STATE OF CALIFORNIA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

In Re: CERTIFICATION OF	**BOARD RECOMMENDATION RE: PEACE OFFICER CERTIFICATION**
Kevin Smithmatungol,	Penal Code section 13510.85(a)(4)
Respondent.	

Penal Code section 13510.85 provides that when, upon the completion of an investigation conducted pursuant to subdivision (a) of section 13510.85, the Peace Officer Standards Accountability Division (the Division) finds reasonable grounds for revocation or suspension of a peace officer's certification, it shall notify the peace officer of the Division's determination and reasons for that determination. If the peace officer files a timely review, the Peace Officer Standards Accountability Advisory Board (Board) shall schedule the case for hearing.

Respondent was served with the Division's Notice of Determination Report and accompanying Notice of Intent to Revoke Certification, notifying Respondent the Division found reasonable grounds for revocation of Respondent's POST certification, on February 18, 2026. Respondent requested a review of the Division's determination and reasons for revocation of Respondent's POST certification on March 10, 2026, and the Board scheduled the case for a hearing which was held on July 16, 2026. At the time of Respondent's request for review of the Division's determination, Respondent had been issued the following POST certification(s):

- ☐ Proof of Eligibility
- ☒ Basic
- ☒ Intermediate
- ☐ Advanced
- ☐ Supervisory
- ☐ Management
- ☐ Executive

FACTUAL BASIS

Having considered the Division's presentation at the hearing, the Division's Investigative Summary and Findings and the public comments, the Board concludes that:

✱ A factual basis for revocation has been established by clear and convincing evidence.

__ A factual basis for suspension has been established by clear and convincing evidence.

__ A factual basis for suspension or revocation has not been established by clear and convincing evidence.

RECOMMENDATION

In light of the facts and circumstances revealed by the Division's investigation in this case, the Board hereby recommends that the following action(s) be taken against Respondent's certification:

✱ Revocation of Certification

__ (If applicable) The Board further recommends a stay of the Revocation of Certification, subject to the following terms and conditions (see Commission Regulation 1216 and POST Disciplinary Guidelines):

_____

_____

_____

__ Suspension of Certification for the following period of time, not to exceed 3 years, per 11 CCR section 1213(b): _____.

__ (If applicable) The Board further recommends the following terms and conditions (see Commission Regulation 1216 and POST Disciplinary Guidelines), which (unless otherwise noted) must be satisfied before certification will be reinstated. NOTE: Failure to satisfy these terms and conditions may result in a period of suspension exceeding 3 years:

_____

_____

_____

__ (If applicable) The Board further recommends a stay of the Suspension of Certification, subject to the following terms and conditions (see Commission Regulation 1216 and POST Disciplinary Guidelines):

_____

_____

_____

__ No further action.

REASONS FOR DECISION

✱ In accordance with Penal Code section 13510.85(a)(4) and title 11, California Code of Regulations section 1213, the Board incorporates by reference the Division's Investigative Summary and Findings and hereby adopts the Division's Summary and Findings as the Board's stated reasons for its recommendation in the above captioned matter.

___ (Where applicable) In accordance with Penal Code section 13510.85(a)(4), the Board's reasons for its recommendation are as follows:

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Dated: 7/16/26

_____
Chairperson or Designee
Peace Officer Standards Accountability
Advisory Board