

ATTACHMENT D

**COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING**

December 19, 2016



EDMUND G. BROWN JR.
GOVERNOR

KAMALA D. HARRIS
ATTORNEY GENERAL

Larry Giannone
Director of Public Safety/Chief of Police
242 West Sierra Madre Boulevard
Sierra Madre, CA 91024

**RE: REQUEST FOR REQUALIFICATION EXEMPTION-OFFICER
GRANT CADZOW**

Dear Chief Giannone,

This letter is in response to your request for an exemption from the requalification requirement per California Commission on Peace Officer Standards and Training (POST) Regulation as it applies to Officer Grant Cadzow (POST ID #C19-D41).

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

The Sierra Madre Police Department committed an oversight in appointing Cadzow, the corollary regulatory remedy is to require him to attend another RBC. Cadzow's initial appointment as a level II reserve did not require completion of the full RBC. Therefore, the time period with respect to expiration of Six Year Rule did not stop, and Cadzow was technically ineligible for appointment as a level I reserve officer (and eventual transition to full-time officer) on January 19, 2015, since 6 years and 10 months had transpired.

POST Regulation is a matter state law under Title 11, Division 2 the California Code of Regulations, and the authority extended to POST Staff, including the Executive Director are limited to specific capacities.

Given the fact pattern of Cadzow's circumstances, neither I, nor my staff have the authority to exempt Cadzow from the retraining requirement pursuant to Regulation 1008.

Letter to: [Chief Giannone]
[Agency – Sierra Madre Police Department]
[December 8, 2016]
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However, should you desire to seek a remedy, the full Commission may have the authority take the matter under consideration at its next scheduled meeting.

If your agency would like for the Commission to hear this appeal, you may do so at the next Commission Meeting which is scheduled to be held on Thursday, February 23, 2017, at the Anaheim Majestic Garden Hotel, 900 South Disneyland Drive, Anaheim, CA 92820. My staff are available to assist you in preparation for the matter.

If you have any questions regarding this matter you may contact Scott Loggins, Chief, Basic Training Bureau at (916) 227-4261 or sloggins@post.ca.gov.

Sincerely,



MANUEL ALVAREZ, JR.
Executive Director

MA:sl