flash drive that's got the whole thing  
17 involved, the whole test, and now you have academy staff,  
18 you charge the felony, the conspiracy. You charge the  
19 conspiracy, that's how you take care of that. Any  
20 misdemeanor -- two or more people collude and created a  
21 crime, it's a felony. You go that route. It's blatantly  
22 obvious.

23 But you have to have a corpus of a crime. And right  
24 now, there's no criminal offense, right, for cheating at  
25 all.

1           MR. STRESAK: The only option we do have is the  
2 theft of intellectual state property, that is a felony  
3 that rises to a level of actually seizing, you know, 100,  
4 200 questions, or took a test in its entirety. But  
5 individuals --

6           MEMBER BANNING: And I'm sure the verbiage in that  
7 law, you would be there for days?

8           MR. STRESAK: Right.

9           In the interest of advancing the agenda, I  
10 appreciate the comments, and we'll move forward.

11           I will just, if I could, wrap this up real quickly,  
12 is that we had -- "we," POST -- had posed this proposal  
13 to the consortium -- not once, but twice -- and never  
14 received any resistance from academy administration. We  
15 had also posed it to CPOA, who had no opposition to it,  
16 and throughout the last six months to various meetings of  
17 subject-matter resources and other groups. And no one  
18 really opposed that idea at all.

19           So I think at this point, based on the support that  
20 we received, we entered into the legislative process.

21           So the good news is that you have ample opportunity  
22 to write letters of opposition or of concern as it  
23 proceeds through the legislative process, beginning  
24 with -- I'm sure it will start at Assembly Public Safety  
25 and move forward.

1           So you'll have no less than probably five  
2 opportunities to express concerns on this legislation.

3           MEMBER LINDSTROM: If I may respond to that, Bob.

4           I've been to those consortium meetings, and I  
5 certainly recall the topic being brought up. But I don't  
6 recall this proposed amendment and the wording that it  
7 says here to be distributed or brought up.

8           Now, I've been wrong once before in my life, and I  
9 could be wrong again; but I recall the discussion, but I  
10 don't recall actually seeing the verbiage.

11          MR. STRESAK: Thank you.

12          CHAIR SPAGNOLI: So before we move forward, we have  
13 to have a motion to approve of action Items C through N.

14          MEMBER LINDSTROM: I'll so move. Lindstrom.

15          CHAIR SPAGNOLI: Jeff?

16          MEMBER MILLER: May I make one comment on J?

17          MR. STRESAK: Yes, you can.

18          MEMBER MILLER: I just want to say, I appreciate  
19 POST's efforts in this area. I think it's definitely a  
20 good thing to do. And I like the addition of adding the  
21 list -- creating a list, so that the departments can find  
22 certified psychologists.

23          Right now, sometimes you have to ask around, "Who  
24 are you using?" "Who are you using?" "Who are you  
25 using?" And it would be nice to be able to draw off that

1 list. So I think that's an added bonus on this. I just  
2 wanted to make a comment and thank POST for their effort  
3 in this area.

4 MR. STRESAK: Thank you. And I appreciate that  
5 comment.

6 And our hats off to our own Dr. Shelley Spilberg,  
7 who initiated that process.

8 CHAIR SPAGNOLI: Okay, great.

9 Is there a motion for approval of action Items C  
10 through N?

11 MEMBER YOUNG: So moved.

12 CHAIR SPAGNOLI: Second?

13 MEMBER YOUNG: Lindstrom. Second.

14 CHAIR SPAGNOLI: Lindstrom.

15 All in favor?

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

17 CHAIR SPAGNOLI: Oppose?

18 *(No response.)*

19 CHAIR SPAGNOLI: Great.

20 CHAIR SPAGNOLI: We have two presentations, going  
21 back to the -- three presentations. And I've been asked  
22 to take a five-minute break so they can set up for those  
23 presentations.

24 *(Brief break from 1:53 p.m. to 2:08 p.m.)*

25 *(The gavel was sounded.)*

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1 CHAIR SPAGNOLI: All right, if everyone could take  
2 their seats.

3 MR. STRESAK: Okay, continuing on with the agenda.

4 The first presentation will be by Bureau Chief Mike  
5 Hooper and his staff, addressing the revision -- the  
6 current revision of the supervisory course, and the video  
7 vignettes that were introduced as part of the instruction  
8 of the course.

9 MR. HOOPER: Yes. Thank you very much.

10 Good afternoon, Madam Chair and Committee Members.

11 Anyway, you may want to reference agenda Item F.

12 You may want to look at that.

13 As expressed in agenda Item F, the supervisory  
14 course has undergone a face-lift. And as you'll see when  
15 you see some of these videos, that face-lift has been  
16 literally a face-lift. A lot of diversity has been built  
17 into the updated vignettes.

18 And all 23 of these vignettes, comprising the  
19 challenges in role transition have been reshot, and other  
20 instructional segments have been updated as well.

21 Updating has been a team effort, a total team  
22 effort. We mentioned Jan Bullard from our POST staff  
23 volunteered some of her funding to help us pay for the  
24 video production, which really saved us a lot of effort,  
25 a lot of work.

1           CHP donated its facilities, which was very useful.  
2       And we have a whole cadre of devoted SMRs, subject-matter  
3       resources, who really did a super job.

4           Now, one individual has had the responsibility for  
5       stimulating and channeling the creative energies of all  
6       the parties involved in the process, and that is Tricia  
7       Chisum.

8           So I'd like to introduce Senior Consultant Tricia  
9       Chisum, who will tell you more about the product here.

10          MS. CHISUM: Thank you, Mike.

11          And good afternoon. This has been a really  
12       rewarding project, to bring our class and our course into  
13       the modern era.

14          The previous DVDs were done, I think, in 1999-2000.  
15       So we had a lot of old issues in them that weren't  
16       contemporary.

17          So what we did, is we got together the  
18       subject-matter resources, as Mike mentioned; and we had  
19       several meetings. And then we met with digital OutPost,  
20       Dane Wygal and his staff. And Raegan Matthews is in the  
21       back. Very, very, very helpful staff that made this  
22       project happen.

23          And this project wouldn't have gone forward without  
24       Del Hanson, who is sitting up in front of the room,  
25       retired chief of police from Woodland, and an instructor

1 in the program in Sacramento.

2 So without really further ado, just keep in mind  
3 that we all believe that leadership starts at the  
4 supervisory level. They're not just a supervisor, a  
5 sergeant, but they're true leaders. And we tried to  
6 introduce that throughout the video vignettes.

7 So I'll turn it over to Dane then.

8 MR. WYGAL: Okay. Good afternoon, everybody.

9 I'll make it short. We have about five, six videos  
10 we want to show, so those will obviously take some time,  
11 and we want to move quickly here.

12 I just wanted to say real quickly, it was a  
13 different type of challenge. As you may or may not know,  
14 we've done many, many telecourses over the years and  
15 other video training programs. And this was unique in  
16 that we had a great group of subject-matter resources to  
17 work with, instructors in the program, as well as the  
18 delivery option of it being an on-ground course and  
19 updating some existing videos.

20 We really dove into each of the characters and  
21 started by looking at what the characters in this  
22 group -- this group of officers -- what their tendencies,  
23 their characteristics were; and then built the  
24 scenarios -- contemporary scenarios and up-to-date  
25 scenarios around those characters. And it was a very



1       iterative process, a very thorough process, but a very  
2       rewarding process as well.

3               We had a lot of dialogue we needed to write which is  
4       more difficult than it sounds. Making dialogue that  
5       sounds natural and yet effective and targeted, is always  
6       a challenge. So that was the challenge we had.

7               We also had a mix of real officers with actors that  
8       we used in this case playing officers, which was unique.  
9       Usually, we use officers in all the officer roles.

10              In this case, we had so much dialogue, that we  
11       needed to bring in some actors. And I think it was a  
12       really good chemistry for the officers to bounce off of  
13       actors, and vice versa, as they went through these  
14       dialogue-intense scenarios.

15              And with the exception of one of our most burdensome  
16       or dialogue-heavy characters is the new sergeant; and  
17       that person had an especially difficult burden since she  
18       is a real officer as well. And I think you will see by  
19       her performance that she did a great job.

20              So without further ado, I'm going to show one of the  
21       first videos that the class would show; and then it would  
22       be facilitated by an instructor like Del. In fact, Del  
23       would instruct, and he will pick up after I show the  
24       first one and talk about how we would facilitate that.  
25       And then we'll go through a couple of others as well.

1           So I'll start this here.

2           *(First video presentation played as follows:*

3                 "SGT. DUNCAN: Okay, settle down. Settle  
4                 down. This may be my last shift with you.

5                 OFFICERS: Oh.

6                 MALE OFFICER: Say it isn't so.

7                 SGT. DUNCAN: No tears.

8                 But things haven't changed, so let's  
9                 listen up.

10                Team, thanks for your time. I'll be  
11                brief.

12                It gives me great pleasure to introduce  
13                you to your new sergeant, Sergeant Maria  
14                Foster. Now, she'll have a chance to tell you  
15                more about herself tomorrow. But a couple  
16                things that I want to tell you:

17                Number one, we are very fortunate to  
18                be able to promote her right now, given this  
19                complete budget mess that we've been dealing  
20                with.

21                And number two, you're going to find her  
22                to be an exceptional team leader and a team  
23                player. You will enjoy serving alongside of  
24                her.

25                So please join me in congratulating her on

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1           *this promotion. And I know that I can count on*  
2           *you to give her your complete and full support.*

3           *All right, thanks.*

4           *Be safe tonight.*

5           *(One person clapping.)*

6           SGT. DUNCAN: *Nice to have you here,*  
7           *Maria.*

8           SGT. FOSTER: *Thank you.*

9           SGT. DUNCAN: *All right, let's get to*  
10          *business. We had a couple of bulletins to go*  
11          *over.*

12          *It's been great working with all of you.*  
13          *And remember, I'm only as far as away as the*  
14          *next watch.*

15          *Okay, that's all I've got. Let's get*  
16          *going.*

17          *Be safe.*

18          *(Officers are getting out of their chairs*  
19          *to leave room.)*

20          SGT. DUNCAN: *Thanks, buddy. Take care.*

21          SGT. FOSTER: *Hey, I've got a question,*  
22          *Brad.*

23          SGT. DUNCAN: *Yes.*

24          SGT. FOSTER: *Hey, I'm familiar with*  
25          *Richards, but can you tell me about the others?*

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1           SGT. DUNCAN: Sure. I wrote down vitals  
2           for you, and we can go over that.

3           You've got Officer Nielsen Shan. He's 23  
4           years old, and he is a rookie.

5           Then you have Officer Amy Sanchez. She is  
6           28. She's been with the Department for four  
7           years.

8           There is Officer Jason Garcia. He's  
9           32 years old. He's been with us for five  
10          years.

11          Officer Vincent Delfino. He's 44 years  
12          old, been with the Department for 23 years.

13          Your Corporal is Mark Abrams. He's 35,  
14          and has ten years on them.

15          Aaron Lewis is the CSO. He's been here  
16          for a little more than two years now.

17          Officer Nicole Richards, 39. Has been  
18          with the Department for nine years.

19          And then you have Officer Todd Morgan. He  
20          is 30, and he's been here for six years.

21          There you have it."

22          (End of presentation.)

23          MR. HANSON: Good afternoon.

24          As Dane said, we will facilitate this in the  
25          classroom. This is actually their first exposure to

1     their team. The whole two-week course is built around  
2     this team. And the challenge for them is to work with  
3     the team, identify issues, establish relationships;  
4     because the course is built around the first-line leader  
5     as an influencer.

6             And the goal is for them to get commitment from the  
7     follower or the subordinate, rather than just compliance.

8             We can always get compliance, and we always discuss  
9     this with them. Compliance is the easy thing because of  
10    legitimate authority they have, and the subordinate being  
11    at that level.

12            So what we do here was, we would break out into  
13    small groups. In fact, we would ask them: How are you  
14    going to get to know these people, and how are they going  
15    to get to know you? Building upon that relationship  
16    theme.

17            And we would ask them to put on their flip charts  
18    some of the things that they would do. They usually come  
19    up with personnel files, one-on-one meetings, those kinds  
20    of things. And also ask them to discuss "What did you  
21    see in the briefing that you noticed or you would like to  
22    know more about or that concerned you?" And they usually  
23    come up with the people in the back that seem to have  
24    some issues, perhaps maybe unmet expectations, the  
25    enthusiastic CSO in the front, things like that. And we

1 start building the class from there.

2 And also, we would ask them, "Now, how are you going  
3 to find out more information?" as we said, and then they  
4 list that information out.

5 So it's a good start to the class.

6 MR. WYGAL: Are you ready for the next one?

7 MR. HANSON: Yes.

8 MR. WYGAL: Okay, we're going to look at our new  
9 sergeant's first briefing.

10 *(The next video presentation played):*

11 *MALE OFFICER: So, what do you know about*  
12 *her?*

13 *FEMALE OFFICER: She's great. I've known*  
14 *her for years. You're really going to like*  
15 *her.*

16 *MALE OFFICER: I guess we'll see about*  
17 *that one.*

18 *FEMALE OFFICER: Here she comes.*

19 *MALE OFFICER: Sit down. It's not your*  
20 *briefing.*

21 *SST. FOSTER: Good afternoon. I'm*  
22 *Sergeant Maria Foster.*

23 *A little about myself: I've been with the*  
24 *Department for eight years. Most recently,*  
25 *I've been in Investigations, so it's nice to be*

1           *back where I started.*

2                     *It's been five years since I've been on*  
3           *patrol, so I'll be relying on all of you to*  
4           *help me get reacclimated to the field.*

5                     *(Coughing in back of room.)*

6                     *SGT. FOSTER: My only expectation on my*  
7           *first night is that we all go home safe at the*  
8           *end of the shift tonight; and we work together*  
9           *to make sure that happens.*

10                    *On to business.*

11                    *Aaron, remember, you need to be at the*  
12           *Microbrew Festival at the city park at 1900*  
13           *hours. You'll be responsible for directing*  
14           *traffic in the area.*

15                    *CSO LEWIS: I'm all over it. I've been*  
16           *texting with the private security.*

17                    *I've got logistics taken care of.*

18                    *SGT. FOSTER: Good.*

19                    *Now, before we go on our assignments, the*  
20           *rest of you need to keep your eye out for*  
21           *suspicious vehicles driving slowly past closed*  
22           *businesses. We've had several commercial burgs*  
23           *in the area in the last few weeks.*

24                    *(End of video presentation.)*

25                    *MR. HANSON: Sgt. Foster's first briefing. Once*

1 again, we would either facilitate this in a large group  
2 or small group setting, and ask them to come up with  
3 things that concern them that they saw in the clip.

4 Typically, what happens is, we get individuals that  
5 want to have one-way conversations with some of the  
6 people that were in the back of the room, perhaps acting  
7 out. And what we encourage them to understand is, who do  
8 you think in that watch has the most influence over those  
9 people right now: You or the people in the back?

10 So we encourage them to build a strategy that  
11 increases their credibility, while maintaining standards  
12 and accountability on the watch and, again, building  
13 those relationships.

14 How are you going to maintain accountability, how  
15 are you going to maintain standards, and at the same  
16 time, establish the fact that you are a contributing  
17 member of the team and build your credibility?

18 And one way to do that is, if you're going to build  
19 your status in every organization and every small group,  
20 then you have to contribute to the group goals.

21 Right now, she is brand-new, and she doesn't have  
22 that status. So how are you going to build that, while  
23 at the same time maintaining accountability? So it's a  
24 pretty good challenge for them, right out of the box.

25 MR. WYGAL: So the next one we're going to look at,



1     you probably saw one of the officers with a little  
2     resistance to her authority. She is going to meet with  
3     him.

4                   *(The next video presentation played)*

5                   CPL. ABRAMS: You wanted to see me,  
6     Sergeant?

7                   SGT. FOSTER: Oh, yeah. Hi, Mark.

8                   Close the door and have a seat.

9                   So what's going on? I feel some tension  
10     between the two of us, and I'm not sure why.

11                  CPL. ABRAMS: Well, to be brutally honest,  
12     I'm disappointed and a little bit angry that  
13     you got promoted and I didn't.

14                  I worked hard. This process sucks.

15                  SGT. FOSTER: I see your anger. But I'm  
16     getting the idea that you're not my strongest  
17     supporter.

18                  CPL. ABRAMS: Your strongest supporter?  
19     I've worked my ass for ten years, hustling on  
20     patrol, putting up good numbers, training the  
21     new guys.

22                  I mean, Sergeant Duncan basically left me  
23     in charge to run this team. I work twice as  
24     hard as most people. And what happens? You  
25     come out of Investigations and take this spot.

1           Yeah, I guess you could say I'm not your  
2           strongest supporter.

3           SGT. FOSTER: I'm sorry you feel that way.  
4           Being a new sergeant here, I really wanted your  
5           support.

6           Look, you're a bright guy and you're a  
7           good FTO. And with your knowledge and  
8           experience, we could make a very successful  
9           team.

10          CPL. ABRAMS: Yeah, a successful team with  
11          me playing second string, as usual.

12          I've dedicated myself to this place. And  
13          that doesn't count for anything? This last  
14          written test was a joke.

15          But don't worry, I've learned my lesson.  
16          I'm going to do the absolute minimum, just get  
17          the job done.

18          SGT. FOSTER: You know, Mark, I've always  
19          done well on promotional exams; and I have a  
20          method I use for studying and preparing. I  
21          would be more than willing to help you get  
22          ready for the next one.

23          What do you think?

24          CPL. ABRAMS: I hear you. But this was my  
25          third try. I thought this was my best chance

1           *of finally getting promoted, but I just can't*  
2           *get past that written exam.*

3           *If this process was legit, I would have*  
4           *passed it, no problem.*

5           *And as far as going the extra mile in this*  
6           *place, I've done that. And look where it's*  
7           *gotten me.*

8           *(End of video presentation.)*

9           MR. HANSON: What organization hasn't had this  
10          happen after a promotional exam?

11          This is a typical issue that either the sergeant has  
12          to face with people that are disappointed about the  
13          outcome of an exam and they took a position that perhaps  
14          one of their followers wanted.

15          So it's a good opportunity through them to  
16          strategize in the setting of a classroom: How am I going  
17          to deal with this issue if it surfaces, or if it, in  
18          fact, already exists?

19          So what we do -- it's a typical equity issue,  
20          behavioral science folks recognize it. And Corporal  
21          Abrams is distorting reality about the exam.

22          And so the only way to restore equity with Abrams  
23          who has been a quality follower for many years, is to  
24          take away those distortions.

25          So we facilitate this in small groups. We ask them,

1        "What are you going to do? How are you going to bring  
2        Abrams back, and bring this back to a situation where  
3        he's a productive follower?"

4                MR. WYGAL: Okay, well, our sergeant thinks she  
5        needs a little help with the situation, so she goes to  
6        her lieutenant.

7                *(The next video presentation was played.)*

8                LIEUTENANT: So how's it going with the  
9        team?

10               SGT. FOSTER: I looked at all the  
11       personnel files, and I talked to Sergeant  
12       Duncan.

13               LIEUTENANT: Okay, I got your e-mail  
14       updates, though, and it looks like there's  
15       some issues there.

16               What's your biggest concern?

17               SGT. FOSTER: My biggest concern? Abrams  
18       resents me because I was promoted and he was  
19       not.

20               I want a more cohesive relationship, but  
21       I'm concerned he will undermine my authority  
22       with the team.

23               LIEUTENANT: Yeah, that -- that would be a  
24       big problem.

25               Have you come across this type of

1           *situation before?*

2           *SGT. FOSTER: No, I haven't. And I have*  
3           *to admit, I'm struggling with this.*

4           *LIEUTENANT: It sounds like you're open to*  
5           *some suggestions?*

6           *SGT. FOSTER: Yes. If you have any, I'm*  
7           *open, Lieutenant.*

8           *LIEUTENANT: Okay. First, tell me exactly*  
9           *what he is doing that's the biggest concern for*  
10          *you.*

11          *SGT. FOSTER: I met with him, and he is*  
12          *very disgruntled. On top of that, he said the*  
13          *written part of the promotional exam was*  
14          *unfair. He said he has much more street*  
15          *experience than I do; he has demonstrated good*  
16          *leadership in his role as a corporal, and he*  
17          *deserved to be the new sergeant.*

18          *LIEUTENANT: Okay, here's a thought then.*  
19          *Let's try to role-play this out. You play*  
20          *Abrams, and then I will listen to your*  
21          *concerns.*

22          *SGT. FOSTER: Okay.*

23          *(End of video presentation.)*

24          *MR. HANSON: This is a typical situation leadership*  
25          *scenario that we put into the program. A situation*

1 leadership is a significant part of the course. And we  
2 start from the beginning. In fact, we teach the  
3 situation leadership model, I believe it's the second  
4 day, and carry that through the two weeks.

5 And we purposely design this because the lieutenant  
6 is diagnosing her development level as a leader with  
7 regard to the task of working with Abrams and bringing  
8 about change.

9 And you can see the questions he is asking her:  
10 Have you ever experienced this before? What's been your  
11 past experience?

12 And we facilitate that in the class, and it  
13 reinforces the situation leadership model that we  
14 discussed and facilitated earlier in the course.

15 MR. WYGAL: Okay, one last one from this program.

16 At the very end, this is the very last video that  
17 would be facilitated in the course.

18 *(The next video presentation was played.)*

19 MALE OFFICER 1: *You know, if you'd manage*  
20 *your finances a little bit better, you may not*  
21 *need to sign up for all that overtime.*

22 MALE OFFICER 2: *Yeah, well, I need that*  
23 *overtime to make ends meet.*

24 MALE OFFICER 1: *I make ends meet and I*  
25 *don't work any overtime.*

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1           MALE OFFICER 2: Yeah, well, I'm not you.

2           MALE OFFICER 1: Well, you'd better be  
3 careful. That overtime may just dry up  
4 someday.

5           FEMALE OFFICER: No, I know. I know, Mom.  
6 I've been asking him for money, but he won't  
7 write me a check.

8           Look, I just need enough to cover me until  
9 next week. I get paid next week, Friday. I  
10 can pay it all back then. I've just got to get  
11 some new shoes for Max. He's starting school  
12 next week.

13          I've got to go.

14          All right, love you. Bye.

15          MALE OFFICER 2: As long as I got the  
16 overtime, I'm good.

17          SGT. FOSTER: Okay, we're ready to go.

18          Does anyone know where Morgan is?

19          OFFICER DELFINO: Nice of you to join us.

20          OFFICER MORGAN: Shut up, you old fossil.

21          SGT. FOSTER: I received a memo from the  
22 captain regarding overtime. I know this may  
23 not be very popular with some of you. However,  
24 effective immediately, all overtime will be  
25 suspended indefinitely due to budgetary

1           *constraints.*

2           MALE OFFICER:   *Are you serious?*

3           FEMALE OFFICER:   *What?   Sarge, do you*  
4           *agree with this?*

5           MALE OFFICER:   *This doesn't make any sense*  
6           *whatsoever.*

7           MALE OFFICER:   *Why can't --*

8           FEMALE OFFICER:   *This is ridiculous.*

9           MALE OFFICER:   *How are we going to get our*  
10          *jobs done?*

11          MALE OFFICER:   *I don't know how I'm going*  
12          *to pay my bills.   This is crazy.*

13          SGT. FOSTER:    *Look, we can talk about it*  
14          *after briefing, but we need to get on to our*  
15          *patrol assignments.*

16          MALE OFFICER:   *I do not even believe that*  
17          *this is happening right now.*

18          MALE OFFICER:   *Exactly.*

19          SGT. FOSTER:    *Okay, on the downtown*  
20          *beat --*

21          OFFICER DELFINO:   *Hey, Sarge, you know,*  
22          *we've all been here a while, we all know our*  
23          *beats and assignments.   We know who can do what*  
24          *in a timely manner.*

25          *So why don't you let us pick our beats?*



1           *That will solve your overtime issue.*

2                   MALE OFFICER: *There you go. That will*  
3           *work.*

4                   FEMALE OFFICER: *All right, that makes*  
5           *sense.*

6                   *(End of video presentation.)*

7           MR. HANSON: About the time that we played this at  
8           our pilot, I think everybody was ready to say, "I'm going  
9           to go back to subordinate officer and patrol."

10           But what happens is, it's typical problem-solving.  
11           We have them take these problems and divide them up:  
12           What do you need to do right away, what do you need to do  
13           the next day or two, and what have you got to do for some  
14           long-range planning for the watch? Have you set  
15           expectations? Are the standards clear for everyone  
16           involved, behavior within the briefing settings? So it's  
17           a good exercise for them, and it provides them with an  
18           opportunity to do this again in a classroom setting.

19           And you see the challenges from the back, the power  
20           and authority issues going on. So it's a very good  
21           exercise.

22           This next clip we're going to show you is part of --  
23           I'm sorry.

24           VICE-CHAIR CASAS: A question. On some of those  
25           videos, the last one in particular, I mean, how realistic

1 is that?

2 Was there any -- and I don't know this, the answer  
3 to this question -- was there a study done, was there a  
4 survey done with agencies to determine the problematic  
5 issues they have within their staff in reference to this?  
6 I mean, was that just something that -- how did you come  
7 up with designing that specific vignette?

8 MS. CHISUM: I can answer that.

9 We did conduct a survey of all new sergeants that  
10 have gone through the old program and the old course, and  
11 what were their concerns. I think what we got was a  
12 response of around 300.

13 And they talked specifically about that role  
14 transition was the hardest thing for them to overcome,  
15 being a person's peer and then becoming a supervisor.

16 So we took a lot of their comments and then got  
17 together with our presenters and instructors and active  
18 officers, and built the scenarios from those.

19 MR. WYGAL: And now, I think, just a note real quick  
20 on that, there's 23 scenarios, and they kind of build up  
21 to the situations and such. And, you know, I think for  
22 facilitation, if I may, in these mostly scenarios, we  
23 don't have the sergeant react; you know, she just takes  
24 it in, these things happen, and then they cut out before  
25 we see how it's resolved. And I think there is an

1 assumption that maybe she has let this Delfino character  
2 have some liberties and insert his authority. And when  
3 there is an issue like this and he seems to have taken  
4 informal control, leadership control of the group, he  
5 finds the right moment to open the challenge. That's one  
6 of the consequences of perhaps a lack of leadership early  
7 on, in her career.

8 MR. HANSON: And we take a look at these -- and  
9 remember, with 23 of them in two weeks of training, what  
10 we're putting together is, when they solve these  
11 problems, is all of the facilitation that we've done in  
12 the past with power and authority, situation leadership,  
13 disc issues, the fact that perhaps expectations haven't  
14 been set early on, or standards reinforced.

15 And typically, a new supervisor obviously is going  
16 to get challenged by followers.

17 This perhaps is, in some cases, a little extended,  
18 perhaps that someone may not allow it to go this far.  
19 But we typically do this in a classroom in order to  
20 get and generate that activity and that discussion in the  
21 class: What would you do? You know, how would you  
22 handle this? And still maintain the credibility and  
23 still -- you know, if you don't have a relationship, how  
24 are you going to get it?

25 VICE-CHAIR CASAS: Thank you.

1           MR. HANSON: This next vignette we're going to  
2 provide for you -- and it's very short. But this is part  
3 of the Motion Picture Licensing Corporation contract that  
4 POST has now with the movie industry, where we can use  
5 commercial video clips, and use portions of them in a  
6 classroom, under the licensing agreement.

7           And this lesson is generational differences. Again,  
8 this was part of the survey that was conducted, that we  
9 had some significant feedback from the sergeants that  
10 managing conflict internally involved, in some cases,  
11 generational differences.

12           So what you're going to see here, part of that  
13 lesson is, what is the root cause of some of these  
14 conflicts that occur between generations?

15           And what we're going to show here, is a short clip  
16 from the television show *Southland*. And in *Southland*,  
17 what we have here is four officers on a call to a  
18 disturbance, and it's a two-unit call because it's in a  
19 high-crime area and significant gang activity going on.

20           And what you'll see is, they're going to go into a  
21 backyard, and the gang members are partying and weapons  
22 are found, it's very intense, people are placed on the  
23 ground.

24           The person here to the left is John Cooper, who is a  
25 training officer. His trainee is Ben Sherman. And these

1 two are veteran officers here, and they're the backup  
2 unit.

3 What you're going to see, is Cooper tells Sherman  
4 right away: "I want you to cuff before search, for  
5 safety."

6 And so they get some people on the ground, they find  
7 weapons. And Officer Dudek over here orders the trainee  
8 to remove the person from the ground. And the trainee  
9 complains that he hasn't completed his search yet.

10 You'll hear him say, "Generation Y," and, "Do as  
11 you're told," and et cetera, et cetera, et cetera. And  
12 he takes the suspect down.

13 Eventually the suspect, because the search was  
14 problematic, he had a handgun in the back of his  
15 waistband, and shoots Officer Dudek, who survives; but  
16 the suspect is then killed by the rookie officer.

17 The reason we show this is exactly what we talked  
18 about earlier, about the perceptual bias that occurs in  
19 some cases with generational differences, and then we  
20 facilitate you how this occurs.

21 In my day as a sergeant, I remember people walking  
22 around, saying, "Well, he's got a jacket for being  
23 aggressive," or "He's got a jacket for having a bad  
24 temper," or "a jacket for his behavior off-duty." So you  
25 would wonder how people got these reputations. And in

1 many cases, it was perceptual bias.

2 So I'll show you the clip, and then we'll talk about  
3 how we get to the end through the lesson.

4 By the way, this vehicle here is involved in a  
5 gang-related homicide. The officers don't know that yet.

6 The BOLO is just going to go out about five minutes  
7 after they go to this call.

8 *(A video clip was played.)*

9 COOPER: Show us Code 6, George, backup at  
10 136<sup>th</sup> and Fletcher.

11 RADIO FEMALE VOICE: [Unintelligible.]

12 COOPER: Air ship alert and on standby.  
13 Not overhead.

14 SHERMAN: We should call SWAT in.

15 COOPER: It's not a SWAT call-out. It's a  
16 bunch of drunk Cholos. Cuff first, then  
17 search.

18 *[Dogs barking, music playing in*  
19 *background.]*

20 MALE OFFICER: Stand up. Put your hands  
21 in the air.

22 Gun.

23 FEMALE OFFICER: Get down on --

24 MALE OFFICER: I will shoot you through  
25 your head.

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1                   FEMALE VOICE: Hands on the side.

2                   MALE OFFICER: Put your hands in the air  
3 now.

4                   Get down.

5                   Hey, stay down.

6                   FEMALE OFFICER: Get your hands above your  
7 head.

8                   MALE OFFICER: Cuff him. I've got the  
9 gun.

10                  FEMALE OFFICER: Shut up.

11                  DUDEK: Take him down to the car now.

12                  SHERMAN: But I haven't finished searching  
13 him yet, sir.

14                  DUDEK: Generation Y, when I ask you do  
15 something, you do it. I'm your superior  
16 officer."

17                  [Dogs barking.]

18                  (End of video clip.)

19                  MR. HANSON: So within a small group setting, we  
20 asked them, let's get to the root cause of what happened  
21 here, because as I said, for the sake of time, the  
22 suspect is taken downstairs and then the shooting occurs.

23                  So we ask, how do we get to where we are here with  
24 this issue? And typically, we get tactical issues and  
25 things like that.

1           And so we push them: Let's get to the root cause.  
2       What caused the veteran officer to pull that suspect up  
3       off the ground?

4           And so what we talk about here -- here's Dewey, and  
5       we'll talk about -- go ahead and hit that key -- you  
6       know, the way that we get information as individuals, is  
7       through our five senses -- you know, attention.

8           Something comes our way and it gets our attention  
9       through the five senses, and then our perception side of  
10      it puts meaning to it. And then we cognitively do  
11      something about it.

12          This all passes through our own -- you know, our  
13      own motives, our own needs, our own interest, past  
14      experience, expectations, and perceptions of others.  
15      And then because it's an imperfect system, when we don't  
16      have the information, we fill in the gaps with our own  
17      values and our own past experience. And then as a  
18      result, we act on that. And in cases, we get a  
19      perceptual bias.

20          So we build the class up to see if they can get to  
21      their conclusion.

22          And then what we do is ask them: Have you been a  
23      part of, or have you experienced a perceptual bias?

24      And what was the result or -- or what was the outcome of  
25      that? How did it affect the motivation, performance, and



1 satisfaction of the group or the individuals?

2 And so we work to those ends.

3 And then finally, we say, "Okay, what are we going  
4 to do about it?"

5 And it boils down to emotional intelligence: Being  
6 able to control the emotional side with the rational side  
7 as a leader.

8 That concludes my portion of this.

9 By the way, it's been an honor to be a part of this  
10 process. I appreciate your attention today.

11 Thank you for allowing me to speak. And we look  
12 forward to continuing with the program. And we thank  
13 you, once again.

14 MS. CHISUM: Before we conclude this presentation,  
15 we do have a star here that we'd like to formally thank,  
16 and that's our sergeant, Maria Foster, who is actually  
17 Lt. Maria Wood from San Diego County Sheriff's  
18 Department. I'd like her to come up here. Please give  
19 her a hand.

20 *(Applause)*

21 MS. CHISUM: She worked countless, countless hours,  
22 and so we are giving her a certificate of appreciation.

23 Do you have any comments, Maria?

24 MS. WOOD: I want to tell you that I've never been  
25 involved in a project like this before. And I was just

1     blown away how much work was involved in these training  
2     films.

3             Dane, digital OutPost, and Del, and all the  
4     subject-matter experts and Tricia were extremely  
5     welcoming and professional. And they stayed very  
6     mission-oriented and kept me on task. I knew what my  
7     expectations were, and we completed the project. It was  
8     a lot of work. And I'm going on almost 24 years in law  
9     enforcement, and I have a new appreciation for training,  
10    I can tell you that.

11            So I'm glad with the product I went through, the  
12    program initially, the older course through the River  
13    City Police as a brand-new sergeant, and it helped me  
14    tremendously.

15            On my first assignment, I had 25 to 30 subordinates.  
16    My span of control was very large. I had a lot of  
17    personnel issues. And it helped me to sit down and deal  
18    with them one on one because of that course.

19            I went on to become an evaluator in the course, and  
20    I learned a little bit more about the situational  
21    leadership, and then being involved in this course now.  
22    So it's helped me a lot.

23            So thank you very much for letting me be a part of  
24    it.

25            MEMBER BOCK: What did you do with the corporal?

1 MS. WOOD: You know, I know you brought that up. It  
2 was funny. The outtakes were pretty funny. But for lack  
3 of better words, he is the big man on campus. I have  
4 dealt with that in patrol stations. Being with the  
5 Sheriff's department, I worked the jails, courts,  
6 patrols, and specialized units. I have dealt with that.  
7 And there are certain ways to deal with it. And one of  
8 it is obviously, not at that time during the briefing,  
9 but to take him aside and talk with him about your  
10 perception and your expectations. But definitely --  
11 definitely, very true. Very real.

12 MR. WYGAL: It was very difficult for Maria to stay  
13 in character during some of those.

14 MS. WOOD: It was, yes.

15 MR. WYGAL: Thank you.

16 MEMBER MILLER: Can we see a couple of the outtakes?

17 MR. WYGAL: I have them. I know, we've taken a lot  
18 of your time already, though, so...

19 Thank you.

20 MR. STRESAK: Okay, our next presentation will be  
21 from Tami Evans from Training Program Services on our  
22 course quality, the quality assessment program.

23 When sufficient resources once existed, audits and  
24 reviews were commonplace in the scope of POST's work.  
25 As resources dwindled, our ability to conduct ongoing

1 audits dwindled also.

2 Tami has been working on a project to renew and  
3 refresh and bring back the quality assessment program.

4 MS. EVANS: Good afternoon, everyone.

5 Thanks very much to Dane and Trish and Del.

6 I thought you guys did a great job.

7 And in watching that personnel-issues video, I was  
8 kind of having some flashbacks, so I thought it was  
9 pretty realistic.

10 The reason I'm here is to discuss a project that  
11 we've been working on for the past year. If you're  
12 interested, it's Tab N in the Commission agenda. And  
13 I'll discuss it a little bit to let you know where we're  
14 at, what our project status is, and where we're hoping to  
15 be in the next few months.

16 The Strategic Plan objective that began this whole  
17 project is B.15.08; and it says that, "POST staff is to  
18 develop methods to effectively evaluate courses and  
19 instructors."

20 So having that assignment, we first decided to look  
21 back at the history of what's been done previously at  
22 POST.

23 There were course-quality efforts in the past. Up  
24 until 2004-2005 we had a quality-assessment bureau, which  
25 was actually staffed by a bureau chief and law

1 enforcement consultants and retired annuitants who went  
2 out to different POST-certified courses throughout the  
3 state, sat through the entire course, evaluated it, and  
4 then sent their report back to POST.

5 We also formerly had course evaluation instruments.  
6 And some of you probably remember the old Scantron forms  
7 that we used to have students in the courses fill out the  
8 bubbles, and then they would mail the whole packets of  
9 the Scantron forms into POST, where POST staff would do  
10 the data entry into the computer system.

11 Both of these efforts have been discontinued. The  
12 reason for the discontinuation has been:

13 Obviously, we have staffing constraints, the time  
14 and personnel that's required to go out and conduct the  
15 evaluations, and to do the data entry of the Scantron  
16 forms.

17 The changes in technology -- obviously, we've come a  
18 long way since Scantrons and filling out the bubbles,  
19 hopefully; and the state budget issues that we've had,  
20 which include the discontinuation of the funding stream  
21 that allowed for POST to have that quality assessment  
22 bureau in the past.

23 So after looking back at the history of the efforts  
24 that have previously been undertaken at POST, our project  
25 work group decided to set some goals for ourselves in

1     this project. And one of our goals is, obviously, that  
2     we need to get back to the point where we're  
3     systematically evaluating the quality of our training and  
4     our courses.

5             We'd also like to identify the best practices in  
6     training that are out there, so that we could share those  
7     with as many presenters and instructors around the state  
8     as possible.

9             We'd like to find ways to help the training  
10    presenters and training managers to review their own  
11    courses and their own instructors internally. And we're  
12    hoping, ultimately, that all of this will work towards  
13    helping instructors to improve their course delivery, and  
14    making the training more effective and more valuable for  
15    the funds that are being expended on it.

16            So we brought together a subject-matter resources  
17    group, folks from all around the state, including  
18    law-enforcement agencies, community colleges, training  
19    presenters, private presenters, and public agencies, as  
20    well as representatives from stakeholder organizations  
21    such as CPOA, Cal Chiefs, Cal Sheriffs, so on, and so  
22    forth.

23            So we've got a pretty good representation of folks  
24    all around the state who would have a stake in this type  
25    of a process.

1 Starting last year, January through May of 2011,  
2 POST met with the subject-matter resources, and we began  
3 to develop rubrics -- oh, my gosh, I just realize I left  
4 them on my chair.

5 Mike, they're in the brown manila envelope. Would  
6 you mind very much?

7 I have copies, drafts of the rubrics for you all to  
8 look at. And I just realized, I left them under my  
9 chair. Sorry about that.

10 So our group began to develop these rubrics that  
11 will enable us and training presenters to evaluate the  
12 quality of courses and instructors.

13 There's actually -- let me help you.

14 Sorry about that, guys. I apologize.

15 *(Handing out documents.)*

16 MS. EVANS: So there's two forms that are being  
17 distributed, two drafts: One is an evaluation for  
18 instructors, and the other is an evaluation for courses.  
19 These were developed by our subject-matter resource  
20 group.

21 I'll give you a second to review those before I go  
22 on, if you'd like.

23 Okay, so over the summer of 2011, our subject-matter  
24 resources, which also included folks who have completed  
25 the MIDP -- or, now, the MICC program, master

1 instructors, went out and pilot-tested these evaluation  
2 forms and the process at different courses around the  
3 state. We've also developed a training course for  
4 evaluators who would like to be able to evaluate courses  
5 and instructors; and we have created a draft of some  
6 student evaluation forms that would replace the old CEIs  
7 that we used previously, the Scantrons.

8 We piloted the instructor evaluator course twice:  
9 Once in Anaheim and once in Sacramento, in the fall.  
10 And we also had a meeting just about a month ago of our  
11 subject-matter resources group again, to go back and  
12 review the draft evaluation forms, which you're looking  
13 at now, and the results of the pilot tests of the forms  
14 at the courses throughout the state.

15 So I should mention that the forms that you have  
16 before you now are still in draft. And if you see any  
17 errors or items of concern there, please feel free to  
18 contact me. I'll have my contact information at the end  
19 of this presentation, so that you can contact me, and I  
20 would be very happy to get your feedback and your input  
21 on these items before they become final. So they're  
22 still being edited.

23 So here is what we have coming up now: We are going  
24 to begin, in the next couple of weeks, mentoring and  
25 field-training the evaluators. The folks who have been



1 through the evaluator course that we piloted are now  
2 going to go out into the field and be mentored by our  
3 master instructors to learn how to actually evaluate  
4 courses in the classroom. And we're going to test the  
5 student evaluation forms. And we're going to develop an  
6 online application for course evaluations.

7 And my hope is -- hopefully what we'll be able to  
8 do, is to put it on a mobile platform, so that a student  
9 in a classroom, at the end of the class, can just go on  
10 their mobile phone to the Web site where the evaluations  
11 are, enter the course control number for that course, and  
12 then answer five or six simple questions to evaluate that  
13 course and submit it, where it will go directly into the  
14 POST database, which will save us all paper and data  
15 entry and everything else like that. It will be the most  
16 expedient way to do it, I think.

17 And finally, we hope to finish the project in June  
18 of 2012, with presentations again to this group and the  
19 Commission. And at that time, we hope to distribute the  
20 final version of the tools that have been developed.

21 So here's our outcomes, this is what we're hoping  
22 for at the end of this project in June:

23 We'll have the new course and instructor evaluation  
24 forms hopefully finalized by then.

25 We'll have the Web-based assessment tools. All of

1     these rubrics, along with the student evaluations, will  
2     be available electronically to anyone who is interested.

3             And we'll have the evaluator course for training  
4     presenters and training managers. If they would like to  
5     attend and learn how to evaluate their own courses, we  
6     can also send folks who are interested in becoming  
7     evaluators for POST through that course as well.

8             And at that time, we hope to have finalized the  
9     development of the new POST quality-assessment process.

10            So with that, here's my contact information.

11            And I'd like to turn it over to Paul for some  
12     comments, if you have any.

13            MR. CAPPITELLI: Thank you, Tami.

14            Well, the first comment I have is, I want to applaud  
15     Tami for her leadership and staff for putting this  
16     together. I mean, this is a project that, quite  
17     candidly, we've had on the back burner for too long.  
18     This is an area where we've fallen way short over the  
19     years. And Tami has picked this up and taken it to great  
20     heights.

21            So thank you very much.

22            This is lock-step with our request to the Governor's  
23     Office for additional resources in the wake of a lot of  
24     things that have happened in the last couple of years.

25            But most importantly, we have thousands of courses

1 that are POST-approved, and we have several hundred  
2 presenters of courses. But we don't have a good method  
3 to evaluate the courses on an ongoing basis.

4 And so it is our hope that this will be the  
5 beginning of what could dovetail into some other bigger  
6 and more intense efforts to do course evaluation and  
7 course assessment. And it would be our goal, our vision,  
8 to -- if staffing would permit and if we are successful  
9 in getting additional resources to revitalize the quality  
10 assessment function within POST, and perhaps even form a  
11 bureau that is centered around this particular topic.

12 It's already being done in other aspects of POST.  
13 For example, in the basic course, we have the basic  
14 course certification review process. And Tami actually  
15 was instrumental in revising that process over the last  
16 couple of years, too.

17 We could take all of those things and put them under  
18 one roof, and I think we could be much better at  
19 evaluating all of our courses and all of our instructors  
20 in the future.

21 So that's all I have to say.

22 But thank you very much, Tami, for your efforts.

23 MS. EVANS: Thank you.

24 Any questions?

25 MEMBER WILLMORE: I do have one; and you may have

1 covered this, I'm not sure. But does the instructor,  
2 themselves, have the ability to go back and look at those  
3 comments about the course?

4 MR. CAPPITELLI: I'll defer to Tami.

5 MS. EVANS: We would definitely like to build that  
6 into the process. That's our plan, yes.

7 MEMBER WILLMORE: Okay, I just think it's very  
8 important that those instructors that are being critiqued  
9 or evaluated, that they could go back in and look at the  
10 low points and the high points, so that they could  
11 obviously make adjustments as needed.

12 MEMBER LINDSTROM: Richard Lindstrom.

13 Tami, I'd like to get on the bandwagon, too, and say  
14 congratulations.

15 These rubrics that you've presented here are  
16 outstanding, in my limited review.

17 And what a pleasure it is to be able to introduce  
18 these to our basic academy also at this time, especially  
19 if we're coming up for recertification, like we are. And  
20 what a help this is to the individual instructors to know  
21 exactly what is expected of them.

22 Sometimes it's easy to miss things when you have  
23 your one-on-ones, and the limited documents that we have  
24 for an instructor manual. This is outstanding.

25 MS. EVANS: Well, thank you, Richard. I appreciate

1 that.

2 We're having another evaluator course coming up at  
3 the end of May or the beginning of June. And if you'd  
4 like, I'll put you on the e-mail list and let you know  
5 when we're having it.

6 MEMBER LINDSTROM: One other thing: Because it is  
7 in color and I see you have "Draft" on here, when this is  
8 finalized, can you put these documents on the Web site,  
9 or some way where we can download these in color and  
10 share them with all of our instructors?

11 MS. EVANS: Yes. It's our plan to have these  
12 available to anyone in the state that wants to access  
13 them. Definitely.

14 I'm sorry. Yes?

15 VICE-CHAIR CASAS: Question. I take it, the  
16 ultimate goal, and based on what you were talking about  
17 in reference to this, is that this will be the mandatory  
18 use evaluation for all POST-certified courses.

19 MS. EVANS: Not necessarily. It will be available  
20 and optional if the presenter or the training manager  
21 chooses to use it. But they can still use their own  
22 internal forms and their own internal evaluation process,  
23 if they like.

24 But I think it offers a good stepping-off point as a  
25 template for any different dimensions or categories that

1 they'd like to evaluate in their instructors.

2 VICE-CHAIR CASAS: And for those who don't have the  
3 electronic capabilities of doing it online, will the  
4 paper will be mailed in, or will there be -- how is that  
5 going to work?

6 MS. EVANS: Sure. If the presenter chooses to use  
7 the paper format, they could certainly do that. They  
8 could just print out the evaluations and distribute them  
9 in class. That's certainly an option.

10 VICE-CHAIR CASAS: Thank you.

11 MR. STRESAK: Any other questions?

12 *(No response)*

13 MR. STRESAK: Thank you, Tami. Great job.

14 MS. EVANS: Thank you very much.

15 MR. STRESAK: A quick comment on that.

16 My mantra for the last couple years has been that  
17 we're too busy chasing cows to build fences. And that  
18 speaks for itself. But if we don't move into more of a  
19 proactive mode, then we'll be continually addressing  
20 major problems and incidences.

21 So this type of movement moves us into more of a  
22 proactive posture, where we can either rehabilitate,  
23 correct, you know, point out deficiencies and help.

24 And the idea behind the whole thing is not to hit  
25 anybody with a stick, but to make sure that they're doing

1 a good job. And if they're not, to assist them to get  
2 where we need to be.

3 Thanks again, Tami.

4 All right, the last presentation will be the  
5 Incident Preparedness Assessment Tool, IPAT, from LTRB.  
6 Catherine Bacon will be here.

7 And, Jan, are you presenting also?

8 MS. BULLARD: No.

9 MS. STRESAK: It's all Catherine?

10 Catherine, it's all you.

11 Catherine is our senior instructional designer.

12 MS. BACON: Good afternoon, everyone. And thank you  
13 for your time.

14 My name is Catherine Bacon. I'm a senior  
15 instructional designer in the Learning Technology  
16 Resources Bureau.

17 Today, I want to take you through a quick  
18 demonstration of a project we've been working on for the  
19 Learning Portal that we are calling the "Incident  
20 Preparedness Assessment Tool." It's quite a mouthful,  
21 but we're working on it.

22 And the interesting thing about this project is, it  
23 started out as a course, an online course in public  
24 health emergencies. But then, just like a public health  
25 emergency, it got a life of its own, and it became "all

1 hazard."

2       So what we found when we went out to the field and  
3 started interviewing people at the command and executive  
4 level, and that was what that course was intended for, is  
5 that a management tool, a tool that addressed a broader  
6 topic than just public health would be a really good use  
7 for command and executive levels throughout the state.

8       So what we've done is, we've gone through and  
9 created this 10-question assessment that then provides  
10 you with results and an action plan.

11       The questions are organized along the lines of the  
12 NIMS and SEMS phases. So we have mitigation, planning,  
13 response, recovery. And then we also have some questions  
14 to help assess your relationships with both governmental  
15 and non-governmental agencies that can be of use to you  
16 in an incident.

17       The questions, we try to make it as simple as  
18 possible so you can spend minimal time, or whoever is  
19 doing this at the agency, minimal time and maximum  
20 support to get through it. And we're not diagnosing  
21 anything, but we are kind of letting you take a look at  
22 your preparedness, the documents, the emergency plans,  
23 your own specific plans that you have in place.

24       If you're not sure of what we are referring to --  
25 for instance, for the all-hazard mitigation plan, we



1 provide a brief look and definition so that it gives  
2 support as I complete it: What is this you're asking me  
3 to do, and what is it I'm supposed to put in here? How  
4 do I find out?

5 You can also get a little more detail about some  
6 other aspect of like all-hazard mitigation and strategic  
7 national stockpile or other reports or resources you  
8 should be considering.

9 And then we also -- because there are, between  
10 CalEMA and FEMA and all the other entities -- there are  
11 so many resources that already exist. We are not  
12 reinventing the wheel. But hopefully, in context, we can  
13 direct you to some examples or some Web sites so that you  
14 don't have to go hunt for them yourself. So, for  
15 instance, here we would just go right to CalEMA's hazard  
16 mitigation.

17 We also allow for just typing in a free-text entry,  
18 because we realized very quickly, we could not account  
19 for every term and every document and every specific need  
20 for every jurisdiction. So we have made it so that you  
21 can just type in whatever is applicable to your agency.  
22 And we're not going to try to control you into some kind  
23 of terminology.

24 Another thing I wanted to point out about this is,  
25 our subject-matter resource group felt that a strong

1 emphasis should be made on assessing and identifying the  
2 contacts that people have in government, as well as  
3 non-government. And so two of the questions help you  
4 assess -- you know, some are already pre-populated  
5 here -- the mayor, the city manager, the city council.  
6 For non-government, we had Red Cross, but we also have  
7 something like hotel management, local hotel managers.  
8 Why would you want to know that?

9 So for someone who isn't as familiar or needs some  
10 more help, we provide, again, those resources and  
11 definitions. So they can answer the questions.

12 And then at the end, when they're finished, there  
13 is a quick visual reference to see, "How am I doing?"

14 In this case, in the results, you can see that the  
15 preparedness is 30 percent. And that's green.

16 Partially prepared, needs improvement: 20 percent.

17 And not prepared at all is 40 percent.

18 So by color, if you wanted to just focus on your  
19 "not prepareds," you could just dive in, expand the  
20 question, and see what's wrong. You know, what is it  
21 that we are recommending you do?

22 You should look at your training, look at this  
23 matrix, and then evaluate what should be done and how you  
24 might want to increase your training frequency or the  
25 type of training you deliver.

1           You can type in and delegate -- this is the  
2           management part -- you can delegate to specific people in  
3           your organization, set due dates.

4           And then you can come back -- I'm sorry, you can  
5           e-mail then to the people you've assigned these to. You  
6           can e-mail the action plan, so they're aware of what  
7           you're trying to do. You can print it.

8           You can save this assessment to a network drive, so  
9           that anyone can access it. You can have multiple users.  
10          You know, we find out quickly that the sheriff and chief  
11          probably weren't going to be sitting down and answering  
12          all these questions. So anyone can access it.

13          And then it can be reopened for management purposes.

14          I can monitor the progress, okay, so now there's  
15          nothing is incomplete anymore. I'm 40 percent prepared.

16          Look, I have a green one, that has turned to green  
17          from red. I can see maybe Lieutenant Jones missed his  
18          deadline. I think follow up through him to see what's  
19          going on.

20          And that is the Incident Preparedness Assessment  
21          Tool.

22          Any questions?

23          MEMBER YOUNG: Very nice.

24          MS. BACON: Thanks.

25          We are going to be rolling it out at the beginning

1 of May in a pilot study to just a small group of  
2 agencies. We want them to really work on this.

3 We've done user testing. We've taken it out to the  
4 field. We've heard, "I can't wait to use it. If we  
5 didn't have this, it wouldn't get done." But at the same  
6 time, no one's had the ability to really use it for the  
7 three months it might take to get this completed. So  
8 that would be May.

9 And then if any of you are interested or know an  
10 agency who might be interested in helping us out, I'd be  
11 happy to know them.

12 And then toward the end of this year, we would  
13 probably be releasing it for general release for  
14 California.

15 Okay, thank you.

16 CHAIR SPAGNOLI: All right, thank you very much for  
17 those presentations. They were very informative.

18 Going on to Items J and K, I'm going to ask the  
19 Vice-Chair to report out from the committee where we met  
20 yesterday.

21 VICE-CHAIR CASAS: Thank you, Madam Chairman.

22 Just as a result of our award selection process,  
23 I'll be talking about the top individuals that we  
24 selected for each award. And, again, this is for the  
25 *POST Excellence in Training Awards*: Individual,

1 lifetime, and organizational; and then last, but not  
2 least, the O.J. "Bud" Hawkins Award.

3 After each committee/subcommittee came together,  
4 we went over who was selected.

5 And for the individual award, POST award, the  
6 selection was Lieutenant Chris J. Perez from LASO.

7 And just a few points as to why he was selected.  
8 You know, he was put in a position in charge of the  
9 firearms training for the Sheriff's Department. And  
10 rather than just to manage the division as he obviously  
11 had a choice to do, he chose to think outside of the box,  
12 and actually had developed a -- bring their current  
13 firearms training to a much higher level. He changed  
14 the way firearms training is conducted locally and  
15 regionally because he also worked with the academy as  
16 well.

17 So the curriculum utilizes the mixture of steel  
18 reactive targets that provide immediate feedback to the  
19 instructors when the students go through the course.

20 He also utilized the paper "Shoot" and "Don't Shoot"  
21 targets, which actually are a specialized target design  
22 to aim immediately -- or cause a student who is going  
23 through the program to make an immediate decision as to  
24 whether to shoot or don't shoot, which I think we would  
25 all agree, is a pretty important component to trying to

1 control the contagious firing issues. So he incorporated  
2 that as well.

3 And although he was assigned to that position, as  
4 I said earlier, he really did take the shooting  
5 capability with the LA Sheriff's Department to a much  
6 higher level, which is going to be recognized -- in my  
7 opinion, I think we all agreed as well -- is going to be  
8 looked upon as a model training program for other  
9 agencies.

10 I was very impressed myself. I was on that  
11 subcommittee to see that this lieutenant had taken it to  
12 a much higher level. And to me, it was hands-down. So  
13 he'll be receiving -- that's our decision for the  
14 individual award.

15 Lifetime achievement: I think there will be no  
16 surprise that that subcommittee agreed that it would be  
17 Michael Gray from the San Diego Regional Training Center.

18 Mr. Gray, his span of law enforcement activity spans  
19 back to 1984, with the Sheriff's Department, LASO.  
20 That's where he started. He's since been a master  
21 instructor in 1997, 2007, 2011. He was the main driving  
22 force for the POST instructors symposium. He actually  
23 took over directorship of the regional training center,  
24 San Diego Regional Training Center, and has done an  
25 outstanding job.

1           And so some of the fruits of his work, or his labor,  
2           is really emulated by the programs that he's not  
3           necessarily designed but been the leader in bringing to  
4           the forefront. And the instructor symposium, if any of  
5           you have ever been there, you will see the work that this  
6           guy has done. Mike has done a phenomenal job.

7           He also -- all of his training that he directs out  
8           of the regional training center impacts local and  
9           statewide training needs. He also does a fantastic job  
10          on the ICI instructor symposium, as well as the IDI  
11          course also that comes out of that, under his tutelage.

12          So his impact today, 22,500 participants nationally.  
13          And so he's -- or at least, I'm sorry, within the state.  
14          And it's just amazing how many people he is going to have  
15          an impact on overall. So he is the selection for the  
16          lifetime award.

17          And then organizational, the choice was Alameda  
18          County Sheriff's office for designing a program referred  
19          to as the "Urban Shield." And it's a multilayered  
20          full-scale training exercise that was developed by them.  
21          It involves incident command structure for about  
22          26 tactical scenarios, which is inclusive of three fire  
23          scenarios and one explosive scenario. Pretty unique to  
24          the training field.

25          They've done an outstanding job in bringing that to

1 the forefront as well, and providing that kind of  
2 training which, again, we feel is going to be a model for  
3 the state.

4 The program has been nationally and internationally  
5 taught. So the impact is tremendous on this group. So  
6 I think that was the deciding factor for them to get the  
7 organizational award.

8 *O.J. "Bud" Hawkins Exceptional Service Award,*  
9 unanimously given to Michael DiMiceli. Of course, he  
10 was the only nominee; but we did have a discussion about  
11 this. And I've got to tell you, I was convinced that  
12 Michael should get this award.

13 And some of the reasons why: He has got over  
14 30 years of law enforcement experience, to start with. A  
15 proven leader, dedicated law enforcement professional,  
16 not only to the agencies that he was affiliated with, but  
17 to POST in general.

18 He is responsible for the POST Command College that  
19 was formulated and launched by Mike, a nationally  
20 recognized program. A tremendous impact. He developed  
21 the first law enforcement feasibility study, performed  
22 that, and conducted 15 studies himself.

23 He created the law enforcement accreditation  
24 standards for California law enforcement. And overall,  
25 between POST and other agencies he's been affiliated



1 with, which is: Berkeley PD, for example, he was a  
2 sergeant there; Alameda County District Attorney's  
3 office, he was a D.A. investigator; he was also chief of  
4 police of Vail, Colorado, PD -- and I don't have much  
5 sympathy for that. He gets to ski every year.

6 But in any case, he's got a tremendous amount of  
7 respectability in the field, in the profession. And it  
8 was pretty imminent that, overall, he's just a pretty  
9 cool guy. So he was the choice by far.

10 And that is the report.

11 Thank you.

12 CHAIR SPAGNOLI: Thank you, Mario.

13 We're moving on to Item number L, Advisory Committee  
14 Member Reports.

15 And I'll turn to my right.

16 Sheriff?

17 MEMBER BONNER: Thank you.

18 Just a couple things from State Sheriffs, on our  
19 board meeting, February 9<sup>th</sup>, the organization voted to  
20 endorse the Governor's initiative that will be on the  
21 ballot. 41 sheriffs were represented there of the 58.

22 And our annual conference will be just back down the  
23 road at Town and Country in San Diego the first week in  
24 April.

25 That's it.

**POST Advisory Committee Meeting, February 22, 2012**

1 MEMBER BOCK: No report.

2 VICE-CHAIR CASAS: Mario Casas, CCLEA. At this  
3 point, no report.

4 MEMBER BANNING: Elmo Banning, public member. No  
5 report.

6 MEMBER MILLER: Jeff Miller, representing the  
7 California Police Chiefs Association.

8 Our annual training symposium will be next month.  
9 And something that we've worked hard to do and continue  
10 to do, is to make sure that there is some POST credit for  
11 the chiefs that do attend. That is, the training is  
12 centered specifically for them, to help them get their  
13 POST credit in; but also to be a draw for the symposium.  
14 So we're having that coming up.

15 As you know, this is my last meeting. I appreciate  
16 the comments yesterday.

17 Andrew Bidou, who is the Chief of the Benicia Police  
18 Department, assuming he is approved by the Commission  
19 tomorrow, will take this seat starting in June. So I  
20 know you'll profit from his input.

21 And then a couple of parting comments, if you let me  
22 get on the soapbox for a moment.

23 When I started this assignment not quite eight years  
24 ago, I saw POST as that California bureaucracy that gave  
25 me my training credits, put on my classes, certified

1       them, and gave me my certificates. And I was happy about  
2       that. But I never really came to appreciate all the work  
3       and the professionalism that I've seen constantly  
4       displayed by POST staff.

5               There is a reason that California is regarded as one  
6       of the best training areas in the country, and that is  
7       because of the work of POST staff. I can't emphasize  
8       that enough.

9               Just the level of analysis, research, testing,  
10       quality assurance -- we saw some of that today -- that  
11       continually goes on, is very impressive. And it's not  
12       just surface stuff. These are some very dedicated and  
13       intelligent and caring people that do this.

14              And so I, for one, am very appreciative of the work  
15       that everyone at POST does on behalf of California law  
16       enforcement. They truly are the reason we have the  
17       reputation that we do.

18              And then finally, one last thing that I would like  
19       to leave: It's no secret that recently we've seen a lot  
20       of, or an increase in the number of assaults on police  
21       officers across this country. And I appreciate the work  
22       that's being done with the traffic-accident end of it,  
23       because certainly, we seem to be hurting and killing  
24       ourselves in greater numbers than the bad guys were.  
25       But there seems to be a trend that that may be changing a

1 little bit.

2 I think personally, and maybe there will be some  
3 research behind this, to find out why the sudden uptick.  
4 But I think just with the economy and the way things are  
5 going right now, cops and career law enforcement  
6 professionals are being painted as the bad guys, and in  
7 public safety all around. We seem to be the ones that  
8 are bearing the brunt because we're painted as the  
9 pension hogs, we're the ones breaking California's bank.  
10 And I see more and more politicians building up their  
11 street cred. on that.

12 And it's a sad thing to see because I think that's  
13 turning a number of people against us. Where before,  
14 they would see us as the people that were sacrificing and  
15 putting our lives on the line. Now, we're just the evil,  
16 greedy people that are trying to get all we can at the  
17 public trough. And it's terrible to see.

18 So I encourage each of you, as I ride off into  
19 retirement, to do what you can to promote the  
20 professionalism and the sacrifice and dedication that  
21 people in law enforcement have. Because without that, I  
22 fear that we're going to continually be painted as those  
23 who are only in it for ourselves. And anybody that's  
24 done this job for any amount of time knows that that's  
25 not the truth. But I really feel that that's part of the

1 reason behind the turn of assaults against cops, because  
2 it's now easy to vilify us because the politicians do it  
3 so much.

4 For those of you that work with government boards,  
5 supervisors, city councils, others, encourage a better  
6 dialogue on that. I'm not saying that things, by  
7 necessity, need to be changed; but they don't need to  
8 paint us as bad as they do in doing so. There are still  
9 ways to comment about the sacrifice and the efforts made  
10 by law enforcement.

11 I leave with a very proud feeling of having served  
12 with all of you in everything that happens for law  
13 enforcement. I wish you all the best. I'll still be  
14 around in Hollister. You can get through to me through  
15 the PD. And if there's anything I can do for any of you,  
16 please let me know.

17 But I thank all of you for the work that you've  
18 done. And, again, I commend POST for all the work that  
19 they do. I'm going to be forever impressed with what  
20 I've seen here for the last eight years.

21 So thank you very much.

22 *(Applause)*

23 MEMBER MCFADON: Alan McFadon, POST Dispatch  
24 Advisory Council.

25 I wanted to thank POST for Item L, that's the

1 contract and support of public safety dispatcher program.

2 This is the AICC course that got expanded. And for  
3 dispatcher-specific topics, it's a 56-hour program, where  
4 they do the regular five-day AICC, as well as come back  
5 and continue working on a course that they build.

6 So the AICC portion is completed, and we get five  
7 new courses, sometimes six new courses built out from  
8 that program.

9 All it's doing is shifting over to Napa Valley,  
10 which is great; and we just want to say thank you.

11 MEMBER YOUNG: No report.

12 MEMBER FLANNAGAN: Joe Flannagan, PORAC.

13 Our board of directors met last week, and we, too,  
14 endorse the Governor's plan for the tax increase.

15 PORAC, next month, the executive board will be  
16 traveling to Washington for our annual -- I hate to use  
17 the word "lobbying" trip, but that's basically what it  
18 is. And in four days, we will contact every member of  
19 the California delegation, arguing for more money to come  
20 into our state through the COPS grants, through the  
21 Byrne-JAG grants, and stuff like that.

22 One of the keynote areas that we'll be talking  
23 about, that they've been talking about for ten years --  
24 or at least since 9/11 -- is the interoperability of  
25 radios, the D-Block or Block-D -- D-Block, whatever it's

1       called. That finally looks like it's coming to fruition,  
2       as far as having some national interoperability program.

3       So that would be heavy on our plate.

4       And that's it.

5       MEMBER WILLMORE: No report.

6       MEMBER LINDSTROM: For the academies, especially  
7       those from community colleges, there is a meeting that  
8       we're having on Friday, the day after the Commission  
9       meeting. And it's in regards to material fees and other  
10      fees associated with community college classes.

11      So I'm not exactly sure, I think Bob Ziegler is the  
12      one that's calling this meeting. And I'm not really sure  
13      what's on the agenda, except there should be  
14      representatives from California community colleges there.

15      And it certainly has -- I have an issue with it  
16      because academies, the easiest way for us, because we  
17      have to train off-site for both driving and for firearms.  
18      And we used to be able to charge what we called a "range  
19      fee" for the range. Well, about three years ago, they  
20      told us, "Well, that is not authorized in Title 5." And  
21      so we found a way around it, where the students  
22      themselves pay for the range facility.

23      But it's much -- it's much more seamless if we're  
24      able to collect a range fee, and us pay the range. This  
25      complicates things. And I hope something comes out of

1       that, in that meeting, where we're authorized as being  
2       able to collect that fee.

3           You know, the golf team, they can run a golf course;  
4       the P.E. instructors can rent a gym with facilities, but  
5       we can't run a range. So, hopefully -- and it's  
6       specifically stated in Title 5 or the Education Code,  
7       that they can do that. So hopefully something will come  
8       out of that for us.

9           If anybody else has any issues with community  
10       colleges about fees or anything, let me know so that I  
11       can bring it up on Friday.

12           CHAIR SPAGNOLI: Thank you.

13           MEMBER BERNARD: Alex Bernard, public member. No  
14       report.

15           CHAIR SPAGNOLI: Thank you.

16           A couple things.

17           First of all, I want to thank Chief Jeff Miller for  
18       his service to POST on this committee.

19           Also, Laura Lorman, she also resigned, and so  
20       they'll be looking for a replacement. And thank you for  
21       her service.

22           And also, as I understand, Joe Flannagan will be  
23       retiring in June.

24           So this might be your last meeting as well?

25           MEMBER FLANNAGAN: I'll be on the board until at



**POST Advisory Committee Meeting, February 22, 2012**

1     least November 2012.  So, I will be here through  
2     November.

3             CHAIR SPAGNOLI:  Very good.  Excellent.

4             A couple things to report from CPOA is, we have our  
5     annual leg. day on March 28<sup>th</sup>, and a reception with our  
6     legislators on March 27<sup>th</sup> in Sacramento.

7             Our annual conference is in May, in Monterey,  
8     May 22<sup>nd</sup> and 24<sup>th</sup>.  You can go on our Web site.

9             And the last thing is, our executive committee  
10    signed on to the Below-100 campaign, and kind of the  
11    things that Chief Miller was saying, that the goal of  
12    this campaign is really to reduce the line-of-duty deaths  
13    to be under a hundred.  Because as you know every year,  
14    there's somewhere between two and three hundred  
15    nationally.  So it's really a campaign to promote a  
16    culture of safety.

17            And you know some of the things, Jeff, that you were  
18    saying is so critical.  It's really not just the chief's  
19    job.  It's everyone promoting this culture of safety:  
20    Driving, wearing your vest, officer safety.

21            So we are proud supporters of this campaign, so more  
22    will come out in the future.

23            *(A small bell sounded)*

24            CHIEF SPAGNOLI:  Does that mean we're done, that  
25    bell?

1           So we have a procedural question, and then I want to  
2 go back to the Commission report for Alan Deal.

3           And does this Committee approve the financial  
4 report, or does that just get approved by the Finance  
5 Committee?

6           MR. DEAL: The Finance Committee will make a  
7 presentation as part of their responsibility to the  
8 Commission.

9           If you have specific areas of the financial items  
10 that are before you, in looking through the entire  
11 agenda, you can make recommendation. Or if you supported  
12 the proposals that were made in the Finance Committee  
13 report, you can take that action as well and make a  
14 recommendation to the Commission.

15          CHAIR SPAGNOLI: Okay, so at this time, I want to go  
16 back to, as a point of order, to the Commission agenda to  
17 the financial report.

18          Is there any discussion on the financial report?

19          *(No response)*

20          CHIEF SPAGNOLI: So is there a motion then to  
21 approve the financial report at this time?

22          MEMBER FLANNAGAN: A motion to recommend it to the  
23 Commission. Flannagan.

24          CHAIR SPAGNOLI: Recommend it to the Commission.

25          MEMBER BERNARD: Second. Bernard.

**POST Advisory Committee Meeting, February 22, 2012**

1 CHAIR SPAGNOLI: All right, all in favor?

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

3 CHAIR SPAGNOLI: Oppose?

4 (*No response.*)

5 CHAIR SPAGNOLI: Great.

6 I'm going to turn to Item number M, which is

7 Commissioner Comments.

8 Any commissioner comments?

9 COMMISSIONER SOBEK: Just one.

10 Jeff, are you here tomorrow?

11 MEMBER MILLER: I am.

12 COMMISSIONER SOBEK: I have nothing else to say.

13 CHAIR SPAGNOLI: All right, any other comments?

14 (*No response*)

15 CHAIR SPAGNOLI: No?

16 All right, thank you.

17 Moving on to Old and New Business.

18 Do we have any old or new business?

19 VICE-CHAIR CASAS: I actually do want to enter  
20 something in there.

21 Before we do so, Madam Chairman, I think we need to  
22 very, very quickly go back to the selections made for the  
23 award recipients and make a motion to accept those.

24 And I'd like to start that off, that this body  
25 accept the nominees that were made:

**POST Advisory Committee Meeting, February 22, 2012**

1 Lt. Chris J. Perez for the individual award.

2 Michael B. Gray for the Lifetime Award.

3 Organizational Award to the Alameda County Sheriff's  
4 Department.

5 And *O.J. "Bud" Hawkins Exceptional Service Award* to  
6 Michael DiMiceli.

7 And I'd like to ask this body to accept those so the  
8 Commission can vote.

9 CHAIR SPAGNOLI: Is that a motion?

10 MEMBER BERNARD: A point of order, normally, we also  
11 mention the runners up. Should they also be mentioned in  
12 this motion?

13 MR. STRESAK: If, in the normal course of business  
14 we mention the runners up, then we should.

15 VICE-CHAIR CASAS: Okay. Well, the organizational  
16 was --

17 MEMBER YOUNG: We have the sergeant and deputy from  
18 LASO.

19 VICE-CHAIR CASAS: Okay, I am prepared now for the  
20 runner-ups.

21 CHAIR SPAGNOLI: Thank you. Go ahead, Vice-Chair.

22 VICE-CHAIR CASAS: Okay, I am prepared now with the  
23 runners-up.

24 CHAIR SPAGNOLI: Thank you.

25 MR. CAPPITELLI: Connie will bail you out. She

1 bails me out every day.

2 CHAIR SPAGNOLI: Thank you. Go ahead, Vice-Chair.

3 VICE-CHAIR CASAS: The runner up for the *Individual*  
4 *Achievement Award* was Debbie Eglin, who is a corporal  
5 with the San Diego Miramar College. She received the  
6 runner-up for the individual award.

7 Lifetime achievement runner up was Robert --  
8 Schiring?

9 MEMBER BANNING: It's Schirn, from LAPD.

10 VICE-CHAIR CASAS: Robert Schirn. And he's from the  
11 Los Angeles County District Attorney's office.

12 And the runner up for the *Organizational Achievement*  
13 was the Criminal Justice Institute, also out of  
14 Los Angeles County District Attorney's office.

15 CHAIR SPAGNOLI: Thank you.

16 That's it, right?

17 VICE-CHAIR CASAS: Submit it.

18 CHAIR SPAGNOLI: Thank you.

19 Is there a motion then?

20 MEMBER YOUNG: Motion to approve.

21 CHAIR SPAGNOLI: Motion to approve.

22 *All in favor?*

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

24 CHAIR SPAGNOLI: All right, opposed?

25 *(No response)*

1 CHAIR SPAGNOLI: Great.

2 Is there any more old or new business?

3 VICE-CHAIR CASAS: Yeah, very quickly.

4 I don't want to belabor this, but -- because I think  
5 Alan Deal touched on it -- correct me if I'm wrong,  
6 Alan -- about private-training providers certification.

7 In addition to being on this board, I also sit as  
8 the president of OCTMA association, a training manager  
9 association; and one of the topics that came up at our  
10 last meeting was, simply said, why POST doesn't support  
11 the private providers arena, more often like STC. And I  
12 really didn't have an answer for that.

13 But my understanding of the situation is, due to  
14 budget cuts, continuing decline in training funds, et  
15 cetera, retirements past and present, we're losing a lot  
16 of money and institutional knowledge of people leaving  
17 the profession. And some people see that as a way to  
18 regain some of that institutionality is actually bringing  
19 back some of these retirees in the form of training  
20 instructors through either private companies or forming  
21 their own companies themselves.

22 So STC is mentioned quite a bit in the sense that  
23 that's pretty much where most of their training, if not  
24 all of their training, is derived, is from the private  
25 providers. And I don't know if we -- I think we may have

1 addressed this some years back, but I don't know where it  
2 ended up, as to why POST doesn't look at that or maybe  
3 research that a little more, to see the feasibility of  
4 it. Is it because the liability's too high?

5 I know there's been some recent situations with  
6 private providers that has caused POST to decertify them,  
7 some of their courses, et cetera. But I don't know if  
8 it's a liability issue, I don't know if it's -- we just  
9 don't have the resources to have oversight for that type  
10 of program which, you know -- because I know we do a lot  
11 of contracts, so it might mean that, you know, we don't  
12 have -- POST may not have the resources to oversee a  
13 program like that.

14 But I know it's a growing concern. And there's a  
15 lot of private providers out there that would like --  
16 somebody would like to bring in, but they're unable to  
17 get POST-certified because they're not willing to  
18 relinquish total control of their curriculum, or, you  
19 know, wanting to jump through the hoops that they have to  
20 jump through in order to get it, with no guarantee that  
21 they're going to get certified.

22 So the slight problem it's causing organizations  
23 like mine, for OCTMA, is we have our own control number,  
24 but, unfortunately, we have no employees.

25 So the simple answer is, "Oh, Mario, you guys can

1 get certified under your number," isn't that easy because  
2 it requires some labor-intensive work to do that, of  
3 which we have no one on staff to do it. So we have to  
4 rely on employees of other agencies that voluntarily work  
5 for OCTMA to do that work.

6 So it's a little bit problematic for us.

7 CHAIR SPAGNOLI: Executive Director Cappitelli?

8 MR. CAPPITELLI: Yes, just briefly.

9 First of all, if the perception is that somehow  
10 private providers of training are not allowed to offer up  
11 proposals for courses, that is inaccurate.

12 The standard by which we evaluate providers for  
13 training does not have anything to do with whether they  
14 are a private provider of training or a governmental  
15 entity. It has to do more with other factors, including  
16 unmet training needs, whether or not there are other  
17 presenters who are already presenting that training in  
18 other parts of the state, the audience, et cetera,  
19 et cetera.

20 So we battle this often because sometimes the  
21 perception is, you know, "I can't get a course approved."

22 Well, we have a standard that we maintain, and  
23 there's a reason why, as stated earlier very aptly by  
24 Chief Miller, why California training is the best, and  
25 that is because we are particular about what we approve.



1           But with that said, there is a process, and we  
2       welcome any private training provider who feels that they  
3       are not getting a fair opportunity to offer a training  
4       presentation, they can appeal directly to me, and we'll  
5       evaluate that.

6           Mr. Deal or Mr. Reed, is there anything you'd like  
7       to add to that?

8           MR. DEAL: No, I think you have covered it, exactly.

9           It's 1052 of our POST Administrative Manual. It  
10       lays out exactly what you have to do to get a course  
11       certified. And there is no distinction between an agency  
12       presenter or a private presenter in terms of the  
13       responsibilities that you have to fulfill in order to be  
14       a presenter and get approved to have a POST-certified  
15       course.

16          VICE-CHAIR CASAS: I will convey that to my group  
17       then.

18          Thank you, Paul.

19          CHAIR SPAGNOLI: We have one more comment from Bob,  
20       under new business.

21          MR. STRESAK: Under new business, I was just going  
22       to relate a conversation that occurred yesterday in the  
23       selection committee.

24          And the question was raised that if the Commission  
25       is going to go to great extents to acknowledge excellence

1 in training with some of these programs, then what do we  
2 do with it beyond just administering an award to the  
3 individuals that initiated and created that?

4 And so we are going to begin a dialogue to look at  
5 if a program rises to the level that the Commission  
6 declares it excellent, then perhaps we should look at how  
7 to better disseminate that among our stakeholders, how  
8 to perhaps either issue grants to support that delivery  
9 of training, or other ways to look at, to encourage the  
10 spread and dissemination of that beyond posting the award  
11 on a Web site. So we will begin a dialogue in that  
12 regard.

13 CHAIR SPAGNOLI: Okay, any other new business or old  
14 business?

15 *(No response)*

16 CHAIR SPAGNOLI: All right, the next meeting of the  
17 Advisory Committee will be Wednesday, June 27<sup>th</sup>, in  
18 Sacramento. And the Commission meeting is set for  
19 June 28<sup>th</sup> in Sacramento.

20 This meeting is adjourned.

21 *(The gavel was sounded.)*

22 *(The Advisory Committee meeting concluded*  
23 *at 3:34 p.m.)*



**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 March 12<sup>th</sup>, 2012.

---

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

## AGENDA ITEM REPORT

**Title:** STAFF WILL CALL FOR THE 2012 OPENING OF THE NOMINATIONS FOR THE POST EXCELLENCE IN TRAINING AWARDS.

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### REPORT PROFILE

<b>MEETING DATE</b> 6/27/2012	<b>BUREAU SUBMITTING THIS REPORT</b> Executive Office	
<b>RESEARCHED BY (PRINT NAME)</b>		<b>REVIEWED BY (PRINT NAME)</b>
<b>REPORT DATE</b> 05/30/2012	<b>APPROVED BY</b>	<b>DATE APPROVED</b>
<b>PURPOSE</b>	<b>FINANCIAL IMPACT</b> No	

### ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

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**ISSUE:**

**BACKGROUND:**

**ANALYSIS:**

**RECOMMENDATION:**

### **ATTACHMENT(S):**

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 [POST Excellence in Training Awards.pdf](#)

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## POST Excellence in Training Award

About the Award	Categories	Eligibility	Nomination Process	Nomination Checklist	Award Criteria
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### About the Award

The POST Excellence in Training Award annually recognizes truly outstanding law enforcement trainers. Previously known as the Governor's Award for Excellence in Peace Officer Training, the awards for training excellence began in 1994.

The POST Excellence in Training Award recognizes individuals and organizations for outstanding achievements and contributions to law enforcement training. The award encourages and fosters innovation, quality, and effectiveness. The award is given in three categories: Individual Achievement, Organizational Achievement, and Lifetime Achievement. The awards are presented by the Commission at a special ceremony in June. Runners-up receive honorary certificates of recognition.

### Review Process

The nominations for the three categories of the award are reviewed each year by the POST Advisory Committee. The Advisory Committee includes representatives with broad-based interests in the law enforcement profession. The nominations are evaluated using specific criteria for the three awards. The Committee deliberates and makes its recommendations to the Commission. The Commission makes the final award selections.

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## 2010 Award Winners

### 2010 Individual Achievement

Detective Teresa L. Irvin, Los Angeles Police Department (LAPD), Detective Support and Vice Division, is recognized for her extensive research into critical incidents involving barricaded suspects, hostage standoffs, and attempted suicides. Detective Irvin identified an increase in critical incidents involving returning veterans who had experienced combat during deployment. She learned about ways that responding officers could better handle critical incidents involving veterans with minimal risk to the individuals and the first responders. She incorporated the information she gained from her research into the LAPD's Crisis Communications Course and provided training regarding Post Traumatic Stress Disorder to countless first responders and crisis negotiators to help them to effectively de-escalate a crisis. Because of the studies she has completed, regarding critical incidents, the LAPD Mental Evaluation Training Unit has been selected as a Specialized Response Law Enforcement/Mental Health Learning Site by the Council of State Governments Justice Center and the Bureau of Justice Assistance.



**Runner-up:** Dawewon Kim, Acting Supervising Investigator, and Britton Schaefer, Senior Investigator, Los Angeles County District Attorney, Bureau of Investigation are the runners-ups for the 2010 POST Excellence in Training Award for Individual Achievement.

### 2010 Organizational Achievement

The California Narcotic Officers' Association (CNOA) is recognized for the development and presentation of innovative training that has been recognized within and outside of California. The CNOA has had a statewide and national impact through its offerings of unique, specialized law enforcement training. The CNOA has presented over 1,400 classes to over 110,000 officers, and offers 43 POST-certified courses. The CNOA is a not-for-profit professional training organization that conducts "training needs assessments" for law enforcement agencies throughout the state. The CNOA manages the Narcotic Educational Foundation of America, a non-profit outreach program that provides no-cost training materials and instructors to community groups, schools, and partners in anti-drug organizations. In 1994, CNOA created the Survivors Memorial Fund that provides immediate cash assistance to families of

Work in Progress



California peace officers killed in the line of duty. This award was accepted on behalf of the California Narcotic Officers' Association by Director of Training Jim Aumond.

**Runner-up:** The Los Angeles Police Department for development of the Multiple Assault Counter-Terrorism Action Capabilities (MACTAC) is the runner-up for the 2010 POST Excellence in Training Award for Organizational Achievement.



## 2010 Lifetime Achievement

Captain Richard Wemmer retired from the Los Angeles Police Department (LAPD), has over 38 years of law enforcement teaching experience and has been an instructor at Golden West College, Regional Criminal Justice Training Center for 32 years. He has frequently been recognized for his work in officer safety and tactics training. He has authored several articles related to the killing of peace officers and has received commendations throughout the United States for his training in preventing peace officer deaths and injuries. Presently, Captain Wemmer is the Coordinator of the Officer Safety Tactics (OST) program at Golden West College, Criminal Justice Training Center. He has tailored the OST program to minimize downtime and maximize the training experience for the students. He has played a vital role in the development of officer survival skills training and offered it to hundreds of basic academy recruits and in-service officers.

**Runner-up:** Jody Buna, Senior Law Enforcement Consultant (Retired), Commission on Peace Officer Standards and Training (POST) and Lieutenant (Retired), Oakland Police Department is the runner-up for the 2010 POST Excellence in Training Award for Lifetime Achievement.

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## Past Award Recipients

2009

### 2009 Award Winners

#### 2009 Individual Achievement

Captain Tony Farrar, Rialto Police Department, is recognized for his 27 years of continuously seeking ways of improving the working environment within his department, regionally and nationally. Tony has consistently developed and implemented training in several critical areas of law enforcement. He developed a comprehensive supervisory leadership development program that incorporated a "360-degree" evaluation system. He has had numerous articles published in several major law enforcement journals. He has developed several tactical courses, including an Advanced SWAT Commanders Course. He has also provided training on many subjects throughout California and nationally, including Citizen Emergency Response Team (CERT) Courses. Tony has taught for the National Tactical Officers Association, the California Association of Tactical Officers, the California Tactical Dispatchers Association, and the California Narcotics Officers Association and holds membership in such organizations.



**Runner-up:** Officer Sandra Terhune-Bickler, Ph.D., Santa Monica Police Department

#### 2009 Organizational Achievement

The San Bernardino County Sheriff's Department, Emergency Vehicle Operations Center (EVOC) is recognized for consistently providing exceptional driver training for 13 law enforcement basic academies and for providing highly sought in-service driver training for law enforcement, fire, ambulance, public utilities, federal and state agencies, and private citizen groups. The facility sits on 80 acres of land that is dedicated to a full array of driving experiences. Additionally, the facility provides Driver Awareness Instructor and Driver Training Instructor training and in-service instruction to law enforcement personnel from not only California, but nationally and internationally. The emphasis of defensive driving by staff of the EVOC, not only in the Basic Academy but also in perishable skills training, has resulted in a reduction in officer/deputy involved collisions, deaths and injuries, and has reduced liability. Accepting the award on behalf of the San Bernardino County Sheriff's Department was the EVOC Facility Manager John Migaiolo.



**Runner-up:** N/A

Work in Progress

### 2009 Lifetime Achievement

Devallis Rutledge, Special Counsel to the Los Angeles County District Attorney, is recognized for being consistently on the leading-edge of using technologies to deliver training. From 1979 to the present, Devallis has written 12 law enforcement text books, published 182 articles, presented 1,182 roll call video training sessions and written 1,040 training bulletins. He is highly regarded by law enforcement officers and prosecutors for his training on such subjects as interview and interrogation and search and seizure. He was instrumental in the effort to convert California police reports to the first-person, active voice and composed the standardized DUI arrest report form used by most law enforcement agencies. He has been recognized and received many awards for his contributions to law enforcement training from the California District Attorneys Association, National College of District Attorneys, Orange County District Attorney's Office, and the San Bernardino County Sheriff's Department.



**Runner-up:** Rosanna McKinney, Dispatch Training Coordinator/POST Master Instructor, State Center Regional Training Facility, Fresno

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Work in Progress

3/29/2012

## AGENDA ITEM REPORT

**Title:** STAFF WILL CALL FOR THE 2012 OPENING OF THE O.J. "BUD" HAWKINS EXCEPTIONAL SERVICES AWARDS.

### REPORT PROFILE

<b>MEETING DATE</b> 6/27/2012	<b>BUREAU SUBMITTING THIS REPORT</b> Executive Office	
<b>RESEARCHED BY (PRINT NAME)</b>		<b>REVIEWED BY (PRINT NAME)</b>
<b>REPORT DATE</b> 05/30/2012	<b>APPROVED BY</b>	<b>DATE APPROVED</b>
<b>PURPOSE</b>	<b>FINANCIAL IMPACT</b> No	

### ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

**ISSUE:**

**BACKGROUND:**

**ANALYSIS:**

**RECOMMENDATION:**

### **ATTACHMENT(S):**

Name:

Type:

 [The OJ Bud Hawkins Exceptional Service Award.pdf](#)

Executive Summary



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## The O.J. "Bud" Hawkins Exceptional Service Award

[About the Award](#)
[The Inspiration](#)
[Selection Criteria](#)

### About the Award

Excellence in service and setting high standards is the foundation upon which the California Commission on Peace Officer Standards and Training (POST) stands. Attaining excellence on a continuous basis is the result of many dedicated staff, subject matter resources, the POST Advisory Committee and POST Commission members. This annual award recognizes all these individuals but, most particularly, those who have demonstrated sustained effort over time. These few individuals have made a difference and a lasting contribution. Their creativity, perseverance, and dedication to improve the California law enforcement profession is recognized with this "Exceptional Service" award.

Annually, the Commission may bestow this award upon one or more individuals and record their names on a perpetual award at POST. Recipients receive this award at the June Commission meeting. To preserve the "Exceptional Service" nature of this award, the Commission reserves the prerogative of not issuing the award in any given year.

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### Award Winner – 2010

#### Exceptional Service Award

No nominations were submitted for this award.

[Settings](#) [Edit](#)

### Past Award Recipients

[2009](#)

### Award Winner – 2009

#### Exceptional Service Award

Selected for the 2009 O.J. "Bud" Hawkins' Exceptional Service Award was James H. Fraser, Fraser and Associates, Inc. Jim started his career with the Alameda County Sheriff's Department before joining the US Army and serving in Vietnam. Jim is internationally recognized as an expert in anti-terrorism. Jim retired as a full colonel in 1993 during which time he has been working with POST on a number of projects. Jim has worked diligently for nearly two decades to develop highly-skilled and competent law enforcement instructors through the design, development, and delivery of several POST instructor programs. These programs include: the Master Instructor Development Program (MIDP), the Instructor Development Institute (IDI), the Instructor Symposium, and the Institute of Criminal Investigation (ICI) Instructor's Course. Jim has also served on the International Association of Chiefs of Police (IACP) Terrorism Committee for eight years.

Jim has trained thousands of officers and public safety dispatchers, who serve as instructors in many of POST's essential training programs. These instructors serve as the backbone of effective law enforcement training. Jim's approach to training instructors pushes them to achievements beyond their own expectations and then pushes them even further. He has the



tremendous ability to effectively communicate his expectations in ways that reach officers and executives alike. He brings out the best in people and he has been described as the "ultimate instructor." He has also trained seven previous winners of the Governor's Award for Training Excellence and the POST Excellence in Training Awards.

2008

## Award Winner – 2008

### Exceptional Service Award

Selected for the 2008 O.J. "Bud" Hawkins' Exceptional Service Award was William Kolender, Sheriff, San Diego County Sheriff's Department. Sheriff Kolender has dedicated 50 years of his life to the law enforcement profession. He was appointed and served on the Commission on Peace Officer Standards and Training five times since 1976. He has been a leader, an inspiration, and a mentor to members of the law enforcement community, his own community, and with legislators related to training and other matters of critical importance to law enforcement. His collaborative approach to problem solving has left a legacy of successes in addressing difficult and complex issues throughout his career.

Sheriff Kolender has been the recipient of many prestigious awards for his tireless work with groups and professional associations at the local, state, and national levels. He was the Chief of Police of the San Diego Police Department, Director of the California Youth Authority, and has been the Sheriff of the San Diego County Sheriff's Department since 1994. He has been a law enforcement advisor to several of California's Governors. He is a former president of the California State Sheriffs' Association, past president of the Major Cities Police Chiefs' Association, and past president of the San Diego Police Officers' Association and the California Council of Criminal Justice. Sheriff Kolender has been appointed by the Governor of California to the Mental Health Oversight and Accountability Commission and as a member of the San Diego Judicial Selection Advisory Committee.



Sheriff Kolender was presented with this prestigious trophy in a ceremony held in Sacramento on April 23, 2009.

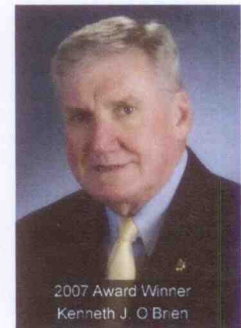
2007

## Award Winner – 2007

### Exceptional Service Award

Selected for the 2007 POST O.J. "Bud" Hawkins Exceptional Service Award was Kenneth J. O'Brien, former Executive Director of POST. The selection was made because he has dedicated his professional life to serving the people of California and public safety. During the 10 years that he was the Executive Director of POST, his leadership created an atmosphere of innovation and support for the POST Strategic Plan which was developed during his tenure as the Executive Director. Under his leadership, POST experienced many major accomplishments including increased funding, mandatory training for instructors in basic academies, mandatory field training for entry-level peace officers, incorporating leadership, ethics, and community policing throughout the basic training curricula, establishing the regional skills training center concept, and developing basic courses student workbooks.

Mr. O'Brien dedicated over 50 years of his life to the law enforcement profession. Thirty-one years were served with the San Diego Police Department, and the remainder of the time was spent as the Director of Investigations for the State Bar of California, as the first Inspector General for the California Youth and Adult Corrections Agency, and, finally, as a consultant, bureau chief, and the Executive Director of POST.



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