

FRED J. HIESTAND

A Professional Corporation

Counselor at Law

May 10, 2022

Manuel Alvarez, Executive Director (manny.alvarez@post.ca.gov)
Kirk Bunch, Law Enforcement Consultant (kirk.bunch@post.ca.gov)
Commission on POST
860 Stillwater Road, Suite 100
West Sacramento, CA 95605

Re: 1983 "Comprehensive Study."

Dear Mssrs. Alvarez & Bunch:

POST's Addendum-Initial Statement of Reasons refers on the last paragraph of page 3 to a 1983 "comprehensive study" apparently supporting the ISR's statement that "permitting appointing authorities at District Attorney's Offices discretion to appoint graduates from either RBC or SIBC basic training promotes consistency with all other POST investigative positions across California."

When I mentioned this Study to you in a phone conversation before the April 11 deadline for filing comments on the ISR and asked if you were going to make it available for public comment, you referred me to POST's website. I searched on POST's website and found what I thought was the referenced Study, which is discussed in the Supplemental Opposition Brief for my clients filed with POST (pp. 12-13). Since then, however, others have informed me that this may not be the same document the ISR referenced. When I mentioned this problem to you in our short phone conversation last week, you did not recall referring me to POST's web page and, in fact, expressed surprise that I would find it there.

Accordingly, what and where is this referenced Study? Since POST mentions and apparently relies on it in its Addendum-ISR, my clients and other members of the public should be given an opportunity to respond to it before POST files its FSR with the OAL. Will you place the Study on POST's website and give those who wish to comment on it and its relation to 11 CCR § 1005(a) a reasonable time to do so as required by Gov. Code § 11347.1? Moreover, I understand any comments about the Study received by POST during the time it is made available for comment will be filed with the OAL along with its FSR and supplemental rulemaking file materials. If my understanding about this is incorrect, please let me know why.

Finally, my clients ask that you place on the agenda for the upcoming May 25-26 POST meeting an item allowing public comment and questions regarding this Study and Regulation 1005(a).

Cordially,


Fred J. Hiestand

Governmental Advocacy, Appellate Practice, Law & Motion





POST

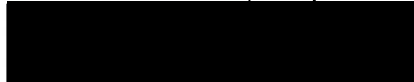
GAVIN NEWSOM
GOVERNOR

ROB BONTA
ATTORNEY GENERAL

**COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING**

May 10, 2022

Fred J. Hiestand, Esq.



Re: 1983 POST Job Analysis of the Entry Level District Attorney's Investigator

Dear Mr. Hiestand,

Per your request, attached is a copy of the 1983 "Comprehensive Study." This study will be included as an attachment to the agenda item regarding Commission Regulation 1005(a) for the May 26, 2022, meeting of the Commission.

Should you have questions regarding the information within this document, please contact me, at (916) 227-3896 or kirk.bunch@post.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "K. B. Bunch".

Kirk B. Bunch
Law Enforcement Consultant II
Basic Training Bureau