

ATTACHMENT T

DAVID ARMANDO ORTIZ

MAY 26, 2016

**Executive Director, Interim Mrs. Stephanie Scofield
Commission on Peace Officer Standards and Training
860 Stillwater Road, Suite 100
West Sacramento, CA 95605**

RE: Title 11, Division 2 CCR POST Commission Regulation 1008 (a) (1) Exemption

Dear Mrs. Scofield,

Thank You for taking the time out of your busy schedule to entertain my letter. I spoke to the Chief of the Basic Training Bureau Mr. Scott Loggins and Basic Training bureau Senior consultant Mr. Michael Barnes. I was told that there is a Commission Meeting June 22, and 23, 2016 at the Commission on POST in Sacramento. I am in receipt of the denial letter from Mr. Bob Stresak and I would like to appeal the decision through the Commission. I previously submitted a request to appear before the Commission I submitted the packet to the wrong person and the request was misplaced at Attorney General Kamala Harris office. I am respectfully requesting to be placed on the meeting agenda for the June session meeting, and am submitting this letter at least 20 days prior to the commission meeting 22, 23 June 2016.

- On July 15, 2000 I was assigned on Active duty with the California Army National Guard specialized unit as the unit Team Chief 95th Civil Support Weapons of Mass Destruction Team located Hayward, CA
- Approximately on or about November 15, 2001 our entire 22 member Team were put through the Alameda County Sheriff Regional Training Center located in Alameda, CA.
- The cost to my recollection for an individual to go through the entire full-fledged 6 month Sheriff Regional Training Center was \$5,200.00 not including uniforms.
- April 23, 2002 the entire Team completed the 852 Hours Academy Training (6 months) 116th Training Cycle, issued a Regular basic course POST certificate, administered an OATH by Sheriff Plummer (See TAB A)
- November 4, 2004 I deployed to the Middle East in support of Operation Enduring Freedom (See TAB B)
- January 5, 2006 returned back from OEF, and I immediately contacted the Commission on Peace Officer Standards and Training located in Sacramento to request for a profile report
- 05 January 2006 I was informed by a POST Technician namely Luanne Vasquez that there are NO Training records entered in the system to indicate that I've ever completed any Police Training in California much less any Training at Alameda, CA County Regional Training Center.
- 2007- 2008 (unknown exact dates) I began the painstaking effort to locate any Training records to prove my attendance through the Alameda County Sheriff's Academy. I drove to Dublin and met with Mrs. Sonia Castro at Alameda County Sheriff Regional Training Center and Mrs. Castro provided me Training course records for my 116th Police Academy cycle.

- Approximately 2010 (unknown exact date) Mrs. Luanne Vasquez informs me that she received by course syllabus, and other documentation that I emailed her but it will take some time to enter all the information in the POST system to receive credit of training completed. Mrs. Luanne Vasquez did inform me that my Regular Basic Course certificate from the Academy does expire after 3 years, and 6 years total with a waiver exception. I informed Mrs. Vasquez that I did not exist in the POST system, and does that regulation apply to someone that is not recognized in the system until years after the oversight was discovered. (See TAB C)
- Deployed overseas on a humanitarian mission (See TAB D)

Note: October 6, 2010 my mother passed away at the age of 63 in her sleep from rheumatic Heart disease brought on from her battle with lupus. This caused more of a setback for me to get my situation resolved. (See TAB E)

- I've sent multiple letters POST Commission explaining the circumstances that were out of my control that resulted in the time lapse and subsequently my certificate expiring and also pointed the high military OPTEMPO after 9/11. Mrs. Luanne Vasquez responded back via correspondence denying my request for extension and requalification course opportunity informing me that I am required to complete an entire 6 month Academy prior to exercising peace officer powers in California IAW Title 11, Division 2 CCR POST Commission Regulation 1008 (a)(1)
- 02 August 2012 I met with the Vice President of Academy Services Gregg Guissiana South Bay Regional Training Center located at Evergreen Valley College San Jose, and explained to him the oversight at POST that resulted in time lapse and caused my certificate to expire. I requested from the Vice President to do the 3-week POST re-qualification course at his Academy as a self-sponsored student.

Note: 3 week re-qualification is equivalent to 6 month full Academy to receive a regular Basic course equivalent for 3 year period.

- Mr. Gussina approved why request pending approval from POST, and I paid the deposit.
- I paid the entire \$1, 945.00 required to cover the registration fee, equipment, weapon, uniforms prior to the first day of the course that commenced ironically on September 11, 2012. Mr. Gussiana informed me that he would need final approval from Commission on POST prior to reporting to the first day of Training. (See TAB F receipt notes for details).
- Completed the course September 28, 2016 (See TAB G POST Certificate with Control provided by POST Commission in Sacramento).
- Contacted Luanne Vasquez, and through conversation of re-doing the requalification course again she informed me that I was not approved to go through the requalification course in 2012 and therefore my requalification course certificate is NULL and VOID. I informed Mrs. Vasquez that Vice President of the South Bay Regional Training Center Mr. Guissiana approved me to attend the requalification course in 2012, pending final approval from POST, paid \$1, 945.00 to South Bay Regional Training Center and subsequently received a POST Certificate with a control

number only provided by your office. She said to me " Oh my gosh these guys" "I'm sorry your certificate is no good." You need to attend the 6 month Academy again. (See TAB H)

- This entire ordeal above has been no fault of mine, and has costed me \$ 1, 945.00 out of pocket. I am the main bread winner in my family. I would am respectfully requesting a one-time exception/provision to Title 11, Division 2 CCR POST Commission Regulation 1008 (a)(1) and provide me a 3 year extension to my requalification certification and if time has elapsed to far since 2012 I am willing to do a 3 week requalification over again.
- March 8, 2016 I received a telephone call from the South Bay Regional Training Consortium Mrs. Terry Rousseve Instructional Staff Assistant requesting from me to send her a POST profile report. I inquired from Terry as to why, and was she aware that she was contacting the correct David Ortiz. She replied Yes, and please email me an up to date profile report. Terry sent me an email the following day and informed me of the following " Because of the special circumstances with your service time, you will need to contact POST to see if they will allow you to attend Requal again, or if you need to go thru the complete Academy again". "Thank you, Terry". (See TAB I for details)
- Note: It is noteworthy to mention that I was informed by my classmate via text during the requalification course that he went through the requalification course twice. (See attachment J).
- The Gavilan course catalog clearly states that the requalification course could be taken twice or three times for credit. (See attachment K for details).

This exemption/provision would provide me the opportunity to get hired with a Law Enforcement Agency after my retirement 30 June, 2017. Thank You very much for your time, and favorable consideration to my request.

Respectfully,


David Ortiz