

ATTACHMENT R

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

December 22, 2015

David Ortiz
[REDACTED]

RE: SECOND REQUEST FOR BASIC COURSE WAIVER

Dear Mr. Ortiz,

The California Commission on Peace Officer Standards and Training (POST) received your second request for a Basic Course Waiver (BCW). POST records indicate that you completed the California Regular Basic Course (RBC) in 2002. Therefore, you are not eligible for a waiver of a course you have already completed. This matter was addressed after considerable research by POST staff, and the result was provided to you in formal correspondence on March 13, 2012. I have also personally responded to you regarding this matter on March 9, 2015 and October 23, 2015.

As mentioned in the initial letter addressing this matter, the BCW waiver of attendance of the (RBC) is an option for meeting California's training requirement for individuals who have not completed the RBC. Neither the fact pattern of your request nor the applicable regulation has changed. Again, this is a matter of state law under Title 11, Division 2 the California Code of Regulations, specifically POST Commission Regulation 1008(a)(1), which reads as follows:


"An individual who has completed training comparable to a POST-certified Regular Basic Course or Specialized Investigators' Basic Course may request a waiver of the basic course training requirement specified in Regulation 1005(a) or 1007(a) "

Pursuant to Regulation, requalification is **required** for any individual who seeks appointment or reappointment to a position for which the Regular Basic Course (RBC) or the Specialized Investigators' Basic Course (SIBC) is required, if the individual has already successfully completed a POST-certified RBC or SIBC and has not previously served as a California peace officer. This applies to your circumstances.

Neither I, nor any member of my staff have the authority to override existing law. If you desire to become a California peace officer you will need to complete an appropriate basic course. As with your ongoing requests for an exemption to regulation regarding the Six-Year Exception, all levels of appeal directly to POST staff with regard to your BCW ineligibility have been exhausted.

This matter is closed. Continued requests for review given the same fact pattern will not change this decision. Therefore, future requests regarding your BCW ineligibility that have previously been addressed will not generate a response from this office.

Sincerely,


ROBERT A. STRESAK
Executive Director
RAS:sl