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not the intended recipient, please contact the sender and destroy all copies of the communication.

From: Singer, Kate@POST
Sent: Thursday, May 19, 2016 9:09 AM
To: Rodriguez, Mario@POST <Mario.Rodriguez@post.ca.gov>
Subject: FW: POST Basic Certificate Situation

Here's my email...

From: Terence V. McCullough [mailto:Terence.V.McCullough@post.ca.gov]
Sent: Sunday, May 15, 2016 8:46 PM
To: Singer, Kate@POST <Kate.Singer@post.ca.gov>
Subject: POST Basic Certificate Situation

Greetings, Ms. Singer —

Detective Terence V. McCullough here, with the Office of Protective Services (OPS), California Department of State Hospitals (DSH). I am stationed at Napa State Hospital:

http://www.dsh.ca.gov/Law_Enforcement/default.aspx

My wife Dana is thrilled to have re-connected with you after all these years, and I am happy for her as well.

Dana said she spoke with you briefly regarding the POST Basic Certificate dilemma I am dealing with. I would like to first say that I in no way want any professional communications regarding this, between you and I, to affect your friendship with Dana. This is very important to me, and I sincerely hope you understand my position regarding this. That said, I am grateful for you directing her to have me contact you. I know it is extraordinary, and I thank you.

My situation may appear complicated (it is, I guess), but I will attempt to simplify it for your review.

I apologize in advance if I seem passionate about this subject; it has been the source of much frustration and stress. I in no means mean this email to be perceived as hostile or of a complaining nature.

You taking the time to listen means so much. I sincerely thank you again.

I am a self sponsored graduate of the POST Regular Basic Course (graduation date: 06-13-2009), and the POST Recertification Course (graduation date: 05-05-2013).

While I was in the Academy, the US economy hit full stride of what is now called the Great Recession. Between just Oakland PD and San Jose PD, 164 experienced officers were laid off. This fact, combined with shrinking opportunities in the law enforcement job market, eliminated practically any possibility of an academy graduate being hired in the several years following my graduation. There were simply too many qualified, experienced laterals available for too few legitimate job openings in law enforcement; the openings, in my experience, were always filled by laterals (as they should have been).

I applied and was hired by DSH more than three years after my graduation. During those three years, I submitted countless applications, and did countless oral boards and several background processes, only to always be "passed over"

for lateral applicants.

I was appointed as a peace officer under California Penal Code Section 830.38, by DSH, on 08-31-2012:

http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=830.38.&lawCode=PEN

As you can see, I have full peace officer powers anywhere in the state of California. There has been misconception about this in the past.

OPS has two separate law enforcement sub-divisions; the Police Department, where I am employed, and the Office of Special Investigations (OSI). Both divisions are sworn under the same penal code section, but OSI is POST participating, while the PD is not — state wide.

The PD requires PC832 with firearms for appointment, while OSI, as they are POST, requires a full academy.

As you may imagine, the majority of the legacy officers employed by OPS have the minimum training requirement, and have no desire to further train. They are long time employees, and are satisfied with their positions.

OPS took advantage of the rich pool of full academy graduates and hired several of us. We all were in the same position: we needed a law enforcement job to gain valuable experience, and there simply weren't any. We all are grateful for the positions we obtained.

However, being fully trained and cognitive of the law enforcement environment outside of OPS, some of us were immediately concerned of our "clock ticking" with regard to our Basic Academy certifications.

The POST "Six Year Exception" became a serious concern. I completed the Recertification Course with the intent of securing another position that was POST participating. But I still ran into remnants of the Recession, even in 2013. My Basic Academy Certificate's six year maximum validity, under the "Six Year Exception" expired in June 2015. I was devastated.

To be completely honest, I feel POST should make an exception for those who had absolutely no chance of obtaining legitimate employment during these very hard years. Perhaps another Recertification being allowed, or an extension of an existing one. This circumstance had not been presented to the United States since 1929, and to not accommodate the absolute absence of jobs and force people to repeat an entire academy, to me, is unreasonable. That is only my opinion.

I had another vicarious, but equally frustrating experience with POST as well.

Prior to the expiration of my certification, I had assisted a colleague of mine applying for his POST Basic Certificate under the "Exception" for application, detailed in the POST Administrative Manual (PAM) section 1011(a)(4):

"When a POST Basic Certificate is required to continue to exercise peace officer powers pursuant to Penal Code Section 832.4, employment with a participating department is not required at the time of application."

PC 832.4: http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=832.4.

PC 830.1(a): http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=830.1.&lawCode=PEN

I feel strongly that we are included in at least one, if not both of these code sections, as did my colleague. It is clear that we work for a State agency, authorized by penal code to maintain a police department, and are appointed by the director of said public safety agency.

The response to my colleague was a denial of his application, due to DSH not being a "district". We disagree with the automatic denial, and feel that there is more than enough justification to appeal this decision. Our dilemma was with whom to escalate our appeal.

The code is clear; the language may be vague, as can be the case with penal codes, but we definitely fall into the categorization that should be granted a POST Basic Certificate.

My colleague said the interaction with POST was quite rude. Our perception was that POST did not feel we are fully qualified peace officers, due to the training requirement for appointment at OPS. Our position is that this is irrelevant, as we have full powers, by penal code, satisfied by our appointment under PC 830.38. We felt that we were getting "the runaround", and were not being taken seriously. This was both frustrating and hurtful. In short, we felt disrespected by POST.

I have had several telephone interactions with representatives from POST, along the same lines. My experience was consistent, in that I was treated rudely and dismissively. This should not be the case, especially as I feel I have a legitimate case for being awarded the POST Basic Certificate.

My motive, of course, is to lateral to another agency that is POST participating without having to repeat the Regular Basic Course.

I have completed 1207 hours of POST training, and have 130.97 total promotion points. Were I in possession of a POST Basic Certificate, I would be eligible for a POST Intermediate Certificate on 08-31-2016.

I have been a fully operational, fully sworn peace officer for almost four years, with the last 1 year and 9 months as a detective. I have secured, in that 21 months, convictions totaling 38 years of prison time. I have achieved convictions for Criminal Threats, Sexual Battery, Battery on a Peace Officer, Attempted Murder (NGI verdict with a period of commitment of 13 years — not included in years totaled previously), Battery Causing GBI, and others. I am currently working a homicide (murder) case, as the lead investigator. This is for the first murder to be handled entirely by OPS, without an outside agency taking over.

I am a POST certified FTO and Firearm Instructor, among other training certifications.

In short, I am asking to have my individual circumstance considered beyond an initial level. I have done many ride alongs (most recently last night, 05-14-2016, with El Cerrito PD) where I actually semi-trained the officer I rode with. The feedback I have received from agencies I am now processing with is that I should be a full lateral.

I would be happy to go into more detail regarding specifics on the telephone, should you desire.

I have attached my POST profile for your review.

In closing, I sincerely thank you again for taking the time to consider my situation. Your doing so is certainly going above and beyond, and I do not take that lightly. It is immensely appreciated.

Respectfully,

Terence V. McCullough

Napa Valley College Criminal Justice Training Center

*Upon the recommendation of the Faculty
the Criminal Justice Training Center does hereby confer upon*

Terence McCullough

a certificate of graduation from the

CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
BASIC LAW ENFORCEMENT ACADEMY

*with all the rights, honors, and privileges thereunto appertaining.
Presented this 13th day of June in the year two-thousand nine.*



DAMIEN SANDOVAL, DIRECTOR



AARON ROSS, ACADEMY COORDINATOR



**Napa Valley Criminal Justice Training Center
Basic Police Academy Cadet Performance Evaluation**

Name: McCullough, Terence	Class ID # 74-25	Affiliation / Sponsoring agency:	Date: 06/12/09 - WEEK 22 (3 of 3: Final Eval.)
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Positive SIR Cards:	01	Negative SIR Cards:	10	P.T. Missed:	0 out of 47 sessions	Hours Missed:	9h 00m
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>> FINAL SCORES <<

Learning Domain Tests	93.85%	Physical Fitness: (Minimum 384 points Required.)	533 Final Points
Report Writing	96.92%	Driving/Emergency Vehicle Operations Course	100%
Quizzes	92.21%	Scenarios	92.63%
Firearms	88.76%	Weaponless Defense	84.50%

CORE COMPETENCIES

COMMUNICATION SKILLS: (COP Presentation, Report Writing and Tactical Communications Scenario.) FINAL: 96.86%

This is Cadet McCullough's 3rd and final Performance Evaluation. Based on his demonstrated learning abilities, Cadet McCullough should be able to successfully satisfy his employing agency's REPORT WRITING performance expectations. His training and demonstrated competence in the TACTICAL COMMUNICATIONS SCENARIO supports that he possesses the communication skills essential in effectively applying communication techniques in the performance of his duties.

PROBLEM SOLVING: (Scenarios.) FINAL: 92.63%

His training and successful performance in all of the following SCENARIOS: Death, Felonious and Sexual Assault investigations; Abandoned Vehicle, Ethical Intervention, Nighttime Vehicle Stop/DUI, Pedestrian Approach, Use of Deadly and Non-Deadly Force; Building Search, Critical Incident, Suspicious Person; Domestic Violence, Landlord/Tenant Dispute, Persons with Disabilities, Sniper/Ambush, and the Ethics Oral Board all helped to develop his competence in PROBLEM SOLVING.

LEARNING ABILITY: (All Learning Domain Tests, Radio Codes Quizzes and Code of Ethics Recitation.) FINAL: 93.31%

Cadet McCullough consistently demonstrated his competent LEARNING ABILITIES based on his studies, retention, and effective application of newly acquired knowledge and skills as substantiated by his scores in this core competency.

INTERPERSONAL SKILLS: (Crisis Intervention and 5150 W&I Scenarios, Individual COP Project Research Paper.) FINAL: 96.50%

His performance score substantiates that he possesses the INTERPERSONAL SKILLS necessary to competently perform the duties associated with CRISIS INTERVENTION and PERSONS WITH MENTAL DISABILITIES. He successfully achieved **100%** on his C.O.P. PROJECT RESEARCH PAPER.

PHYSICAL SKILLS: (Firearms Qualifications, EVOC, Weaponless Defense/Baton and Physical Training Tests.) FINAL: 89.95%

Cadet McCullough successfully met expectations in all PHYSICAL SKILLS tests. He "**exceeded**" P.O.S.T. and the Police Academy minimum performance objectives in demonstrating his abilities in Physical Training as noted above.

DESIRE FOR SELF IMPROVEMENT: (RTO Score, Ethics Oral Board, Attendance, Inspections, Portfolio Project.) FINAL: 99.25%

Cadet McCullough received a RTO SCORE of **95%**. He achieved **100%** on the ETHICS ORAL BOARD. His ATTENDANCE in scheduled academy hours and Physical Training is noted above. He received **100%** on his PORTFOLIO BINDER, and **96%** for his PORTFOLIO PRESENTATION. Cadet McCullough has been prepared mentally, morally, emotionally, and physically to advance into a law enforcement Field Training Program and assume the responsibilities and execute the duties of a peace officer. He has received training and testing that ensures he has graduated with the demonstrated character, knowledge, problem-solving abilities, human relations, communication, and physical skills necessary to meet the professional skills required of a peace officer. He has demonstrated that he knows the significance of the LAW ENFORCEMENT CODE OF ETHICS and CANONS OF ETHICAL CONDUCT. Based on his demonstrated maturity, professional conduct and performance during these past nine months, I believe he will be an officer-safety conscious, community oriented, self-motivated, proactive, and productive exemplary officer during his challenging career! Cadet McCullough successfully graduated from the P.O.S.T. Basic Police Academy, Class 74, completing 880 hours of comprehensive training within 22 weeks, January 10, 2009 – June 13, 2009. *Congratulations!!*

Always remember... Your Will To Survive is an Attitude - Never, Ever Give Up!! Rely on your Training, and Always Do the Right Thing!

Geoff Rochester, Recruit Training Officer	Signature: 	Date: 06/13/09
Damien Sandoval, Academy Director	Signature: 	6-13-9
Cadet Terence McCullough	CLASS RANKING: #8 of 32.	
Final Evaluation included with Graduation Certificate.		



Santa Rosa Junior College
Public Safety Training Center

COURSE COMPLETION CERTIFICATE



This is to certify that

Terence V. McCullough

has successfully completed the

11550 H&S Drug Influence and Identification
POST # 2980-22220-11001 STC Certification # 0220-003754

DATED THIS 11th DAY OF October 20 11

CONSISTING OF 16 HOURS OF INSTRUCTION AND 5 SEMESTER UNITS

Charise Lucille

Director / Instructor

Steve Chapman

Training Center Director

The ACADEMY



This is to certify that

TERENCE V. MCCULLOUGH

has successfully completed

BASIC ACADEMY REQUAL #32

April 15, 2013 - May 3, 2013

TRANSCRIPTING COLLEGE

Monterey Peninsula College (831) 646-4000
Course # LEETP 146 / Section # 0472
136 Hours / 3 Units
P.O.S.T. Control # 2540-25000-12-003

Steven T. Cushing

Steven T. Cushing
President/CFO

South Bay Regional Public Safety Training Consortium



Providing Excellence and Leadership in Public Safety Training through Regional and Community Partnerships

Napa Valley Criminal Justice Training Center

Certificate of Completion Awarded To

Terence V. McCullough

California Commission on Peace Officer Standards and Training

Firearms Instructor

4200-21640-13-002

40 Hours

February 24, 2014 through February 28, 2014



Damien Sandoval, Director - Napa Valley College Criminal Justice Training Center



Sacramento Regional

Public Safety Training Center

Certificate of Completion

Terence V. McCullough

has satisfactorily completed a course in

Interview & Interrogation Techniques

POST Certification #2970-31445-14001

STC Certification #0218-007921

consisting of 40 hours of instruction

dated this 22nd day of August, 2014

Leo Green

Leo Green

Training Program Coordinator

Certificate of Achievement

This is to certify that

Terence McCullough

Has successfully completed the 16hour
Northern California HIDTA Course

SEARCH WARRANTS "A THROUGH Z"

Presented at

Napa, California

Oct 20 - 21, 2014



Mike Sena, Director



Napa Valley Criminal Justice Training Center

Certificate of Completion Awarded To

Terence McCullough

California Commission on Peace Officer Standards and Training

Field Training Officer

4200-31725-014-003

40 Hours

March 9, 2015 through March 13, 2015



A handwritten signature in cursive script, reading "Damien Sandoval".

Damien Sandoval, Director -- Napa Valley College Criminal Justice Training Center





LOS ANGELES POLICE DEPARTMENT
Certificate of Training

This Certifies that

Detective

Terence McCullough

Napa State Hospital Police Department

Has Successfully Completed the

LOS ANGELES POLICE DEPARTMENT
BASIC DETECTIVE COURSE
POST Control No. 1850-31480-14004

Consisting of Forty Hours of Specialized Instruction and Approved by
the California Commission on Peace Officer Standards and Training.

May 8, 2015

A handwritten signature in black ink, reading "Michelle Veenstra". The signature is written in a cursive, flowing style.

Michelle Veenstra, Commanding Officer
Training Division

The
California Narcotic Officers Association

Region _____

Certificate of Completion

Hereby Awards This

Terence McCullough

For Satisfactory Completion of 8 Hours of Training
in Narcotic Enforcement at the

Implications of the "Use of Force" by Law Enforcement

March 21, 2016

Date

Tony Cruz

Region Chairman

Daljit Gill-White

Training Officer

Erin Horn

Region Secretary



California POST Learning Portal

Proof of Completion

McCullough, Terence

Name

Gangs: PC 186.22 for Patrol

Online course Passed

3 Hours CPT credit

12/12/2014

Date Passed

Not Applicable

CCN / EDI Lookup

This course was presented by POST through the Learning Portal(p.post.ca.gov).
Additional verification can be made through this individual's POST EDI training profile.