POST COMMISSION

September 9, 2025
AGENDA
10:00 AM

Meeting Location: Golden West College (Regional Criminal Justice Training Center Multipurpose Room) 15744 Goldenwest Street, Huntington Beach, CA 92647

The Commission on Peace Officer Standards and Training (Commission) operates under the requirements set forth by the Bagley-Keene Open Meeting Act (Bagley-Keene) under Government Code sections 11120 through 11132. Bagley-Keene generally requires that the Commission publicly notice meetings, prepare agendas, allow public participation, and conduct meetings in a location accessible to public members unless specifically authorized by Bagley-Keene to meet in closed session.

Public comment will be limited in time at the discretion of the Commission Chair. The public comment period preceding items on the agenda will allow members of the public to comment on items not on the agenda but that are within the Commission's jurisdiction. The Commission cannot act on or deliberate on items not on the agenda and can discuss the matter only to the extent necessary to determine whether it should be made an agenda item at a future meeting, to respond briefly to statements or questions posed during public comment or to request clarification, or to refer the item to staff. Agenda items may be taken out of order and action (e.g., voting) may be taken on any agenda item. Public comments relating to specific peace officer revocation cases will be allowed at the time each matter is heard. Members of the public who wish to participate during public comment may do so in person by attending the meeting or by submitting written public comment.

Written public comments are intended to allow members of the public, if unable to attend in person, an opportunity to participate to the same degree as if they attended in person; as such, written comments should be limited to no more than three pages in length and longer written comments will not be accepted or distributed to the Commission. To be considered for inclusion in the meeting record, written comments must be received by POST no later than 10 a.m. on the fourth business day before the scheduled meeting. Accepted written public comments will be published on POST's website under the Public Comment section under the corresponding meeting date. Written public comments can be submitted via email to commissionpc@post.ca.gov.

Persons requesting disability-related accommodations or modifications may do so by contacting the Commission assistant at (916) 227-3909 (voice), commissionpc@post.ca.gov (email), or Speech-to-Speech users may dial 7-1-1 for the California Relay Service to request special accommodations.

Please note: This meeting and all public meetings will be recorded.

CALL TO ORDER AND WELCOME

COMMISSION MEMBERS

Alan Barcelona
Ingrid Braun
Rick Braziel - Vice Chair
Jim Cooper
Justin Doering
P. Lamont Ewell
Kelly Gordon
Jacob Johnson
Geoff Long - Chair
Shannan Moon
Tina Nieto
Freddie Rodriguez
Benjamin Therriault
Stephen Woolery- Ex-Officio
Vacant (Elected City Official)
Vacant (Elected County Official)
Vacant (Public Member)
Vacant (Sergeant or Below)

MOMENT OF SILENCE HONORING THE OFFICERS WHO LOST THEIR LIVES IN THE LINE OF DUTY SINCE THE LAST MEETING

- Sergeant Shiou Deng, Los Angeles Police Department - EOW June 23, 2025
- Patrol Agent Joshua Byrd, California Department of Corrections and Rehabilitation - EOW July 17, 2025
- Detective Joshua Kelley-Eklund, Los Angeles County Sheriff's Department - EOW July 18, 2025
- Detective Victor Lemus, Los Angeles County Sheriff's Department - EOW July 18, 2025
- Detective William Osborn, Los Angeles County Sheriff's Department - EOW July 18, 2025

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTION OF THE POST LEGAL COUNSEL AND THE EXECUTIVE DIRECTOR

The Commission Chair will introduce the POST Legal Counsel and the Executive Director.

PUBLIC COMMENT

The Commission Chair will advise the audience of the following:

This is the time on the agenda for public comment. This time is set aside for members of the public to comment on either items on the Commission agenda or issues not on the agenda but pertaining to POST Commission business. Public comment on specific peace officer revocation cases to be heard today will be heard at the time of the hearing of each such matter. Members of the public who wish to speak are asked to limit their remarks to no more

than three minutes each. Please be advised the Commission cannot take action on items not on the agenda.

EXECUTIVE DIRECTOR COMMENTS

The Commission Chair will introduce POST Executive Director, Manny Alvarez.

1. **APPROVAL OF TRANSCRIPT AND ACTION SUMMARY**

   Approval of the Transcript and Action Summary from the previous Commission meeting held on June 04, 2025 in West Sacramento, CA.

   1a. Meeting Transcript - June 04, 2025, West Sacramento, CA

   If the Commission concurs, the appropriate action would be a **MOTION** to approve the meeting Transcript from the last Commission meeting.

   1b. Action Summary - June 04, 2025, West Sacramento, CA

   If the Commission concurs, the appropriate action would be a **MOTION** to approve the meeting Action Summary from the last Commission meeting.

2. **CONSENT**

   2a. Report on POST Reimbursable Agency Entry - Palomar College Police Department Dispatch

   The Palomar College Police Department has entered into the POST Reimbursable Program for its dispatchers effective May 21, 2025.

   This report is presented for information only. No action is required.

   2b. Report on POST Reimbursable Agency Entry - Rio Hondo College Police Department and Dispatch

   The Rio Hondo College Police Department and Dispatch has entered into the POST Reimbursable Program for both its peace officers and dispatchers effective June 27, 2025.

   This report is presented for information only. No action is required.

   2c. Report on POST Reimbursable Agency Entry - Lancaster Police Department and Dispatch

   The Lancaster Police Department and Dispatch has entered into the POST Reimbursable Program for peace officers and dispatchers, effective July 30, 2025.

   This report is presented for information only. No action is required.

   2d. Report on POST Workforce Diversity Stats

   This report is presented for information only. No action is required.

   2e. Report from the Racial and Identity Profiling Advisory Board (RIPA)

This is a report from the Racial and Identity Profiling Advisory (RIPA) Board.

Ms. Andrea Guerrero and Ms. Angela Sierra, Co-Chairs of the RIPA Board, will present to the POST Commission on September 9, 2025.

This report is presented for information only. No action is required.

2f. Report on Update on K-9 Guidelines

This report is presented for information only. No action is required.

2g. Report on Racial and Identity Profiling - Course Guidelines Update

This report is presented for information only. No action is required.

2h. Report on Anti-Reproductive Rights Crimes - Guidelines Update

This report is presented for information only. No action is required.

2i. Report on the Human Trafficking Guidelines Update

This report is presented for information only. No action is required.

2j. Report on Office of Public Affairs Video Project

This report is presented for information only. No action is required.

2k. Report on Instructor Conduct Regulations

This report is presented for information only. No action is required.

2l. Report on Discussion Regarding Commission Regulation 1005 - Peace Officer Minimum Training Requirements

This report is presented for information only. No action is required.

2m. Report on Decertification (SB-2) Course Content in POST-Certified Courses

This report is presented for information only. No action is required.

2n. Report on Certification/Decertification Update

This report is presented for information only. No action is required.

2o. Report on Course Certification Statistics

This report is presented for information only. No action is required.

2p. Report on Legislative Update

This is a legislative report with bills of interest from the 2025 legislative session. Some of these bills may affect POST operations and/or affect law enforcement. It is not a complete list of bills that could impact law enforcement.

This report is presented for information only. No action is required.

3. **BASIC TRAINING BUREAU**

3a. Report on the Development of the Basic Course Curriculum and Proposed Pilot Programs for LD35 - Firearms/Chemical Agents

POST staff is proposing changes to the Training and Testing Specifications for LD35 - Firearms/Chemical Agents, for the PC832 Firearms Course. Staff will be requesting approval to pilot the proposed changes.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the piloting of Learning Domain 35 - Firearms/Chemical Agents, as described in the staff report.

3b. Report on Amendments to Commission Regulations 1005, 1007, 1008, and 1059 - Instructor's Guide to Learning Activities

At the March 5, 2025, Commission meeting, proposed amendments to the Instructor's Guide to Learning Activities were approved and the proposed amendments were noticed to the public. This item is being presented to allow the Commission to consider the public comment received to determine if staff should continue to move forward with the rulemaking process or if additional amendments should be made.

After considering the comment, the appropriate action would be a **MOTION** to provide staff direction on how to proceed with the rulemaking process.

4. **CERTIFICATION BUREAU**

4a. Report on Proposed Amendments to Commission Regulation 1202 - Peace Officer Certificates and Commission Regulation 1003 - Employment Status Notifications

POST Staff recommend the Commission approve additional revisions to the text of Commission Regulation 1202 to provide further clarity to the general and regulated public regarding eligibility requirements for all levels of peace officer certificates. POST staff also recommend the Commission approve revisions to the Attestation of Peace Officer Eligibility (POST 2-356), incorporated by reference in Commission Regulation 1003, to include a peace officer attestation that the information provided during their background investigation is true and correct to align with the proposed revisions to Commission Regulation 1202.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the amendments as described in the staff report.

5. **LEGAL AFFAIRS BUREAU**

5a. Report on Action to Amend Commission Regulation 1045 - Conflict of Interest Code Pursuant to Government Code Section 87306

If the Commission concurs, the appropriate action would be a **MOTION** to approve the amendments to the regulation (the Conflict of Interest Code).

6. **MANAGEMENT COUNSELING AND PROJECTS BUREAU**

6a. Report on the Proposed Regulation Change to Include the Definition of Biased Conduct

If the Commission concurs, the appropriate action would be a **MOTION** to approve the adoption of proposed Regulation 1022 to define biased conduct using the statutory language in Penal Code 13510.6(a).

7. **EXECUTIVE OFFICE**

7a. Report on Request to Approve the 2026 - 2030 Strategic Plan

POST is proposing the 2026 – 2030 Strategic Plan, which outlines its goals, objectives, and strategic initiatives for the next five years.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the 2026 - 2030 Strategic Plan, as described in the staff report.

8. **PEACE OFFICER STANDARDS ACCOUNTIBILITY DIVISION**

8a. Report on Proposed Adoption of Commission Regulation 1216 - Disciplinary Guidelines - Public Comment Received

Should the Commission approve the proposed text of Commission Regulation 1216 and the accompanying Disciplinary Guidelines as factors for consideration of penalty related to peace officer certification actions as previously approved?

If the Commission concurs, the appropriate action would be a **MOTION** to approve the Disciplinary Guidelines as as proposed in the staff report.

9. **CORRESPONDENCE**

The following was sent from POST:

9a. Correspondence Sent by POST

The following correspondence was sent from POST to:

- Robert Lopez, Chief, Baldwin Park Police Department; expressing deep sympathy over the tragic on-duty death of Officer Samuel Riveros.
- Jim McDonnell, Chief, Los Angeles Police Department; expressing deep sympathy over the tragic on-duty death of Sergeant Shiou Deng.
- Jeff Macomber, Secretary, California Department of Corrections and Rehabilitation, expressing deep sympathy over the tragic on-duty death of Agent Joshua Lemont Byrd.
- Robert G. Luna, Sheriff, Los Angeles County Sheriff's Department, expressing deep sympathy over the tragic on-duty deaths of Deputies Joshua Kelley-Eklund, Victor Lemus and William Osborn.

10. **OLD BUSINESS**

11. **NEW BUSINESS**

12. **FUTURE COMMISSION DATES**

Upcoming Commission Meetings will be held:

- December 03 - 04, 2025 - POST HQ, West Sacramento, CA

- March 04 - 05, 2026 - San Diego, CA
- June 03 - 04, 2026 - POST HQ, West Sacramento, CA
- September 16 - 17, 2026 - Tentative, Southern CA
- December 02 - 3, 2026 - POST HQ, West Sacramento, CA

13. **CLOSED SESSION**

Conference with Legal Counsel - Existing Litigation: Pursuant to Government Code section 11126(e)(1), the Commission hereby provides public notice that the following pending litigation matters may be considered and acted upon, as necessary and appropriate, in closed session.

a) Tamara Evans v. POST, Sacramento Superior Court, Case No. 34-2014-00164423; Eastern District of California, Case No. 2:15-cv-01951.
b) Mikkel Libarle v. POST, Sacramento Superior Court, Case No. 25WM000011.
Conference with Legal Counsel - Existing/Potential Litigation: Pursuant to Government Code section 11126(e)(1) and (2), the Commission hereby provides public notice that it may meet in closed session to determine whether, based on existing facts and circumstances, any matter presents a significant exposure to litigation [see Government Code section 11126(e)(2)(B)(ii) and, if so, to proceed with closed session consideration and action on that matter, as necessary and appropriate [see Government Code section 11126(e)(2)(B)(i)], or, based on existing facts and circumstances, if it has decided to initiate or is deciding to initiate litigation [see Government Code section 11126(e)(2)(C)], or, if in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is litigation, or significant exposure to litigation, against the state body [see Government Code section 11126(e)(2)(B)(i)].
c) Employee/personnel issue.

14. **CASE REVIEW OF RECOMMENDATIONS MADE BY THE PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD**

The Commission will review the recommendations made by the Peace Officer Standards Accountability Advisory Board from the last Board Hearing held on July 16 - 17, 2025 in West Sacramento, CA.

14a. POST2305110 - Brian Kawamoto (POST ID: C34-D38) Last employing Agency: Torrance Police Department

The Commission shall review recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) regarding, what action if any, should be taken, suspension or revocation, on the certification of the subject peace officer. The Commission's decision to adopt a recommendation by POSAAB to seek revocation shall require a two-thirds vote of Commissioners present and shall be based on whether the record, in its entirety, supports POSAAB's conclusion that serious misconduct has been established by clear and convincing evidence. In any case in which the Commission reaches a different determination than POSAAB's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

14b. POST2305111 - Christopher Allen-Young (POST ID:C46-H76) Last Employing Agency: Torrance Police Department

The Commission shall review recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) regarding, what action if any, should be taken, suspension or revocation, on the certification of the subject peace officer. The Commission's decision to adopt a recommendation by POSAAB to seek revocation shall require a two-thirds vote of Commissioners present and shall be based on whether the record, in its entirety, supports POSAAB's conclusion that serious misconduct has been established by clear and convincing evidence. In any case in which the Commission reaches a different determination than POSAAB's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

15. **CLOSED SESSION**

At this time the meeting will adjourn into closed session for deliberations on the cases presented today.

16. **ADJOURNMENT**

AGENDA ITEM REPORT

Title: MEETING TRANSCRIPT - JUNE 04, 2025, WEST SACRAMENTO, CA

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Executive Office	
RESEARCHED BY	**REVIEWED BY**	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/11/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

BACKGROUND:

ANALYSIS:

RECOMMENDATION: If the Commission concurs, the appropriate action would be a **MOTION** to approve the meeting Transcript from the last Commission meeting.

ATTACHMENT(S):
2025 06-04 POST Commission Transcript_Accessible.pdf

STATE OF CALIFORNIA

COMMISSION ON

PEACE OFFICER STANDARDS AND TRAINING

POST COMMISSION MEETING

WEDNESDAY, JUNE 4, 2025

10:00 A.M.

MEETING HELD

AT THE OFFICES OF

COMMISSION ON POST

860 STILLWATER ROAD, SUITE 100

WEST SACRAMENTO, CALIFORNIA

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Stenographically Reported By:
Kathryn S. Swank
California Certified Shorthand Reporter #13061
Registered Professional Reporter

A P P E A R A N C E S

POST COMMISSIONERS PRESENT

GEOFF LONG
(Commission Chairperson)
Public Member

RICK BRAZIEL
(Vice Chairperson)
Educator
Humboldt State University

ALAN BARCELONA
Special Agent
Department of Justice

INGRID BRAUN
Sheriff
Mono County Sheriff's Office

JIM COOPER
Sheriff
Sacramento County Sheriff's Office

JUSTIN DOERING
Senior Deputy Sheriff
Ventura County

KELLY GORDON
Chief
Santa Barbara Police Department

JACOB "JAKE" JOHNSON
Officer
California Highway Patrol

SHANNAN MOON
Sheriff
Nevada County Sheriff's Office

TINA NIETO
Sheriff
Monterey County Sheriff's Office

FREDDIE RODRIGUEZ
Public Member

POST COMMISSIONERS PRESENT
(Continued)

BENJAMIN THERRIAULT
Sergeant
Richmond Police Department

STEPHEN WOOLERY
Ex-Officio
Rob Bonta, Attorney General
Department of Justice

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POST COMMISSION STAFF

MANUEL ALVAREZ, JR.
Executive Director
Executive Office

JIM GROTTKAU
Assistant Executive Director
Peace Officer Standards
Accountability Division
Executive Office

WILLIAM "TOBY" DARDEN
Chief Counsel

ANNEMARIE DEL MUGNAIO
Assistant Executive Director
Peace Officer Standards
Accountability Division
Executive Office

TOM OSBORNE
Assistant Executive Director
Field Services Division
Executive Office

BRANDY ESSEX
Staff Services Analyst
Executive Office

CHANDLER KNAPP
Staff Services Manager
Executive Office

POST COMMISSION STAFF
(CONTINUED)

MICHAEL DALISAY
Law Enforcement Consultant
Management Counseling and Projects Bureau

CHRISTINE FORD
Bureau Chief
Professional Conduct Southern Bureau

CARRIE HOLLAR
Bureau Chief
Basic Training Bureau

BRANDON KIELY
Law Enforcement Consultant
Professional Conduct Northern Bureau

LINDSAY LEWELLYN
Staff Services Manager
Certification Bureau

MICHAEL MARSHALL
Law Enforcement Consultant
Basic Training Bureau

ANDREW MENDONSA
Law Enforcement Consultant
Training Program Services Bureau

RAYMUND NANADIEGO
Law Enforcement Consultant
Management Counseling and Projects Bureau

BRAD NEWMYER
Law Enforcement Consultant
Basic Training Bureau

KIM SINGLETON
Staff Services Manager
Administrative Services Bureau

MELANI SINGLEY
Staff Services Manager
Strategic Communications and Research Bureau

POST COMMISSION STAFF
(CONTINUED)

KELLI SURAWSKI
Staff Services Manager
Strategic Communications and Research Bureau

MICHELLE WEILER
Bureau Chief
Certification Bureau

BRYANT HENLEY
Attorney IV
Legal Affairs Bureau

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ALSO PRESENT

SEAN DURYEE
California Highway Patrol

HILLARY EDWARDS
California State University Long Beach
Center for Criminal Justice

JOELA JIMENEZ
San Bernardino County Sheriff's Department

RON MARK
California State University Long Beach
Center for Criminal Justice

CARLOS MONTES-PONCE
ACLU Northern California

GEORGE PARAMPATHU
ACLU California Action

DR. CASSANDRA VIETIN
UC San Diego

KIMBERLY ZARAGOSA
Contra Costa County District Attorney's Office

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JUNE 4, 2025 10:02 A.M.

P R O C E E D I N G S

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CHAIRPERSON LONG: Welcome to the June 4th, 2025, meeting of the POST Commission.

Please stand for Presentation of the Colors by the California Highway Patrol Honor Guard.

(Presentation of Colors.)

CHAIRPERSON LONG: Let's thank the California Highway Patrol Honor Guard.

(Applause.)

CHAIRPERSON LONG: Before we sit, we will observe a moment of silence honoring the officers who have died in the line of duty since our last meeting:

Deputy Hector Cuevas, Jr., of the San Bernardino County Sheriff's Department, who died in a high speed pursuit collision March 17th, 2025;

Officer Osmar Rodarte of the Marysville Police Department, shot and killed while serving a warrant March 26, 2025;

And Officer Samuel Riveros, Baldwin Park Police Department, who was shot and killed responding to a call last Saturday night, May 31st.

(Moment of silence observed.)

CHAIRPERSON LONG: Thank you. Let's take our

seats.

Ms. Essex, would you please call the roll.

MS. ESSEX: Thank you, Chair Long. Good morning, Commissioners.

Barcelona.

COMMISSIONER BARCELONA: Here.

MS. ESSEX: Braun.

COMMISSIONER BRAUN: Here.

MS. ESSEX: Braziel.

COMMISSIONER BRAZIEL: Here.

MS. ESSEX: Cooper.

COMMISSIONER COOPER: Here.

MS. ESSEX: Doering.

COMMISSIONER DOERING: Here.

MS. ESSEX: Ewell.

(No response.)

MS. ESSEX: Gordon.

COMMISSIONER GORDON: Here.

MS. ESSEX: Johnson.

COMMISSIONER JOHNSON: Here.

MS. ESSEX: Long.

CHAIRPERSON LONG: Here.

MS. ESSEX: Moon.

COMMISSIONER MOON: Here.

MS. ESSEX: Nieto.

COMMISSIONER NIETO: Here.
MS. ESSEX: Rodriguez.
COMMISSIONER RODRIGUEZ: Here.
Therriault.
COMMISSIONER THERRIAULT: Here.
MS. ESSEX: Woolery.
COMMISSIONER WOOLERY: Here.
MS. ESSEX: 13 commissioners present.
CHAIRPERSON LONG: Thank you.
Before we begin, I would like to invite -- introduce a few people up here. To my left is POST Chief Counsel William "Toby" Darden. To Toby's left is POST Executive Director -- excuse me. Is Visalia Police Chief Jason Salazar. And to my right is POST Executive Director Manny Alvarez.
We also welcome a new commissioner today: Freddie Rodriguez of Pomona Valley; not to be confused with the Freddy Rodriguez of TV's "Six Feet Under." I was disappointed to learn. Similarly, we were disappointed to learn that Jake Johnson was not the Jake Johnson from "New Girl" on TV. Freddie, however, is a former assemblyman from 2013 to 2024. And he follows his wife to the Commission, Former Commissioner Michelle Rodriguez, who has now taken Commissioner Rodriguez's place in the Assembly. It will be a "who wore it best"

contest in the Rodriguez household.

Commissioner Rodriguez also brings to the Commission 30 years of experience as an EMT.

Commissioner, would you like to say a few words of introduction?

COMMISSIONER RODRIGUEZ: Yes. I want to thank everybody for allowing me to be here with you. I think that's -- very interesting times that we live in. And I think for my past 11 years in the Assembly, kind of looking what we have done there to how it affects our officers now and what we do day in and day out.

I'm looking forward to working each one of you. I think we bring something very unique to the table.

And once again, I want to thank you all and look forward to doing the work and learning from one another as well.

Thank you very much.

CHAIRPERSON LONG: Welcome.

(Applause.)

COMMISSIONER RODRIGUEZ: If I may say as well. Maybe we can revisit this in a year and see who wore the shoes better.

CHAIRPERSON LONG: We now have the honor of welcoming CHP Commissioner Sean Duryee, who will offer opening remarks. Commissioner Duryee, if you would

please join us at the dais.

Commissioner Duryee began his law enforcement career in 1998 as a CHP officer. He rose through the ranks, serving as a sergeant, lieutenant, captain, assistant chief, chief, assistant commissioner, and deputy commissioner.

On February 23rd, 2023, Governor Newsom appointed Deputy Commissioner Duryee the 17th commissioner of the CHP.

The CHP is the nation's largest police agency with almost 11,000 employees and a budget of $3.2 billion.

Commissioner Duryee is a graduate of the FBI National Executive Institute. He also served four years in the U.S. Army.

Commissioner, thank you for being here today. And thank you for your service to California as well as to the nation.

And the floor is yours, sir.

MR. DURYEE: Good morning. I don't know if I've ever been with so many other commissioners at the same time. I have heard that word more.

So it is a true honor and privilege to be here. Director Alvarez, thank you for the invitation.

Do I need to do something here? It will just go.

Thank you for the invitation to be here.

I just want to point out the CHP Honor Guard that we just had. All of those officers are recruit training officers over at our academy, so they are engaged in training cadets every day. Express my gratitude to them.

As was stated, I was appointed the commissioner by Governor Newsom by February of 2023. And I thought I would take just a few minutes today during opening remarks to talk about some of our priorities since taking the helm; some of the priorities that we have that I feel align with POST; and maybe just some closing thoughts on some of the issues we face together moving forward.

When I first took over, we wanted to get word out to every uniformed member of the Highway Patrol what we expected of them what our priorities and expectations were.

This was not long after COVID, and I think we were seeing an unorganized but a reaction to current events where law enforcement was slowing down and maybe being less proactive.

What's that mean when the CHP does that in California? It means more traffic fatalities, unfortunately. And California makes up about 10 percent of the traffic fatalities in the United States. That's

not a statistic we should be proud of. It is definitely not one I'm proud of. That number in California was about 4,400, 4,500 lives. Probably nobody in this room hasn't been impacted by that personally.

And so we take that mission very seriously. That is our core job. It hasn't changed.

And I wanted every member of the department to know where our priorities lie.

I released a two-page document, a very simple document, that says "Commissioners, Priorities, and Expectations." I want to share with you just a couple of them today.

The first one focused on patrol and enforcement. It focused on doing that core mission. And for that reason I just stated: Saving lives and making a difference in Californians' lives.

I expect every officer to be -- to spend their shift in view patrol. Hopefully you have noticed that. Hopefully you have noticed more CHP officers out there. We know that black and white patrol cars, and the presence of black and white motorcycles -- and now, I dare say, some specially-marked patrol vehicles -- changes drivers' behavior. It does.

We have all experienced that. We have had one behind us and probably let off the gas a little or mind

our Ps and Qs a little more.

I wish a uniformed officer, whether CHP or a sheriff's deputy or a police officer would have been present a couple times.

And these names, I will never forget.

A little boy named Jasper Wu and a little boy named Aiden Leos. Both were passengers in their parents' vehicles and both succumbed to gunfire. One was a cross-fire, gang-on-gang gunfire; and the other one was a victim of road rage.

I can't imagine being a parent and hearing something from your child in the backseat and realizing they had been shot or victimized from violence.

I'm not saying we can be everywhere all the time and prevent all these tragedies. But I do believe that in a black and white uniform member, black and white patrol vehicle and a uniform member would have been present, it would have changed decision-making that day; it would have changed behavior.

So that's been our focus. While they are out there, we want them focused on primary collision factors. We want them focused on speed, driving under the influence, distracted driving. Those are the things that we know cause accidents in California. Those are the things that we know are causations and taking lives.

And so we want them focused on that.

They are doing a great job. I believe that.

In the first year, we saw about a 10 percent reduction in traffic fatalities in California. We're not taking credit for all of those numbers. There's a lot of people that are engaged in this. But I do believe that we helped move the needle in that area.

We have also been engaged in some enforcement campaigns. And I will give everybody present today a little reward for coming. We have one this Saturday. It is going to be announced publicly in a couple of days. But every uniformed member of the Highway Patrol will be -- from myself all the way down -- will be active Saturday, enforcing speed from Oregon all the way down to Mexico.

So that is one. We're doing four of those a year. No, a correction. We're doing three of those a year. One will be focused on speed; one on distracted driving; and one on intoxicated driving. And so the first one will be this Saturday.

I mention these priorities and expectation.

Another one of those for us was training. And why training? Training has always been important to me. Throughout my career, I had a couple of opportunities to teach at our academy. I know how training and education

makes a difference in an officer's life. I know how imperative it is in being successful in this profession.

Probably the most important reason training should be a priority for all of us is training will save lives. I believe that. I believe we have a responsibility to do that.

I often get asked -- I sit at the head of this agency -- Does it stress me out? Do I lose sleep? Do I worry?

And I can honestly say no. I love the job. It's a lot of fun. I feel like we're having a great time.

There is one thing that I worry about. And if I ever lose sleep, it's this question: Are we doing enough to prepare the young men and young women that put on a uniform every day and go out and serve the people of California, enough to do the challenging job? Toughest time in history to be a police officer. Toughest time in history.

We have a responsibility to prepare them. That's the one thing that causes me pause and keeps me up at night.

To that end, we made training a priority. We changed some policies internally. We're training. If it was good enough for the officer that just graduated the academy, it was good enough for the commissioner.

And every uniformed member of the department must complete all of the required training. There's no exceptions based on rank in the Highway Patrol.

I want to share with you just some things that I feel where we align on this with POST. Some of the services we do.

The first one I will mention is human trafficking. I think this is a problem that faces all of us. And California has another distinction of being one of the states that leads the number of human trafficking victims in California.

I am not proud of the fact that our agency, the California Highway Patrol, has dismal statistics when it comes to recovering victims of human trafficking. For an agency that makes 3 million public contacts a year, we have got to do better. And to that end, we're committed to training every uniformed member attend an eight-hour training in human trafficking.

We want everybody that's making a traffic stop to be aware of the clues and indicators and be in a position to save some people. And I think that's a place all of us can work together and do some coordination.

DREs and CHP is the statewide coordinator on drug recognition experts. Those numbers tanked post-COVID.

The numbers of DREs throughout the state were dismal.

In '23 and '24, we realized that, made it a primary focus, and we provide DRE training to 530 allied agencies and increased 330 CHP officers in that time frame.

Currently, there's a class for DREs going in Fresno as we speak, as we're sitting here today.

ARIDE, Advanced Recognition Impaired Driving, is another training that we provide along with POST. In the last two years, we have trained over 2,700 allied agency officers in ARIDE. 900 CHP officers.

You saw the CHP motorcycle out there. Those that work for the department know I'm particularly fond of them. They feel like they have a role. I don't know why our motor school is not as popular with our allied partners, but we have trained 90 CHP officers and six allied officers in motor school.

One of the biggest issues we are all facing in law enforcement was just the staffing and the deficit. When -- at our worst, we had 1,250 vacancies. As we sit here today, we have 750 vacancies. I think the tide has turned in that.

Our classes are capped at 150 students for the student-to-instructor ratio. For the first time in history, we have three classes going simultaneously at

the academy just down the street.

We just did a graduation, the largest one we have had in years, 133 officers. And we start each of those classes at a max capacity of 160, knowing that within a few days, we will land at the POST cap.

And so I'm proud that every class we have started recently -- and we're slotted to fill every class. I think that vacancy of 750 officers will be at a normal rate by the end of 2026. So grateful for that.

So just a closing thought: Why is this so important? Why is it important for each of us to be focused on training? Why is it important for POST and our departments to be unified in this effort?

Obviously, there's the obvious reasons, and some of them I mentioned: The safety, complying with law.

But I would submit to you another reason: The world is watching us, what we do here. I believe that. I have had an opportunity -- and some of you are sitting at the table -- to attend training in other parts of the country.

Whether they admit it or not, the rest of the country looks west towards the latest and the best strategies, the best policies, the best tactics.

I have a friend. He's the colonel of the North Carolina Highway Patrol. Imagine the thickest North

Carolina Highway Patrol accent; he has that. He calls me often. And he says, "What are y'all doing out there in California? I know you are already doing this. What are you doing?" And we communicate constantly on that.

We know that policing in the United States is not siloed. We know that the actions of one officer in the "Mideast" can impact every one of us. And we have to be unified in our effort to be at the forefront of leading in this space.

How do we train our officers to combat human trafficking?

How do we address sideshows and street racing?

How do we leverage artificial intelligence, balance technology with privacy of citizens that we serve?

How do we end police pursuits? I'm not talking about stop doing them. How do we come up with tactics, training, public policies, and be a leader in mitigating these?

How do we deal with this mental health crisis that our officers are thrusted into, by no choice of their own?

How do we lower police shootings and deadly use of force?

How can we be proactive, instead of reactive, on leading law enforcement? Not just in California and the

rest of the country for the next 20, 30, 50 years.

We're proud to stand alongside this group. We're proud of the work this Commission does.

And I think I speak for the other heads of agencies throughout California when I say we're grateful for the work that POST does in this space, and we look forward to being a partner in each of these endeavors.

Thank you for having me. It's been an honor, and I appreciate everything that y'all do.

(Applause.)

CHAIRPERSON LONG: I know you got to get back to it, Commissioner.

But are there any questions or comments from any of the commissioners?

Commissioner Braziel.

COMMISSIONER BRAZIEL: Commissioner, thank you for that.

One thing you didn't mention -- and I just want to give kudos to. I travel the country, evaluating and teaching in law enforcement.

And I'm a Truckee resident, proud Truckee resident. And the presence and image that CHP has on social media is -- is, in a lot of cases, without peer. And the Truckee office is an example of that. So I use them as -- there's other agencies that do different things

better. But you are an example I use across the country of -- and I use Truckee, in particular, about how to use social media and a show that image of the California Highway Patrol in a very, very positive light. So kudos to the staff up there. It's -- they do an amazing job up there.

And I can't speak for what they do in Southern California, but I encourage people to follow Truckee on social media. Because they kind of have mastered branding of the California Highway Patrol.

MR. DURYEE: No. I appreciate that. And they have been used as a model through -- I know the FBI cites them in their communications training. And, yeah, they are quite the celebrities. They don't let us forget that either.

(Laughter.)

COMMISSIONER BRAZIEL: They do a good job.

And, yes, I was followed in by your motor officer all the way down the freeway today. And, yes, I was stressed the entire way. What did I do wrong? My tags are current. What's going on?

(Laughter.)

CHAIRPERSON LONG: Any other questions or comments from commissioners?

(No response.)

CHAIRPERSON LONG: Seeing none, we thank you, Commissioner, very much for your invaluable time. We're very lucky to have you today. Thank you, sir.

MR. DURYEE: Appreciate it.

CHAIRPERSON LONG: We will now begin presentations for the 2024 POST Excellence in Training Awards, which requires a little moving around. Where do we go?

(Pause in proceedings.)

CHAIRPERSON LONG: Good morning. I'm Geoff Long, Chair of the POST Commission.

Every year, the Commission recognizes individuals and organizations who have greatly contributed to the success and effectiveness of the law enforcement community.

On behalf of the Commission, it is my pleasure to honor the recipients who have distinguished themselves by demonstrating a commitment to exceptional service or excellence in training.

Assisting today in the ceremony is Executive Director Manny Alvarez and Assistant Executive Director Jim Grottkau.

The POST Excellence in Training Awards were established in 1994 to encourage innovation, quality, and effectiveness of peace officer training and to recognize the best of the best.

The categories presented today are Individual Achievement, Exceptional Service, and Organizational Achievement.

Or first honoree is the recipient of the 2024 POST Excellence in Training Individual Achievement Award, Deputy Sheriff Joela Jimenez of the San Bernardino County Sheriff's Department.

(Applause.)

MR. GROTTKAU: The award for Individual Achievement is given for remarkable effort or accomplishment resulting in a singularly significant or an extraordinary contribution to public law enforcement training.

The individual's contribution must involve innovation, a "demonstratable" effective project, task, or assignment that has significantly impacted or benefited law enforcement training at the organizational, local, or state level.

Outstanding contributions may include, but are not limited to, innovative approaches in preparation, presentation, application, implementation, evaluation, planning, and/or management of law enforcement training programs.

Deputy Jimenez is currently assigned to the Community Services and Reentry Division, where she

serves as a critical link between law enforcement and the mental health services.

As the department's training liaison with the San Bernardino County Department of Behavioral Health, she plays a pivotal role in bridging public safety and behavioral health expertise.

Driven by a passion for teaching, she has demonstrated exceptional commitment by completing numerous instructional development courses to enhance her skills, including the Master Instructor Certification Course through POST.

Deputy Jimenez authored the POST orders for Inmate Services Unit and was instrumental in the development and refinement of the Crisis Intervention Team Manual.

Her sharp attention to detail, deep understanding of trauma-informed care, have ensured these critical resources effectively support community-focused law enforcement.

A true innovator, Deputy Jimenez developed a transformative course titled "A Whole-Body Approach to the Road of Wellness," which integrates financial, nutritional, physical, mental, and spiritual well-being.

Designed to support both law enforcement professionals and incarcerated individuals, the course appropriate promotes healthier, more balanced lives.

Its impact is far-reaching, enhancing workplace performance and morale while also fostering meaningful change.

Now implemented in the Glen Helen Rehabilitation Center, the course equips inmates with practical tools for comprehensive wellness. It represents a bold and compassionate commitment to rehabilitation, resilience, and successful reentry into the community.

An active facilitator for the Academy Instructor Certification Course, the School Resource Officer Course, Crisis Intervention Training -- and Crisis Intervention Training. Her ability to make complex topics accessible and engaging set a high standard for public safety instruction.

Her leadership was instrumental in POST certification of the Substance Abuse and Mental Health Services Administration Trauma Training for Criminal Justice Professionals Course. This course deepens the understanding of trauma and its lasting effects.

It is through initiatives like this that Deputy Jimenez helps cultivate a more humane and effective criminal justice system.

Deputy Jimenez has delivered training to hundreds of deputies, officers, security guards, community members, and incarcerated individuals on a variety of

subjects, including crisis intervention training, wellness, field training officer, school resource officer, introduction to corrections, elder abuse, and the Academy Instructor Certification Course.

Her work uplifts both the professionals who serve the community and the individuals navigating the path to rehabilitation.

For her unwavering commitment to excellence, innovation, and a heart for service, it is with great pride that we present the Excellence in Training Award for Individual Achievement to Deputy Joela Jimenez.

(Applause.)

MS. JIMENEZ: Good morning, everyone.

First off, I want to say what a privilege and what an honor it is to be here receiving the POST Excellence in Training Award.

I want to thank God for allowing me to be here today to receive this award and for the gifts He has given me to teach others in this profession.

I want to say thank you to my husband for always supporting me and pushing me out of my comfort zone. I love you.

Joanna and Jolene, I love you girls so much. Thank you for being the best daughters in the world and for traveling here today. We all know it wasn't easy. They

are three and six.

(Laughter.)

MS. JIMENEZ: This year has been an incredibly hard year for me and for all of us in law enforcement. We have suffered many fallen brothers. Deputy Hector Cuevas, Jr.; Officer Seth Franklin; Deputy Daniel Chavira; and, most recently, Officer Samuel Riveras. And this is not a complete list of all of fallen brothers.

Along with this loss, I also lost my mother and father this past year, Joel and Sonia Garcia. Navigating through loss is not easy, but may we find joy and inner motivation to be our best selves daily and to continuously contribute to our families and professions.

Thank you to my mother and father for their endless love and support. And thank you to all my siblings for being such a big support.

I want to give a special thanks to the staff of the San Bernardino County Sheriff's Department. Your support, trust, and dedication have made it possible for me to do this work. You stood behind me every step of the way, and I share this recognition with you all.

Thank you.

To POST, POST Advisory Committee, and the POST Commission, thank you for distinguished excellence and

progress in training.

And to the countless officers committed to growth and service. Your efforts inspire everything that we do. Let's continue setting the bar higher together.

Thank you. God bless you all.

And I leave you with Philippians 4:13: I can do all things through Christ who strengthens me.

Thank you.

(Applause.)

CHAIRPERSON LONG: Our next award: The recipient of the 2024 POST Excellence in Training, Organizational Achievement Award, is the California State University Long Beach Center for Criminal Justice.

Accepting the award on behalf of -- I got this wrong here. California State University Long Beach is Ron Mark, director of the Criminal Justice Center, and Hillary Edwards.

(Applause.)

MR. GROTTKAU: This award category recognizes the achievements and contributions made by an organization dedicated to law enforcement training.

The award is one wherein training responsibilities and initiatives must have resulted in substantial contributions to public law enforcement -- to the public, law enforcement, and reflect a high degree of

training effectiveness and service. The contribution must be documented and described in one or more projects or programs that are primarily training in nature rather than operational activity.

Since founding in 1967 as the Institute of Police Studies, the California State University Long Beach Criminal Justice and Research Training Center has become a cornerstone of law enforcement training and education in California.

Operating under the CSULB Research Foundation, the center has upheld a legacy of excellence, leadership, and responsiveness in criminal justice training for more than five decades.

It has played a central role in designing and delivering high quality, standards-compliant training to officers at the municipal, county, state, and federal levels.

At the core of this nomination is the center's relentless commitment to innovation. It developed the first POST-certified Mental Health Decision-Making Course in compliance with Senate Bill 29, tailored specifically for field training officers. This course addressed a critical need in law enforcement and was among the earliest to bring mental health response training into the mainstream of officer education.

The center also played a key role in shaping the principled policing program from its incentive -- from inception, updating its content to align with current delivery models and integrating into Learning Domain 3 in the basic course.

Furthermore, they developed the use of force perishable skills, and train-the-trainer-courses, years before it became a regulation requirement. By the time the regulation took effect, the center had already trained nearly 2,000 instructors.

The center has expanded the landscape of public safety training by creating a crime scene investigation program, a crime and intelligence analysis certification program. These efforts have supported the professional growth of individuals entering the field while helping establish clear pathways for advancement and specialization.

The center's ability to respond swiftly to emerging legislative and training demands, while maintaining alignment with POST and the California Board of State and Community Corrections, has established it as a vital partner in California's public safety administration.

Their region -- their regional collaborations with law enforcement agencies have helped ensure that the training needs of officers and agencies across the state

are met with quality, consistency, and care.

Their use of force curriculum has earned further distinction by becoming the first of its kind to grant upper division and graduate-level academic credit through California State University Long Beach for those completing the POST Supervisory Leadership Institute and POST Management Course.

POST continually turns to the center's broader network of subject matter experts to serve on subcommittees and develop train-the-trainer programs and other legislatively mandated course work.

Despite their primary mission of serving their immediate region, the center has consistently answered the call to share their training programs statewide, ensuring that no department is left without access to critical knowledge and instruction.

They are not only a training provider but a partner in the evolution and advancement of policing in California.

POST proudly presents CSU Long Beach Criminal Justice and Research Training Center with POST's Excellence in Training Award for Organizational Achievement.

Congratulations.

(Applause.)

MR. MARK: Good morning, everyone. Thank you very much. It is really an honor to be here representing our organization. And I really am just truly representing them. They do the hard work.

I wanted to thank the Advisory Committee and the POST Commission for selecting us for this award. We truly appreciate that.

Also, I want to thank Manny and the entire POST staff for the years that we have worked with them. They are truly partners with us and we have a -- we have a lot of fun up here. It is a pleasure working with them. Our consultants, our bureau chiefs that I work with on a regular basis. It is -- it's -- I'm probably up here more than I should be. I get thrown out of the offices quite a bit, to be honest with you.

But I also wanted to thank our entire staff: All of our instructors, our office staff, all of our coordinators; they are the ones that really make all of this happen. They do all the hard work and all the heavy lifting for this.

Hillary Edwards, who was up here and doesn't want to speak today, is really the heartbeat of our organization. When you talk about professional staff and you talk about how we push this -- how we push training forward and our organization forward, these are

the people that really do that for us. I just get to come up here to the microphone and speak every now and then. But they really are the heartbeat of our organization.

And special thanks to our regional training groups -- both LA and Orange County -- who nominated us for this award today. They are great partners. We enjoy working with them and we enjoy training within state. So if there's anything we can do to help anyone along the way, please let us know.

Again, thank you very much.

Hillary, would you like to say anything.

MS. EDWARDS: No, thank you.

MR. MARK: I didn't think so.

Thank you very much.

(Applause.)

CHAIRPERSON LONG: By the way, we will be taking a break. So stick around. POST will be taking pictures of family and friends here during the break. Downstairs, I'm told. We'll clear that up later. Don't leave, in other words.

For our final award, the recipient of the 2024 POST Excellence in Training, the O.J. "Bud" Hawkins Exceptional Service Award, is Senior Inspector Kimberly Zaragosa of the Contra Costa County District Attorney's

Office.

Congratulations.

(Applause.)

MR. GROTTKAU: I promised Kim she would be up there for about a half hour.

Excellence in service and setting high standards is the foundation upon which the California Commission on Peace Officer Standards and Training stands. Attaining excellence on a continuous basis is the result of many dedicated staff, subject matter experts, the POST Advisory Committee, POST Commission members.

The annual award recognizes all these individuals but most particularly those who have demonstrated sustained effort over time. These few individuals have made a difference and a lasting contribution. Their creativity, perseverance, and dedication to improve California law enforcement profession is recognized with this Exceptional Service Award.

A little bit about Bud Hawkins and who he is. Bud is -- was the inspiration for this award because of his sustained contributions to California law enforcement covering six decades. Commissioner Hawkins left a legacy of contribution, including the California CLETS system, an advisor to 11 attorney generals, six years as the attorney general's representative on the POST

Commission. His collaborative and constructive approach for solving problems and leading law enforcement groups set an example to all.

Senior Inspector Kimberly Zaragosa's career spans more than 35 years. It is kind of weird because she's only 25. So -- in her mind, she said. Beginning in 1989, with her graduation from the Los Medanos College Police Academy and appointment to the Contra Costa County Sheriff's Office as a deputy sheriff.

From the earliest days of service, she demonstrated a clear passion for learning, a deep commitment to her peers, and a steadfast focus on advancing the field of law enforcement.

Her assignment in custody, transportation, patrol, narcotics, and tactical operations reflected not only the breadth of experience but a depth of understanding few can match.

Senior Inspectors Zaragosa has completed over 2700 hours of POST-certified training and has instructed in over 60 Basic Academy classes for the Contra Costa County Office of the Sheriff Law Enforcement Training Center.

In 1999, she was -- made history as the first woman to be on the Contra Costa SWAT Team, eventually rising to the position of team leader.

A testament to her exceptional capabilities and tactical expertise, she established herself as a trailblazer in the field of law enforcement. Furthermore, this achievement became a powerful symbol of progress for women across the profession, challenging longstanding barriers and paving the way for those who follow.

Her career-defining leadership continued with her promotion to sergeant in 2003 and subsequent assignment as the academy coordinator at the Contra Costa Academy from 2005 to 2007.

In this role, she oversaw daily operations of the Basic Academy, managing recruit operations and schedules, selecting qualified instructors, and ensuring effective delivery of training.

After leaving her position as the academy coordinator, and being assigned to patrol division, Kimberly continued her commitment to teaching. She remained a respected and influential presence at the academy, providing instruction on patrol techniques, crimes in progress, and vehicle pullovers.

In 2011, Kimberly was promoted to lieutenant, a rank that often reduces opportunity for teaching in the academy. Despite her expanded responsibilities, she remained deeply committed to her role as an educator,

further solidifying her legacy in training and professional development. She was crucial to development of critical training modules on active shooter and building search scenarios, which have since become fundamental to recruit training curriculum.

Today Senior Inspector Zaragosa continues to serve as the lead instructor for some of the academy's most essential training blocks. Her instruction is consistently rated amongst the most effective and impactful by the recruits who benefit from her guidance.

Through her mentorship, she has played a pivotal role in launching and shaping numerous careers in law enforcement. Many of her former students have gone on to become respected mentors and leaders, which is a reflection of her unwavering dedication, expertise, and lasting influence on the profession.

Kimberly's service, leadership, and passion have left an indelible mark on law enforcement in the state of California and POST.

POST is proud to present Senior Inspector Kimberly Zaragosa with the O.J. "Bud" Hawkins Exceptional Service Award.

(Applause.)

MS. ZARAGOSA: Good morning, everyone. Thank you very much for this prestigious award. I really truly

appreciate it. I'm super nervous. I'm not really one for being at a loss of words, but I am today.

But I'll start off with a fun fact: Jim Grottkau and I used to commute to work when we were deputy sheriffs, brand new, at the Martinez Detention Facility. So there's a fun fact about that.

MR. GROTTKAU: We're not going to talk about that.

MS. ZARAGOSA: No. No, we're not.

I also would like to thank my law enforcement friends and family from the Contra Costa Law Enforcement Training center and my coworkers from the DA's Office that have joined me here today. It is truly an honor to be selected for such a prestigious award. So thank you very much.

(Applause.)

CHAIRPERSON LONG: Well, congratulations to the award recipients and their friends, families, and colleagues. This concludes the awards ceremony for this year. Families, friends, and awardees, there will be photos downstairs.

In the meantime, we will take a brief recess of the committee until 11 o'clock. So we're in recess.

(Break taken in proceedings.)

CHAIRPERSON LONG: We're back in session. The meeting is called to order.

This is the public comment time set aside for members of the public to comment on items on the Commission agenda or not on the agenda but under the Commission's jurisdiction. Please be advised, the Commission cannot take action on items that are not agendized.

Pursuant to Commission policy, the Chair will manage the public comment period in deference to the Commission's workload and meeting time constraints.

Up to 15 minutes is provided at the beginning of each Commission meeting for public comment. Anyone who wishes to speak is asked to please limit remarks to no more than three minutes. If multiple people wish to speak on the same topic, I may ask that you limit remarks to no more than one minute each, and I may end the public comment if speakers are voicing repetitive and similar statements and the 15-minute period has expired.

And, finally, please remember the meeting is being transcribed. So please speak slowly and clearly so your remarks can be accurately recorded.

Is there anyone who would like to address the Commission?

Please come forward.

MR. PARAMPATHU: Good morning, Chair and members.

George Parampathu speaking on behalf of the ACLU California Action.

I will be providing POST K-9 guidelines and the SB 2 updates. Those are both agendized.

CHAIRPERSON LONG: Could I get your last name?

MR. PARAMPATHU: Parampathu, P-A-R-A-M-P-A-T-H-U.

CHAIRPERSON LONG: Thanks. Thank you, sir.

MR. PARAMPATHU: On the police dog guidelines, just last year, the Legislature rejected AB 3241 because it failed to reform the use of police dogs in any way. POST's latest guidelines repeat, word for word, what the Legislature just rejected.

We already know that these guidelines are an objective failure because they simply reiterate the existing policy at agencies with a proven record for abuse.

Take Bakersfield Police Department. Its current policy is nearly identical to POST's latest guidelines. Their results are abysmal. An alarming 97 percent of dog deployments were not to defend self or another. Instead, the department used the police dog primarily on persons who are intoxicated or mentally ill.

POST should not ignore this track record.

Moreover, five years ago, the attorney general called on all police agencies to stop using

find-and-bite and bite-and-hold tactics.

Yet, POST guidelines retain silent on this issue. Even as agencies continue to unleash dogs trained to attack the first person they encounter, mauling innocent bystanders and people who are already surrendered.

My question to the Commission is how and when will POST update the K-9 guidelines to address the community concerns and the concerns raised by the attorney general?

On the SB 2 update, a recent article uncovered how nearly 300 officers throughout the state have had their misconduct -- misconduct shrouded by NDAs with their agencies. Many agencies mistakenly believe that these illegal secrecy agreements prevent them from complying with various transparency laws, including SB 2.

Shockingly, last month, POST revealed that the scope of the NDA issue is much larger than initially reported.

This Commission told the Legislature that there are at least 10,000 misconduct records that are being covered by NDAs. It is important to note that each of these NDAs are for misconduct that is so serious that an officer's own agency deemed them unfit to serve. This includes sexual assault, destroying evidence of sex crimes against minors, and embezzling public dollars.

In other words, these NDAs obscure precisely the sort of misconduct that SB 2 requires be reported to POST.

So when POST told the Legislature that there are 10,000 records of misconduct being covered by these NDAs, what you were really telling the Legislature is that the Commission is aware of at least 10,000 active violations of SB 2. Which begs the question, what does POST plan to do about these thousands of SB 2 violations?

I hope to see that addressed.

Thank you.

CHAIRPERSON LONG: Thank you, sir.

Any questions or comments from --

(No response.)

CHAIRPERSON LONG: I will just ask, just for some point of clarification. As we are bringing it up, there will be reports soon on the K-9 guidelines that will be new.

Are you addressing those or are you addressing the previous guidelines?

MR. PARAMPATHU: I was addressing the guidelines as they are on the agenda. So I believe that that will be the --

CHAIRPERSON LONG: I'm sorry?

MR. PARAMPATHU: From the last -- from this group. I think it was June 2024.

CHAIRPERSON LONG: On this agenda item. Thank you. Thank you.

And also, since this is a report and there will be action taken on those, do you have any written comments you could provide the committee? Or would that -- anything like that, that would be --

MR. PARAMPATHU: I don't have at the moment. But I'm happy to prepare them and send them in.

CHAIRPERSON LONG: Yeah. That would be great. If it's, you know, not too much trouble, that would be -- that would be great.

Any other questions?

(No response.)

CHAIRPERSON LONG: Thank you, sir, for taking the time to appear.

MR. PARAMPATHU: Thank you.

MR. MONTES-PONCE: Good morning, Chair and Members.

My name is Carlos Montes-Ponce. I'm a senior organizer with the American Civil Liberties Union of Northern California based in Sacramento.

As you may recall, on October 17th, 2024, the ACLU submitted a 49-page complaint about five current Vallejo police officers: Colin Eaton, Jordon Patzer, Bryan

Glick, Mark Thompson, and Jarrett Tonn; and four former Vallejo officers: Anthony Romero-Cano, Ryan McMahon, Sean Kenney, and Dustin Joseph.

These cops were involved in the death or serious bodily injury of several community members in Vallejo. You heard testimonies and public comment of family members of those killed that day.

We were encouraged to hear that you intend to investigate all of those officers. We would like to request an update or progress report of your investigations over the last eight months.

The families you heard that day are eagerly awaiting to see the results of your investigation and assemblance of justice for the loss of their loved ones.

Thank you.

CHAIRPERSON LONG: Any questions or comments?

(No response.)

CHAIRPERSON LONG: Carlos, thank you for appearing. I believe it's safe to say that that type of a briefing or update would have to occur once the case is closed.

So we certainly will keep that in mind. And any material you wish to share with us, please do so.

MR. MONTES-PONCE: Thank you. I appreciate that. And we will be make sure to get any relevant material to you.

CHAIRPERSON LONG: Thank you, sir.

Any other public comment?

(No response.)

CHAIRPERSON LONG: Seeing none, we'll have private comment from the Executive Director. Manny Alvarez would like to address the Commission at this time.

EXECUTIVE DIRECTOR ALVAREZ: Thank you, Mr. Chair. Thank you, Commissioners, for your time, your engagement, and your leadership and direction on the Commission. We do appreciate it.

I want to start off with just a quick statement about yesterday. Yesterday we had the POST Advisory Committee, and I just would like to thank Chief Salazar and those POST Advisory Committee members that are here, just so that they can hear our thanks.

They had a very robust discussion yesterday with a lot of feedback, a lot of concern at times about some of the things that are being put before you today. And we appreciate that type of engagement with them.

So I just want to thank you, Chief Salazar, for yesterday.

I would like to address one thing that you all had approved six months ago at a previous Commission meeting. And that is the reimbursement or the expenditures that we have in terms of instruction;

basically providing additional payments to instructors, upping the numbers, so to speak, for the instructors, in terms of dollars. You approved it.

We have not submitted that yet for the Office of Administrative Law, only because we think that during this challenging budget time, for us to pay even more than we are already paying may not make its way through, and it is probably not an appropriate time for us to push that through. So we're holding that in abeyance. But you have approved it previously.

Second of all, I would like to address some of the things that you will be seeing in September.

So, first of all, we have had a lot of discussion about Regulation 1005 and training for peace officers and what that training should look like. Specifically, is it a -- as it relates to peace officers who are not your typical police officer or deputy sheriff; some that are investigative positions. Had a lot of discussion about that, workshops in that regard.

We tend to present, in September, a consent item, just an informational item, as to where we are with that.

I want to thank the Legal Affairs Bureau and Toby Darden, our chief counsel. They have already prepared a draft of what that should look like in terms of each of

the different peace officers that fall under Penal Code 830. So we will present that to you in -- in September.

Also, we have been working, as many of you know, on PC 832 firearms training -- we intended to present that to you in September -- essentially updating the training hours and the curriculum for PC 832 based on the workshops that we had. Commissioners Gordon and Commissioner Braziel participated in those workshops.

Based on the discussion that we had yesterday with the Advisory Committee -- and since the Advisory Committee will not be there in September -- I think it is only fair to hold that off until December so they can weigh in.

There's a number of individuals who are instructors, including PC 832 instructors, that sit on the -- on the POST Advisory Committee. So we think it is appropriate to wait so that they can hear what we propose in terms of a regulatory change for PC 832.

The same goes for instructor standards. We presented a consent item 6 months ago on challenges that we had with instructors, sometimes with the quality of instructors, sometimes with the conduct of instructors, and what actions we can take against those instructors should problems arise.

We anticipated putting a regulatory agenda item for

you in September. And, again, based on the -- just the engagement yesterday with the POST Advisory Committee, I think it would be wise to hold off on that until December so that the Advisory Committee can hear those -- those proposed changes.

Lastly, today you are going to obviously get an update on peace officer certification. I won't get too far ahead of that. But I do know that one of the topics that we hear pretty regularly is the backlog on the number of cases, and we are slowly working through those cases. I pulled some numbers from the last Commission meeting, which was in March.

We presented to you numbers that were as of February 14th, 2025; cases that were pending with POST. And at that time, we presented to you there were 13,312 cases. We are slowly working our way through those. And you will hear today that we are just over 6,200 at this time.

Most of those cases are prior -- you will hear Priority 3 and Priority 4 cases. They are retroactive cases that are already had one initial screening and triage, that appear that they are low priority or do not meet the requirements of SB 2.

You will also hear that there's approximately 6,000 cases with law enforcement agencies across the state.

And that is primarily due to the fact that they are required to present to us a charge, complaint, or allegation. So as soon as that allegation presents itself, they are reporting that to us.

That number will likely not change in the future. There likely will always be close to 6,000 cases around the state that are being looked at by agencies. But we do expect our numbers to drop slightly from 6,000. So we are making some progress in that regard.

Next I will go to space. We are challenged with space. As we -- as we started to grow with Senate Bill 2, we, you know, planned for a new space in this building. We have hit a little bit of a bump in the road with space across the hall. We are working through that on a weekly basis.

The space issues are such that we were intending to move one entire unit, or one unit bureau, of approximately 20, 25 individuals to the new space, to free up space downstairs, as well as to move this and have a permanent dais for the Commission to hold its meetings. That has just been a challenge to get that through.

We are working through the challenges with the state fire marshal. And, hopefully, sometime in the spring or the summer of next year, we'll be in the new

space and be able to occupy some of the -- or deal with some of the challenges we were having with -- with cubicles and office space.

Next, I would like to just address the staffing, because that also is a point of discussion as we move around the state and we talk about backlog of cases.

As of today, we have 215 full-time positions on board. We continue to increase the staffing by 15 to 20 new employees per year, or grow by 15 to 20 new employees. Our staffing model is currently 263. So we're at 215.

You will hear today that we are going to lose some staffing more than likely, some positions due to the budget. I know Tom Osborne and Kim Singleton will address that, so I won't get too far ahead of that. But we are currently understaffed by about 16 percent.

The challenge with it is that a lot of the staffing is, in terms of Law Enforcement Consultants within the Peace Officer Standards Accountability Division, those that are handling Senate Bill 2, I believe that we have approximately 18 of those positions that are vacant. So we will continue to press along.

And hopefully by next year, the goal is to have approximately 231 full-time employees at POST.

Lastly, you may hear from some of our staff that

would like to speak with some of you. We have assigned a team of individuals -- they are all fairly new to POST -- to address the quality of training across the state. So we constantly, as many of you know, get questions about how do you know your training is good. And we always say, you know, we refer to a quantitative analysis or quantitative numbers that, hey, you know, 6,000 people took the course so it must be good. So we're hopefully going to take a stab at how can we make a better analysis on the quality of training.

They have been tasked -- and they have been given free rein -- to speak with you, to speak with some of our POST staff, as well as to speak with the law enforcement community, as well as with academia across the state, to try to make a better assessment of our training.

And then, lastly, I just would like to thank the staff for this Commission meeting. Obviously, this is a big to-do to put this on, and it always goes very, very smoothly, thanks to a number of folks that are all behind me. And then obviously, a lot of the folks in the audience that pushed the agenda together.

The agenda -- we're always pushing the envelope with the timing to make sure we're compliant with Bagley-Keene and the publishing of the agenda.

This was perhaps one of the smoother ones that we have had with them preparing the agenda and getting it to us in a reasonable fashion so that we can approve it and get it out to you all. So I want to thank the staff.

And really thank you to the Commission and to the Chair for affording me the opportunity to speak.

Thank you.

CHAIRPERSON LONG: Thank you, Manny.

Any questions at this time for Executive Director Alvarez?

(No response.)

COMMISSIONER THERRIAULT: Commissioner Therriault.

CHAIRPERSON LONG: Commissioner Therriault.

COMMISSIONER THERRIAULT: Earlier, Executive Director, you said that the new rates would be held in abeyance.

How long is that anticipated? Is that going to be a whole fiscal year or TBD?

EXECUTIVE DIRECTOR ALVAREZ: Yeah. I think it is more of a TBD. Obviously, we want to wait until the budget gets approved. The way we proposed it, and the way we proposed it to the Commission, was that we would not ask for additional monies from the Legislature; that we would take it out of hide so we would pay more for

those services. But I believe it is going to be at least the end of this year, I think. We'll see where we are at.

COMMISSIONER THERRIAULT: Understood.

And then the cuts, or anticipated cuts, when do you think you will have a notification on that from -- from the State?

EXECUTIVE DIRECTOR ALVAREZ: So the budget is due by the end of June, so we will know more by September; by the next Commission meeting.

We have already planned out -- and I think Tom Osborne and Kim Singleton are going to speak specific to our budget and where we are and what we anticipate doing.

We don't anticipate any cuts related to training of peace officers and dispatchers. I think we have moved money around in a significant way to be able to deliver training at the same rate.

Additionally, we have imposed on our contracts that our courses be filled with -- 80 percent of the class must be filled by POST participants which, you know, we have just run -- run into some issues in the past where, you know, the class is supposed to have 25 people and it's being delivered with 13, and it costs us the same amount of money.

So we hope that the classes will be fuller; maybe be a little bit cheaper for us to deliver. So, hopefully, there shouldn't be, hopefully, much of an impact to the field.

We have already communicated to all those vendors, so to speak, or those contractees from departments and community colleges on the new 80 percent requirement. It is a target. We have also built into the contract that, essentially, if they are going to go under, that they need to tell us.

Obviously things happen. Fires happen. Cases happen where they might go under 80 percent. Or they have already incurred costs for hotels or whatever it may be. So we just want to approve that and review it before that happens.

But we anticipate -- we hope that we will be able to deliver training at the exact same rate.

COMMISSIONER THERRIAULT: I appreciate that.

I definitely appreciate all your work and the work of POST staff. I just -- I guess I was wondering if there was like a heads-up that they send out ahead of time for the -- specifically you talked about the cuts to the Accountability Division.

But yeah. It is just shameful that these kind of unfunded mandates occur. But thank you for your

efforts.

CHAIRPERSON LONG: Commissioner Gordon.

COMMISSIONER GORDON: I understand the "why" on the discussion being moved and not happening in September so the Advisory Committee can weigh in on the changes.

I will just express I'm disappointed because there's been a lot of work that's gone into it by staff, by Commission members, and by all of the subject matter experts that were brought. Because this is going to be a huge lift to make the changes, and there's a lot of departments and organizations waiting to see what that changes are going to be.

And so the longer we push that out -- and it is going to be a huge lift to make those changes. So I get the "why," but I just want to express disappointment in that fact. Because a lot of folks -- like I said, a lot of agencies are waiting for some resolution to that and knowing what the future is going to look like for PC 832 and the firearms and the different pieces.

And the longer we wait to make those changes, you know, there's more liability and other things to consider with that.

EXECUTIVE DIRECTOR ALVAREZ: Mr. Chair.

CHAIRPERSON LONG: Please.

EXECUTIVE DIRECTOR ALVAREZ: So there are a few

options that we can take to try to speed it up.

And before I start with that, this is not something that the Advisory Committee asked for. I just -- seeing how engaged they were yesterday, I just want to be respectful of what they do, and I suggested that. It doesn't have to be that way. We can definitely present it in September.

We also have some options to present it as a consent item with the final vote in December, just so you hear what we're proposing doing.

We also have the ability -- if you all are amenable -- to hear you out in your feedback in September, in your guidance; and then put it out for public comment before -- generally speaking, you hear the regulations, the proposed regulations, and then we put it out for public comment.

We could do that before -- you know, shortly after the September meeting, if you would like, to just speed it up. That is a possibility. But we always ask if you are interested in us putting it out before. We don't want to get out ahead of you all.

COMMISSIONER GORDON: I think it would be helpful for the Commission to see it before it goes out for public comment. But I would like to see us do whatever we can to keep that on track and not slow it down.

Because, like I said, a lot of agencies are waiting. There was a lot -- I was part of the subject matter experts. And so a lot of thought has gone into this and I don't want to be disrespectful to the Advisory Committee and their role in this. However, like I said, we need to keep this moving and let's not slow down.

EXECUTIVE DIRECTOR ALVAREZ: I don't want to jump ahead of the Advisory Committee in what they are going to say or do. I think they are going to appreciate it, to be very honest with you, based on their prior discussion about the firearms training and PC 832 instruction. I don't think there's going to be any concerns.

Obviously, I think everybody seems to be in agreement. So we can present it or we can present it as a consent item and then do the -- whatever you all -- whatever direction you give us, we will take.

CHAIRPERSON LONG: Commissioner Gordon, are you leaning towards a presentation, then, in September? Is that your recommendation?

COMMISSIONER GORDON: I think it would be helpful to have the presentation in September, and then it could go for a final vote in December, with -- then the Advisory Committee would weigh in if there's any

additional concerns on their behalf. They will have the option to look at it when it goes in September so then they can also have the opportunity, if they have concerns, to reach out to staff. And then hopefully in December, we can get it done.

CHAIRPERSON LONG: Are there any concerns with that?

Commissioner Braziel?

COMMISSIONER BRAZIEL: No. I was just going to support what Commissioner Gordon is recommending.

I don't think -- I think whatever was presented the first time is going to be sent back for some retooling. So I think it is appropriate to have a conversation in September. Fine-tune it enough to actually let the advisory board look at it so it is closer to final versus kicking it back and forth four or five times.

So I totally support what Commissioner Gordon is supporting.

CHAIRPERSON LONG: Commissioner Therriault.

COMMISSIONER THERRIAULT: Commissioner Therriault.

I also support Commissioner Gordon's response.

I would just -- it is often helpful for me when POST sends me, like, a little notification update. Maybe send that to the Advisory Committee and letting them know specifically about this issue so that they can

have time to look at it. But by our next September meeting and then obviously, December for them.

CHAIRPERSON LONG: Commissioner Nieto.

COMMISSIONER NIETO: All I ask is if we do do that -- and I'm not opposed to it -- is that when we finally come back for a final, that we get the overview, because there was time in between, and then whatever Advisory wants to make changes on.

COMMISSIONER MOON: Commissioner Moon.

I wholeheartedly agree with Commissioner Gordon.

And it gives us the time to digest it and come back also with the Advisory Committee's comments afterwards, so that it is more time to research. And really not being on that committee, hearing a presentation; I agree with.

CHAIRPERSON LONG: Thank you for the prompt, Commissioner Gordon. Sounds like an excellent way to go.

Mr. Executive Director.

EXECUTIVE DIRECTOR ALVAREZ: One more question based on that.

The instructor standards; would you like to hear that similar issue? Perhaps -- perhaps more pressing, perhaps less pressing. I don't know.

Would you like to hear that in September, in a

similar fashion? Or just wait until December?

CHAIRPERSON LONG: Commissioner Gordon.

COMMISSIONER GORDON: My recommendation would be to do the same with that because I think -- same thing. That there will be some discussion and, that way, when we get to December, it will be a better product for everyone to actually move forward with.

CHAIRPERSON LONG: Let me ask Chief Salazar if any of this rings appropriate to you; if you have any concerns from the Advisory Committee standpoint.

ADVISORY CHAIRPERSON SALAZAR: No. I would support this. I think the Advisory Committee would support this suggestion as well.

CHAIRPERSON LONG: Excellent.

Thank you, Commissioner Gordon. Clear? We are good?

Mr. Executive Director.

EXECUTIVE DIRECTOR ALVAREZ: Yes. The only other thing that I would add -- I apologize -- is we do intend to pilot the firearms course, the PC 832 firearms course, for a period of time. That was our intent, to request permission to pilot it as well. Just FYI. But.

We'll come to you in September.

CHAIRPERSON LONG: Any final questions or concerns there?

(No response.)

CHAIRPERSON LONG: All right. Then we will move quickly to our first item, which is approval of the transcript and action summary from our last meeting, March 5th.

Is there objection to unanimous consent to approve the transcript and action summary?

(No response.)

CHAIRPERSON LONG: Seeing none, action summary and transcript is adopted.

Move now to the consent calendar.

We will have presentations on Consent Items c. through h., unless any commissioners would like a report on Consent Items a., b., or i.

(No response.)

CHAIRPERSON LONG: If not, we can always come back if anyone changes their mind.

Our first item would be an Update Regarding Transferability of Peace Officer Background Investigation Files Between Agencies. The report is presented for discussion only. No action is required.

Staff Services Manager Kelli Surawski will report, I believe.

MS. SURAWSKI: Good morning, Chair Long. Good morning, Commissioners.

The proposal of the transferability of peace officer background investigation files between agencies was initially presented for discussion at the POST Commission meeting in November 2024.

This is an update to that item and is presented for further discussion.

On April 28, 2025, a meeting was held between POST and the California Police Chiefs Association regarding the transferability of peace officer investigation files between agencies.

The following parameters for potential regulations were recommended by Cal Chiefs.

Background investigation transferability will only apply to entry-level and lateral peace officer applicants having a background completed within the last 12 months. The background investigation must have been conducted in accordance with current requirements. A background investigation update is required from when the background investigation was completed. And the transfer of a background investigation file will be at the discretion of both employing agencies.

In addition to the Cal Chiefs recommendations, the following is recommended by POST for consistency with current regulations:

The 12 months will be determined by the signature

of hiring authority designee date on the Verification of Qualification for Peace Officer Form POST 2-355; and the initial investigating agency and the prospective agency must maintain copies of the transferred background investigation file.

This is all I have.

Do you have any questions regarding this item?

CHAIRPERSON LONG: Questions or comment?

Chief Salazar, I think the Advisory Committee had something to say about this one yesterday.

ADVISORY CHAIRPERSON SALAZAR: Thank you, Mr. Chair.

We did. And if I could just provide a little bit of background.

This was raised by members of the Cal Chiefs Association.

In the situation where you may have an employee that gets hired -- goes through a background and gets hired by Agency A; and, for whatever reason, nondisciplinary reasons, is released or moves within, say, six months of the background having been completed. Goes to Agency B. Agency B currently would then be required to do a completely new background investigation. In some cases, it may be the same third-party background investigator that is doing the

background.

And so the question was -- and there's already an existing regulation that allows this transferability of backgrounds under similar conditions for interim police chiefs.

So the question was, would you be able to do that, in the case of this situation and a regular police officer background? So that's the issue that was raised.

POST did meet with Cal Chiefs members to discuss this issue. The feedback that was provided from them is included in the staff report here.

Yesterday, at the Advisory Committee, there were a couple of different issues that were raised with regards to -- generally I think some support for the idea but also some concerns as to how it actually plays out.

The major concern has to do with the -- ensuring the quality of the initial background that was done.

So under the proposed changes that the staff just presented, if an officer had a background done and, six months later, goes to another agency, the agency that would be transferring the background would have to do an update from the completion of the first background. So a six-month update, in essence, if that were the situation.

The concerns were whether or not -- how do you verify the quality of the first background investigation that was conducted?

So in the case of transferability for an interim chief, POST would look at that background, the initial background, and essentially conduct an audit or a compliance check to make sure that that background met POST standards.

That is -- that would not -- at least it's currently not proposed as part of this process for background transferability. So the question was whether or not that should be included in the proposed changes.

And so a number of discussions just about the quality of the background.

And then the other piece was, how many times could that background transfer?

So, in essence, if you had Agency A -- the candidate applies for Agency A, applies now for Agency B. Within that 12-month period, they have transferability. If something happens, they move to Agency C. Could that background continue to transfer three or four times within that period of time? Or should the regulation on this limit the transferability of the background to say it is transferred one time? If they move to a third agency, it would require a

completely new background.

I think I summarized, for the most part, what the major discussion was. But those were the two particular categories: How many times could it transfer and then just ensuring the quality of the background.

CHAIRPERSON LONG: Thank you, Chief.

Do you wish to comment, Ms. Surawski? Any response to the chief's comment?

MS. SURAWSKI: No, I do not.

CHAIRPERSON LONG: Okay.

Commissioner Nieto.

COMMISSIONER NIETO: I do have a question for the Advisory Committee. Did you guys come up with a number of transfers? Does it go round and round? Or two was the -- one time and that's it? One and done?

ADVISORY CHAIRPERSON SALAZAR: I think generally the discussion was, it should transfer -- it would be available to transfer one time. So -- but not twice.

COMMISSIONER BRAUN: Commissioner Braun.

I would have a concern about putting the burden on POST to review a background. I think the liability falls on the agency who is willing to accept somebody else's background. They take it at their own folly.

I would not accept anybody else's background investigation; I would conduct my own. Especially

someone who, within a year, has left their agency for whatever reason; whether they washed out or their agency shopping or whatever. That's a person that is even more concerning to me. I'm sure there are exceptions to that.

But if this rule goes forward, I would not want to see POST have a role in vetting the background in any way, even in audit format.

CHAIRPERSON LONG: Additional comments or questions?

Commissioner Gordon.

COMMISSIONER GORDON: Just that I would agree with Commissioner Braun.

We have recently had that experience so...

CHAIRPERSON LONG: I have just a quick question, I guess, for my law enforcement colleagues.

Does the -- does the existence -- the requirement that a background investigation file is at the discretion of the employing agencies, does that address, in general, the concerns of the Advisory Committee? The fact that the transfer has to be mutually agreed upon?

COMMISSIONER BRAUN: I don't think that -- sorry. Commission Braun.

I don't -- that doesn't guarantee that it is a good background investigation. That just means that you are

willing to get rid of this person and share their background with somebody else.

COMMISSIONER MOON: Commissioner Moon.

I do recall the initial request was about cost for maybe smaller agencies. And potentially even -- if my memory serves me right, a chief moving from agency to agency, which you know, again, is -- as long as there's no requirement from POST to accept or acknowledge that it is a good background.

And it's -- again, for me personally, I would not accept another agency's background. So I would -- I would be hesitant if it is a smaller agency for cost that -- I would still have questions on allowing someone else's background.

CHAIRPERSON LONG: Chief.

ADVISORY CHAIRPERSON SALAZAR: Yes. Mr. Chair.

So if I could. And I agree with Commissioners Braun and Gordon. I would conduct an entire -- an entirely new background, but we have our own background investigators.

The issue was raised by agencies that typically use, like, a third-party background investigator. So they hire a third-party background investigator that conducted, let's say, background A.

The officer was moving somewhere else, to another

agency. And that agency was using the same background investigator now to conduct an entirely new background investigation.

So the question arose from that particular scenario, which is, I think, also why the language is included. It would be done at the discretion of both agencies agreeing to do it.

So that is kind of the specific scenario that raised the question.

I would agree with Commissioners Gordon and Braun. In my situation, I would just conduct a new background.

But it does for some other agencies that are smaller, maybe don't have their own background investigators, that are using the same third-party to conduct both background investigations, the option to do so.

CHAIRPERSON LONG: Commissioner Nieto.

COMMISSIONER NIETO: Commissioner Nieto.

I know when we discussed this last time -- and I think most of the people said that "I would do my own." But we were supporting it because it came from the California Chiefs Association for what you just stated about using the same background investigator.

POST does their audit anyways, once you hire somebody and they are on their agency; you get audited

every year by POST to make sure your background is in place.

The liability falls on the leader of the law enforcement agency. It is a decision they are going to make. They also make the decision on some background issues where they have to decide on gray issues whether they are going to hire that person.

And so I can tell you that I'm going to support it because I'm going to support the California Chiefs Association and that request.

CHAIRPERSON LONG: Let me ask our Executive Director: Do you have sufficient -- are you receiving sufficient "import" here from the Commission as to the drafting of regs that, I presume, would probably come back before the Commission in December?

Do you feel you have sufficient information to address the concerns that have been brought forth by the Advisory Committee and the Commission?

EXECUTIVE DIRECTOR ALVAREZ: Mr. Chair, yes. I believe we have enough information to draft a regulation, a proposed regulation.

Now, whether you all should vote yes or no, that's beyond us. But I think we have enough to write it at this point unless Melani or Kelli, that you have any other questions. I think we have received the feedback,

the guardrails. Whether it's a good thing or a bad thing, we will leave it to your discretion. But we have enough.

CHAIRPERSON LONG: Additional comments or questions?

(No response.)

CHAIRPERSON LONG: All right. The next item is a report on the POST Organizational Wellness Program. Management Counseling and Projects Bureau LEC Raymund Nanadiego will report. And I believe Cassandra Vietin as well. One or the other or both. Thanks, folks.

MR. NANADIEGO: Good morning, Commissioners. Thank you, Mr. Chair.

With me today is UC San Diego Research Director Dr. Cassandra Vietin, and she will provide a report from the university's perspective momentarily.

The POST Organizational Wellness Program was established to provide training opportunities and resources to help law enforcement agencies develop new or enhance existing organizational wellness programs for their sworn and professional staff to thrive in their personal and professional lives.

POST entered into this three-year contract beginning in 2022 to 2023 fiscal year with the University of California San Diego Centers for

Integrative Health to design and develop innovative strategies intended to help improve the health and well-being of peace officers and law enforcement professional staff; and the goal to serve 30 to 60 agencies until the end of the contract.

UC San Diego was also tasked to develop a research infrastructure to evaluate the impact of this organizational wellness initiative; provide virtual resources to further sustain the programs; and provide mentorship to departments as agencies developed their organizational wellness programs.

We're proud to say that the 60-agency maximum limit was reached in September 2024, as Santa Barbara Police Department joined the program.

Over 40 additional agencies expressed interest in participating in the program but were unable to be served due to the limits of the current contract. And they were added to a pending agency list.

UC San Diego provided subject matter experts to share insight into evidence-based wellness concepts for the law enforcement community and develop a new POST Organizational Wellness Coordinator Course.

This course was POST-certified in March 2024; modified and updated in July 2024; and completed the quality assessment process in November 2024.

The course either met standards or was above standards on the POST training evaluation course and instructor assessments.

The course was presented five times at various locations throughout the state between May to December 2024.

Approximately 160 individuals from the 60 participating agencies attended the course. The participating -- excuse me.

The participants were a diverse mix of sworn and professional staff ranging from line-level to command staff, including Sheriff Robert Jonsen from Santa Clara County Sheriff's Office.

The agency wellness teams received several weeks of mentorship from UC San Diego and as they developed and implemented their personalized agency wellness plans following the completion of the course.

Now, a group of subject matter experts were convened on February 18 to 20, 2025, at POST headquarters, to review and update an unpublished guidelines document on organizational wellness. Publication and release of the new organizational wellness guidelines is anticipated for later this summer.

The first POST Organizational Wellness Conference

was held on May 20 to 21st, 2025, at the Hotel Fera in Anaheim. The maximum agency registration was reached in March 2025 and a wait list was established. Approximately 165 law enforcement personnel attended from around the state.

The POST Organizational Wellness Conference provided the following opportunities to attendees: Presentations and discussions with subject matter experts from the law enforcement community; health and wellness fields in academia; networking opportunities with professionals and other agency teams across the state; strategies and ideas to help enhance the overall wellness of an agency's sworn and professional staff; a glimpse into the new POST Organizational wellness guidelines and CPT credit.

UC San Diego developed a new program with a virtual platform called 720 Health. This open source resource provides ongoing learning opportunities for agency personnel and wellness teams, including personalized learning pathways customized for individuals.

UC San Diego will provide research findings on the correlation of wellness and the law enforcement industry by October 2025, following their data analysis.

Without further ado, Dr. Cassandra Vietin.

DR. VIETIN: Thank you. And I'm representing the

University of California San Diego. And our whole team is very grateful for the ongoing collaboration with POST. And it's been the honor of many of our careers to work on this project with our law enforcement professionals throughout California state, with the guidance of Raymund Nanadiego and the team at POST. So thank you.

All of you are very aware for the need to address wellness in law enforcement. And so this need has only grown over the last several years and we anticipate will continue to grow. We know that we need to treat wellness now. Similar to any other perishable skill, we need to provide training from academy all the way to retirement, and we need to provide it on an ongoing basis.

So when we sent out our initial interest survey to all of the agencies in California, 485 agencies expressed interest in participating.

We also, in parallel, ran a literature review process where we looked at articles and scientific evidence throughout the last 20 years on what kinds of wellness programs have worked and not worked; what are the barriers and what are the facilitators.

And we also conducted a number of interviews and focus groups from stakeholders throughout the law

enforcement domain, sworn and nonsworn, and at all ranks, in order to try to get a sense of what the needs of the agencies were, and what kinds of things they would feasibly able to be incorporate, and what some of the barriers and concerns might be.

So we came out of that knowing that there were going to be several requirements for a program to be successful, which are listed here.

I'm happy to send you these slides afterwards.

Very important to have leadership support, important to have proactive, preventative wellness, not just reactive, post-critical incident. Very crucial that it be culturally competent and developed in collaboration with law enforcement and aligned with LD 14; feasible, realistic, and confidential; evidence-based, grounded in science, and data-driven and sustainable. And, luckily, UC San Diego is another government agency in California and a nonprofit.

So having it be mission-driven and not for profit goes a long way towards making sure that people don't feel like there's some capitalization on suffering.

So we landed with a strategy that would be top down and bottom up, looking at culture, training, and resources. Making interventions that would identify ways that we might be able to shift the culture and the

agency; providing specific training for leaders in the agency but also for all personnel to have access to; and then resources such as supplies, equipment, and access to mental health care.

So our deliverables for this project were to enroll 60 agencies to train 120 organizational wellness coordinators who would be placed in each agency as leaders; to directly impact at least 5,000 to 10,000 law enforcement professionals; and provide a curriculum for wellness for the -- at the individual level.

We were also able to -- wanted to create a step-by-step agency wellness plan process and a guide; train WC POST course trainers; develop effectiveness at individual and agency levels; and to leave a replicable, sustainable program.

And so we developed 720 Health. This refers to the 360-degree situational awareness outside of you, that is already trained, and adding to that a 360-degree internal, integrative, holistic awareness of what -- how are you doing? How is it going with your thinking, emotions, and physical health?

And so we wanted to provide evidence-based interactive trainings with integrative health technology interventions to make sure that law enforcement professionals and agencies would have access to the

knowledge, skills, and resources they would need to create a culture of wellness.

We did, in fact, enroll 60 agencies. We have another 45 on the waiting list, which we are going to be able to reach out to and offer training.

We had multiple organizational wellness coordinator trainings in various locations throughout the state.

These are just some examples of the kinds of trainings we held.

And we were able to, at those trainings, not only give the organizational leaders internally a sense of what kinds of wellness practices were most crucial for individual health, but also to provide them guidance in creating a comprehensive agency wellness plan that would be rolled out over the next year or two at their agencies. In addition to following it up with mentors, who would meet with them regularly to help them finalize their agency wellness plans, ideally get approval from their chiefs.

Here is them presenting this in the workshop and getting feedback from the other agencies.

And agencies began to work together on initiatives as well, which was really helpful.

So each agency came out of it with a written agency wellness plan, which includes multiple components:

Priorities, goals, how to launch the program, how to evaluate impact, how to maintain and sustain, and what the budget might be for it.

We were also able to provide almost 2,500 mentorship hours to date, and so far have delivered over $45,000 in supplies to the 25 agencies that have completed their agency wellness planning process. The other agencies are in the process of completing.

And there are still grants available for those agencies to complete that plan and get things like these new gym flooring or water bottles or stretch bands or things that people need to assist in the education.

So as we move from the agency level to the individual level, our goal was to increase resilience.

Through all of the research we did and from the evidence that is out in the scientific community, we knew that these six domains for whole person health would be the most crucial domains to address: Awareness and stress reduction, alignment with purpose. And those two forming the basis for being able to complete programs around exercise and movement, eating and nutrition, rest and sleep, and social connection.

And so we were able to roll out 720 Health as a multi-platform individual training program that people could enroll in, either online, self-directed; or live

on Zoom; or request an individual agency live training in person, which we did provide some of those.

When they sign up for the program, each individual person will complete a questionnaire, and then the education that is provided to them will be customized based on that questionnaire. They will receive up to 24 hours of training on an online platform that they could use at their desktop computer or on their mobile phone.

They could again attend some live sessions if their agency wanted that. They would be able to track their progress and receive messages from the program; newsletters and things that would help boost their progress.

And then they would also receive five to seven text messages a week. That took about one minute to respond to. Reading something that was a reminder about health and well-being, but also answering a quiz question or two about how they are doing and their sleep and their stress levels, etc.

This allows us to get a very fine-grained and detailed approach to measuring the effectiveness of the program overtime, not just in retrospect.

Then we had about 850 people sign up for the Fitbit component, where they would wear a wearable 24/7 for 12 weeks, monitoring sleep, activity, and heart rate, so

that we could have objective measures.

Now, as Raymund mentioned, today we will not be able to tell you the outcomes of these more sophisticated research methods because analysis is still underway and some agencies are still completing. But we'll be able to do that in October.

So we have about 750 people enrolled and still completing.

What we're going to be looking at with the research is, were we able to address the target behaviors? But even more importantly, were we able to find what we hope would come out of those behaviors: Increased quality of life, physical and mental health, social health, well-being, stress resilience, mental health, lower burnout, lower PTS symptoms.

We also have a confidentiality waiver from the federal government that allows these records to be protected from subpoena.

And we hope that we will be able to see some agency outcomes as well as we analyze the data.

So all of the green checks are completed. We're still working on the blue checks. We'll be able to report on that, as I said, in October.

So far though, we do have some data on people's response to the organizational wellness coordinator

trainings; that they found it very useful. This is for the leaders.

We also had a lot of lessons learned. There were some challenges with technology. There was limits of marrying two government technology platforms with the human technology interface. And so there was some frustration at the beginning, where people were logging on, having to fix passwords and things like that. So those have been resolved for future buy-in.

We also realize that even though we did a really strong leadership buy-in at the very beginning of the program, we realize that it really needs to be throughout the program. That if a leader says, "Yes, do this, I'm behind it," we need to be updating them every month, every couple of months, to make sure that they are still on board.

Because when people get back from the organizational wellness coordinator training, they didn't always find the support that they were hoping for.

However, for the most part, there was tremendous support by the agencies that were participating and a lot of enthusiasm.

We will be hosting a training in August 2025. This will be at cost, because the funding won't be continuing

for the program through the state. But we're working very hard to keep the cost down.

This is POST-certified. So the lodging, travel, and meals will be covered. And the tuition, we will try to keep at a moderate level. Were also creating WELLNET, which is a community for wellness leaders in law enforcement, which will meet quarterly to share best practices and form collaborations across the state, share success stories, and have access to practical resources. And so everybody will be invited to join that.

We also have an online set of resources that are open source and free to everyone, every rank, every officer, and their family members, and anyone from the public, at 720@health.ucsd.edu.

We will continue to look for funding to support future programs for the 45 that are on the waiting list that might not be able to come up with the funding.

And if you have the opportunity, you will be able to scan this QR code and see a video of the people who participated in the program and what they thought of it.

So I appreciate your attention.

Thank you.

CHAIRPERSON LONG: Thank you very much, Dr. Vietin.

Any questions or comments from the commissioners?

Commissioner Gordon.

COMMISSIONER GORDON: Just a couple things really quickly.

I think it would be helpful, just based on my own experiences and our department experience, that based on the struggles with 720 in the beginning, I can tell you, most of my organization does not want to use it because of their struggles.

So I think maybe an opportunity for a relaunch would be really helpful.

I know that I've been asked to purchase a different platform and some other things, and I have pushed back, allowing, you know, the kinks to be worked out. But I think it would be helpful for a relaunch so that people understand those kinks have been worked out. I mean, it is normal for a new program, so it is -- there's nothing bad about that. You try and then you fix and you try again. So that would be one suggestion.

And then I think in terms of what you are speaking of in terms of leaders not being as involved or supportive, I think part of that, though, it would be helpful if the program continues to do a monthly reach-out --

DR. VIETIN: Yeah.

COMMISSIONER GORDON: -- because it is hard for me,

as a chief, to have the check and balance because I have to rely on those coordinators. And just human nature; sometimes the communication is not as good. So it would be helpful for me to know these pieces are coming up.

I can make sure that, A, I'm engaged, and, you know, my folks are also continuing to be engaged.

So that's just from my experiences.

I appreciate, the team has been wonderful. I think there's lots of great things that will come out of this. I'm excited to see what the findings are, and, you know, meeting some of those goals.

But those are just a couple of suggestions from what I'm seeing in my own agency.

DR. VIETIN: Thank you. And thank you for participating.

And, yeah, I would love to talk to you about how to best pull off a relaunch, because we would love to do that. And that definitely was not a comment on a limitation on leadership. It was more what we could do better. Yeah.

COMMISSIONER GORDON: But it certainly is a limitation on leadership as well. It is a -- it's both sides. So I think the more that we can find ways to improve the information flow and encouraging as well.

CHAIRPERSON LONG: Any other comments?

Commissioner Johnson.

COMMISSIONER JOHNSON: Doctor, can you speak to any -- working with labor? So the police unions in this space. I represent a pretty large police union and I get the calls personally. So I realize this is a platform and it's a training. But there is always -- because some of these situations are very, very complicated when they are called.

So all these police departments and the leadership is being contacted. But have you -- how do you work with the police unions -- the 720 program specifically? Not the agency and their police unions, but the program and police unions.

DR. VIETIN: Let me make sure I understand you correctly.

So when we enrolled every agency, we had a series of onboarding meetings, and we always included the associations and the unions in those meetings to make sure that they felt comfortable with what the program was going to be asking for. And also if they were okay with the Fitbits; were they okay with the text messaging; and to explain the certificate of confidentiality from the federal government that protects from subpoena.

So we did try to do that.

But are you talking about a different level of --

COMMISSIONER JOHNSON: No, no.

DR. VIETIN: Okay.

COMMISSIONER JOHNSON: I'm just talking about some --

DR. VIETIN: Yeah. We worked pretty closely with the associations and unions. And we were gratified to find out that they were, in general, very on board.

COMMISSIONER JOHNSON: Thank you for that.

DR. VIETIN: Thank you. Yeah.

MR. NANADIEGO: And, Commissioner, I might also add: So while the current contract is ending at the end of June with UC San Diego with a special fund that POST received, our bureau, Management Counseling Projects Bureau, does have some ideas on how we can continue being a resource and a support to the field on this topic.

So, for example, management studies. We are going to be offering organizational wellness as a specific topic at the request of the chief or the sheriff on that.

So -- but we're happy to engage in conversation with the unions and any other entities, because we do feel that organizational wellness and the benefit on the front end with proactive strategies, combined with the

response-based programs, is really the direction that our industry is going.

So we raise the resiliency higher for everybody. And then when things arise, or challenges arise, then the response-based can get them back to working sooner and faster.

COMMISSIONER JOHNSON: And my comment -- just my experience with this. And the Highway Patrol has had it for a very, very long time. Or longer probably than most.

But we -- we often -- I have a pretty strong opinion that until the agencies -- the cities, the counties, or the state -- and the unions and associations, until they are sending everybody to the same resource, not multiple resources, but one location where they can come to an agreement, that whomever they call, if they call police chief or a sheriff or me, a rank-and-file individual, we're all in agreeance to send them to -- it doesn't have to be one location, single source, but to a limited amount of sources.

Because if I just provide a phone number and say, "good luck" -- and you provide a phone number and "good luck," and they are two different phone numbers to two different -- it creates a level of distrust in the system.

And I'm sure you already know, there's a huge amount of trust issues when you get into the wellness programs within police agencies and fire agencies and EMS and those types of things. Because people with -- the stigma is, if you come forward, you will be in trouble in some fashion. So I try to overcome that.

I get one -- a crisis call a week where somebody is in true crisis. And I'm grateful that there's a place where we can send them. And there's several places that we can go immediately. But I'm not sure my employer sends them to that same location that I'm doing because we have not come into an agreement about the locations where we're sending our personnel who need assistance.

So it is very important. I would just tell you, it is very, very important to come to some agreement amongst -- really tough to come to an agreement with a bunch of cops, right? I understand that.

60 agencies are probably not going to come to some full agreement about many things. But it is very important in this space that the people that represent the line-level officers are coming to an agreement with their employers or with POST regarding where we're sending these individuals and whom we're sending them to.

MR. NANADIEGO: Absolutely, sir. That's a really

great point. We thank you very much for that.

COMMISSIONER JOHNSON: Thank you for your presentation.

CHAIRPERSON LONG: Commissioner Braziel.

COMMISSIONER BRAZIEL: If I can offer a suggestion for the future. Because I know we ran out in June. And we have got this study, plus there's others out there, that maybe POST consider hosting -- I'm thinking out loud. But hosting some kind of workshop or conference, so to speak, between police chiefs, sheriffs, union presidents, city managers, county execs, and the risk management group.

I come from an agency that valued wellness. Actually, I gave on-duty workout time. Partnered with the community college. And saw a significant reduction in workers' comp claims. That got the attention of workers' comp and risk management. And we used our risk management funds.

But holding some kind of conference where different presenters speak about the importance of wellness and how it is a business decision. It's not just -- I mean, we're taking care of the employees. But from a financial perspective, it is in the city manager's best interest to go all in with this.

And, basically, being the lead on this -- because

this is something we keep talking about and having all these different studies. We know they are all out there, but we aren't pulling all the major stakeholders together: You know, the union presidents, the city managers, the risk management folks, community colleges. Because there's a great partnership in that, in physical education, wellness, within the community colleges, and we have a network for that.

But thinking of something to do that and POST taking the lead to do that.

I just -- anyway, I just push that out there because I don't want this to die. I want to see it keep going and growing and not -- that we fund it, but that the cities start recognizing this. But some have, some haven't.

And then the unique challenge is also, if you have got rural communities getting it versus, you know, major metropolitan areas and resources. I mean, all those things come to light that way.

So anyway, just my thought.

Staff probably hates me for more ideas, but that's all right. I will help, I promise.

MR. NANADIEGO: Well, actually, Commissioner, that's actually a really great point. Because I think a lot of the -- that's already happening.

We did a presentation. We were invited to present in Monterey County, their executive seminar. We will be going to Kern County later in September. I just got the invitation for that just yesterday.

So I think there's a lot of other similar mindset that is out there, to your point. So we're -- we're in discussions with that in our bureau and with the staff, and we're very excited that -- to see the leadership is very much about wellness as well.

COMMISSIONER BRAZIEL: It is great. I mean, we got ICMA. It is the association for city managers. I mean, it's -- once they see the value and from a business perspective, the risk goes down; workers' comp goes down; less service retirements. I mean, it is just a -- it's a win-win for everybody. But we just need to get out there and get everybody at the same -- at the table together. So --

CHAIRPERSON LONG: I think that's an excellent idea. Hear from our Executive Director on the notion of, kind of, POST pulling people together further?

EXECUTIVE DIRECTOR ALVAREZ: Thank you, Mr. Chair.

So Raymund mentioned that this was a special funding that was provided to us by the Legislature of $5 million to be used over three years. The three years is up on June 30th. This was mentioned. It was an

initiative by the State both for us and for BSCC, who distributed money to departments in year one for wellness programs.

As -- the contract obviously expires here in a few weeks. We will not have the ability to do another, like, long-term $5 million contract in the future.

But we believe that we will be able to have some funding available to deliver wellness programs in the future, starting this next fiscal year, whether it is a program similar to what we just started with UC San Diego or something else.

We did ask Raymund to put together some proposals in terms of what they would like to do and, you know, what the costs are going to be to further those programs.

So our intent is not to have a three-year one-and-done and not fund any wellness programs in the future.

It's just the challenge is to how -- what we're going to do and how we are going to do it. But we should -- I feel confident that we are going to have funding to keep furthering the wellness initiative, which, as we mentioned years ago, we had a lot of internal debate as to whether this was really our space or whether it is a department space. It was, you know,

split down the middle, including in the field.

I remember talking to one chief saying, "Hey, wellness is my responsibility, not yours."

I think we have changed in that regard in that we do believe that we should be in that space as POST.

So please stand by and we will continue in some fashion with some significant funding, but perhaps not at the same level that we have in the past. Or at least with a long-term contract would be a challenge. A one-year contract to continue programs would be perhaps a little easier for us to do.

But we will move forward.

CHAIRPERSON LONG: Commissioner Gordon.

COMMISSIONER GORDON: I just want to echo Commissioner Johnson and Commissioner Braziel's comments though.

Regardless of, you know, the three-year program and these other pieces, I do think that POST is in is a position and in a very unique position to make a big difference with this.

And, you know, in terms of funding, listen, there are ways to be creative with that in leveraging organizational -- you know, whether it's CPCA, whether it is IA- -- IACP, whether it is, you know, the police -- not the police, but the city managers

association.

You know, there are ways to, you know, tag on to those conferences and get all of the players that need to be table, at the table through those things.

And I do think that POST is in is a unique position, especially after these three years, to do that, to use the information.

Yes. It is my responsibility as chief, ultimately, to make sure that, you know, my department is participating in wellness the way it should, but it does not rest solely upon the chief.

It has to be the unions in conjunction with the union; it has to be in conjunction with our city managers and with our risk managers.

And so the thought that, as a chief, I can do it by myself. But I do think that POST is uniquely positioned, especially after the last three years, to really -- I mean, it could be the model program for the entire country if now that -- that information is taken. It doesn't mean it is another $5 million contract or anything like that.

But, you know, as a commissioner, I'm going to keep pushing POST to lean into this. And, you know, I echo those comments, because I think it's very important that we continue looking at this differently and looking at

ways to get all of the folks at the higher level at the table. Because, yes, our boots on the ground are at the table right now, but I don't think the leaders are at the table in the way that they need to be right now in order to really make the changes necessary. So --

DR. VIETIN: Yeah. And in terms of funding, please do reach out to UCSD because we are going to be helping agencies seek funding in their regional areas and local areas from unions and foundations and corporations. It is a very low -- it is a high ROI. It is a low investment for a high impact.

CHAIRPERSON LONG: Thank you.

Any other questions or comments?

(No response.)

CHAIRPERSON LONG: I would like to point out: Some of you have worked -- were here from the get-go. But this really was driven from the ground up by our former chair and former Santa Barbara District Attorney, Joyce Dudley. I remember Joyce banging on me -- when I was at the Legislature a decade ago about this issue. She's been on it. She created it. She pushed it. She continues to work it.

I think the comments of my colleagues, she would agree with all of it. And I wonder -- I think it would be appropriate, unless there's an objection, to naming

the POST Organizational Wellness Program after her; just make it The Joyce Dudley Wellness Program, unless there's an objection. I think we would take a motion and a second.

Does anyone have any objection to actually naming this program after the one person who really did initiate this thing and has driven it this far? Is there any objection? Is there any objection to a motion to naming this program after Joyce Dudley?

(No response.)

CHAIRPERSON LONG: Is there a second?

COMMISSIONER THERRIAULT: Commissioner Therriault. I will second.

CHAIRPERSON LONG: A motion; second.

Is there an objection to unanimous consent?

(No response.)

CHAIRPERSON LONG: Seeing none, motion carries.

And thank you very much to the University of San Diego and Raymund for the work you do. And we're going to need to be creative.

Thank you very much.

The next item we will hear briefly from a public -- a member of the public. The ACLU this morning. It's a report on K-9 guidelines. Management Counseling and Projects Bureau. LEC Michael Dalisay will report. The

report is for information only.

MR. DALISAY: Good afternoon, Mr. Chair and Commissioners. Thank you for taking the time to hear about this.

I will read from here. I don't want to miss anything.

But in late 2024, POST revised the K-9 guidelines to reflect contemporary best practices for law enforcement K-9 programs. And these revisions, what we found, they underscore a pressing need, which is, as you heard this morning, the establishment of mandatory minimum training standards for handlers, program coordinators, and trainers, with the specific focus particularly on apprehension K-9s.

Currently, as you are aware, there are no mandates that require this, which can create inconsistencies in training and development -- training and deployment across agencies.

To address this, the subject matter experts in attendance at the K-9 guideline workshops propose a comprehensive review of existing standards for training, certification, evaluation, deployment, documentation, which ensure our K-9 programs will operate with the highest levels of professionalism and accountability.

Now, this effort closely aligns with, as we heard

this morning -- and some of you may have heard yesterday -- with AB 400, Assembly Bill 400, which was introduced in 20- -- this year.

Now, it succeeds many others in recent years, but particularly AB 400 seeks to standardize K-9 training protocols and reporting requirements for apprehension incidents.

It also mandates all K-9 handlers complete a POST-approved training course within six months of assignment, and requires agencies to conduct annual reviews of K-9 deployment data to assess compliance and evaluate use of force incidents.

Now, if you have read AB 400, you will -- you will recognize that this closely models that.

Set -- AB 400 which is now in the Senate -- which was read in the Senate yesterday. I checked this morning. It was read in the Senate yesterday. It represents a significant step towards uniformity and transparency. It does represent uniformity and transparency in K-9 operations.

Now, the need for these changes, as further evidenced by prior legislative efforts -- as I mentioned -- most recently, 3241, which loosely -- loosely mirrored AB 400. It did advocate, however, for uniform guidelines handler and supervisor certification.

So why do I tell you that?

Because of you -- as many of you have all shared with me during the K-9 workshops, there's a recurring theme: Uniformity, standardization, and accountability.

So the momentum behind AB 400, supported by California State Assembly, and is now sitting with the Senate, along with law enforcement stakeholders, such as yourselves, K-9 training specialists, and it reflects a unified call to address this -- this concern.

The proposed K-9 -- the proposed updates to the K-9 guidelines, which were actually published late last year, along with the provisions of AB 400, are essential for enhancing effectiveness and public trust in our K-9 programs.

By establishing clear standards, we can ensure that our handlers and their K-9 partners are equipped to serve our communities safely and equitably.

So I'm here to -- with all that being said, I'm here to inform the Commission that what POST is going to -- what POST proposes is to conduct a research of all existing documentation and training and identify mandatory minimum training standards as they are outlined in the guidelines.

And I do welcome any questions at this time.

CHAIRPERSON LONG: Questions? Comments?

Commissioner Braziel.

COMMISSIONER BRAZIEL: I can't help myself on this one.

The prior -- do we have prior guidelines? Did I read that right? In 2014?

MR. DALISAY: 2014 -- yes, sir -- is the last time they were updated.

COMMISSIONER BRAZIEL: Do we know when the last time we -- we talked about it here?

I apologize if we talked about it recently.

MR. DALISAY: No. It hasn't been presented at Commission. No. In recent years, it has -- it has not.

COMMISSIONER BRAZIEL: I might suggest, if we move forward with some of this stuff, we actually talk about it here.

And, specifically, I'm going to give an example.

So my background: I was a K-9 handler. Also taught the basic and advanced K-9 course.

And then on page 6, under 4, Tactical Release, if we had to physically touch our dog to release off of a bite, you failed in every competition; you failed in certification. But, yet, we now require that, that you demonstrate to do that. That was a failure back in the '80s. And somehow we got to a point where it is actually okay to pry a dog off of somebody.

That bothers me a lot, that that is actually in there. And that that is a demonstrated skill. That should be failure, not a demonstrated skill.

So, again, I think it is one of those. Sometimes we have to talk about these things here to at least express that out there.

Granted, you have got a bunch of SMEs that are there, but, you know, sometimes it's -- it's valuable to hear another opinion.

It is not your fault, by the way. I'm not -- it's not you.

MR. DALISAY: I appreciate it. My dad was a handler, so he gave me the same grief.

COMMISSIONER BRAZIEL: Yeah. And so I'm --

MR. DALISAY: Insight. Sorry.

COMMISSIONER BRAZIEL: I'm looking at it going, does this require an agency to demonstrate this even though that's against their policy, against their training? And the dog would be pulled off the street if you had to do that.

So there's some conflicts here that, potentially, if I'm a department head, reading that, I got to demonstrate a skill that's unacceptable in our department.

So, again, it is one of those -- I think some of it

will get fleshed out with 400. Maybe, maybe not. But again, it is one of those -- it's a -- this is a big deal when it comes to use of force, when it comes to using K-9s.

So just may take. And I'm done now.

CHAIRPERSON LONG: Commissioner Braziel, are you suggesting what specifically? That this come back for additional?

COMMISSIONER BRAZIEL: No. It is already out there. So we have published it. It's our guidelines. It's on the website.

I was looking for the old one to see if the old one had it. But there's -- I can't find the old 2014 guidelines anywhere. So -- in my preliminary search, it's -- I'm sure it's out there. I just didn't see it.

But anyway, I just wanted to express my concerns on big-deal items like this; we should see them before the guidelines are published, particularly when we are now going to establish a legislation that says follow the POST guideline, when we haven't seen the guidelines to begin with, to approve them, that are now being voted on in 400.

Because that's what it says, if I read the legislation right. It is based on POST minimum guidelines. That's the minimum for the State.

MR. DALISAY: Correct. By January 2027.

Just to ensure that I clearly understand, is -- the discrepancy is cause for concern how -- would you have advice on how to proceed, I guess, in light what the subject matter experts are saying and your recommendations?

COMMISSIONER BRAZIEL: I'm just -- I'm suggesting that when we get these in the future, we should see them before they get published as a guideline from POST. Because our names are on it. The POST Commission is there, and, yet, I don't remember seeing this to vote on them or not. Maybe we did and I have Alzheimer's, which -- okay. I'm the old guy in the room so it's okay.

CHAIRPERSON LONG: Commissioner Gordon.

COMMISSIONER GORDON: And I would echo Commissioner Braziel's comments.

Although I was not an apprehension handler, I was a K-9 handler. And there are things in these guidelines that I consider very weak. And my name is on this.

So when it talks about, you know, should be "recert" if there's a lengthy time off. We don't establish any guideline for that. That leaves a lot of interpretation.

And I would love to think that, you know, every

program is up to the same standard as the other, but they are not. That is why we are here with this.

And so, you know, we talk about an evaluator and we leave that at one sentence. We don't actually clearly establish evaluator guidelines in this.

So I understand it's already been published, but I will just express that I wish this had come to the Commission first, and I think this is being relied on.

As far as AB 400, I understand we had subject matter experts talking about this. But I think it is also important to have leadership look at it from this standpoint, because there are things that we have seen, you know, and know and want to ensure that this is the -- the standard that we are setting for the profession.

So I will leave it at that. But I do think this should have come to the Commission, and I think there's still some work to be done.

CHAIRPERSON LONG: I would like to echo that.

And I was a bit concerned over the gentleman from the ACLU and his testimony. I don't know the answer because I haven't seen these. But he is saying it is inherently inconsistent with what -- where the Legislature is moving. I don't know if that's true or not with 400 or whatever other efforts the Legislature

has before them.

But I would certainly hope that we can, at a minimum, circle and get definitive answers to that before we go forward and see if the gentleman from the ACLU is, in fact, correct. Because that would be an issue, a concern for me, if we are moving opposite where the Legislature is going.

Mr. Executive Director.

EXECUTIVE DIRECTOR ALVAREZ: Thank you, Mr. Chair.

So perhaps at the September meeting, if you all could review them, and we can do our own review and take the ACLU's comments this morning back and address some of these concerns.

It is a living document. So it can be refreshed and redone, revised.

Obviously we have done that quite a bit with use of force guidelines and hate crimes guidelines that seem to be updated once a year.

My apologies. My personal apologies for the guidelines coming to you now as a consent item. It was an update. We had some internal discussion. And I'm the one that said, hey, it's an update. We just publish updates as we do them. So I apologize to you.

If you all would like to see them in the future, obviously we will make sure to bring them forward.

But I suggest we bring this back on for September for a bigger discussion about those guidelines. Allow us to have some discussions with the ACLU as to what their concerns are. That was news to us this morning.

And then bring it back, hear some more feedback from you. And then if we need to revise them, we can revise them.

I know Mike is also working on mandated -- not mandated. But standardized minimum content curriculum for K-9 training that we do not have at this point. And that is something we're working on for the future.

So it would be wise to just keep it on the radar if you are amenable to that for September.

COMMISSIONER THERRIAULT: Commissioner Therriault.

I would suggest that if we are going to do that, we bring those subject matter experts from AB 400 back into the conversation as well, if that -- if we're going to -- I would say like to know some feedback from them specifically that is up to date for the times. And -- yeah.

EXECUTIVE DIRECTOR ALVAREZ: Sure. I believe we can -- we can arrange for that. Yep.

CHAIRPERSON LONG: Any further comment or question?

COMMISSIONER BRAUN: Commissioner Braun.

If possible, could we see the prior versions of the

K-9 guidelines, just so that we can see how they have evolved over the years, to answer Commissioner Braziel's question?

EXECUTIVE DIRECTOR ALVAREZ: Just have to figure out how we can do that lawfully, Mr. Darden. Can we email them the prior version? Or can -- I hate to wait for the next agenda item to include both sets of guidelines. Can we send it to them in advance?

MR. DARDEN: I think that's completely fine.

EXECUTIVE DIRECTOR ALVAREZ: Okay.

MR. DARDEN: I don't have concerns about that.

EXECUTIVE DIRECTOR ALVAREZ: Okay. We will send an email with the previous guidelines and the current guidelines.

CHAIRPERSON LONG: All right. Thank you. Thank you, everyone.

Thank you, Mr. Dalisay.

MR. DALISAY: Thank you.

CHAIRPERSON LONG: Next is a decertification update. Bureau Chief Christine Ford of the Professional Conduct Southern Bureau, and Certification Bureau Chief Michelle Weiler will report.

As you guys come to the dais, Michelle, as you report on the three Penal Code 1029 felony conviction ineligibles that are referenced in this item, could you

briefly clarify the distinction between 1029 ineligibles, or disqualifications and the 1029 revocations, which we'll address later again in the agenda.

It appears to be a distinction without a difference, but I believe the nomenclature is based on statutory and regulatory timing. And it is all a bit confusing when we're looking at two different items.

MS. WEILER: Yes, sir.

CHAIRPERSON LONG: And we have new members and so forth. If you could briefly -- why we have two -- why we treat them differently and call them different things, when, in fact, they seem to be the same.

MS. WEILER: Yes, sir. That was my plan, considering we have a new member.

We can start with the first slide.

Good morning, Commissioners and Chair Long.

So these are statistics as of May 15th of this year. They only encompass from January 1st of this year.

At our previous meeting, I had shown last year's totals as well as this year's, to kind of close out to 2024 year.

But at the Commission's request from last year, these are just year to date for 2025.

As you can see, as of May 15th, we have a nice round number of 3,000 peace officers who have separated for various reasons.

For our newest member, this number encompasses not only individuals who have retired or resigned in good standing, have been terminated for potential disciplinary actions or misconduct, separated during the probationary period; it also encompasses individuals who have separated in good standing so that they could take on a position at a different agency. So our lateral officers are also encompassed in this number.

That goes for the same for the appointments that are approved. That number not only encompasses brand new peace officers; it also encompasses the lateral peace officers, who are moving from one agency to another because they are a brand new appointment to their new agency.

And then Proofs of Eligibility. Again, that encompasses not only our brand new peace officers, but it also encompasses our jail deputies, our reserve officers, who have not ever received a Basic Certificate. So those who were never full-time peace officers that had Basic Certificates. So that number is a mixed number as well, for our newest commissioner.

You will see some of these boxes have the little

eye. When it is live, you can hover over that and it will give you the same explanation I just gave you.

We have had 157 peace officers separated due to some reason related -- I'm sorry.

We have had 157 allegations of serious misconduct tied to separations. Those represent 119 distinct peace officers.

And in that bottom box there, you will see a tally of all the allegations of serious misconduct tied to these separations. Those numbers may not necessarily add up to the same 119, because some officers may have multiple allegations of serious misconduct.

Here is a breakdown of the actions we have taken so far this year, up to May 15th.

We have issued 37 Immediate Temporary Suspensions. We have removed 18 of those. Of those 18, some of them include those that were withdrawn by our Executive Director, usually because we have lost the jurisdiction for the immediate temporary suspension. Maybe originally there was a charge, an arrest, and those charges were dropped or dismissed. So we don't have that jurisdiction for the temporary suspension anymore.

And some of those are also the suspensions we have withdrawn and replaced with a revocation, because we have to -- we're replacing that action with a further

action.

We have -- so far we have received 21 voluntary surrenders. Again, we have revoked 18 certifications. And then we have deemed 12 individuals ineligible based on a conviction identified in Government Code section 1029.

I will dive into that a little bit further when I show those three individuals that we have recently -- most recently deemed ineligible.

Here's your demographic data for this year so far. These are the peace officers we have taken action against. There will be a further breakdown later. But you can see in the top left corner, it is broken down by gender. In the top right corner, age distribution. The bottom half there is ethnicity. The years of service distribution. And then a further breakdown of gender.

Someone did ask me -- not yesterday, but somebody, in general, asked me about nonbinary, because we do have that option. So far, those options have not been selected in EDI, so we don't have that information to report. Everybody has specifically selected male or female.

These are our statewide demographics -- this was asked for in the last couple of Commission meetings, so I'm providing it again -- as a comparison of how we are

represented statewide in the profession of law enforcement in terms of ethnicity and gender.

And these next few slides, you should have these as part of your agenda item. It is more for anybody who is in the audience who doesn't have this packet, so they can see a breakdown of what we just went over two slides ago, just more visible.

Here we have the breakdown of peace officers we have taken certification actions against. They are broken down by their age and years of service.

And then this slide. This is statewide data. We were asked a few meetings ago for just a general idea of what the education of our peace officers looks like. The caveat, of course, is that this is only as good as the data that we receive when the officers are applying for their professional certificates, because we don't have this information for every peace officer. We don't ask for that at the time of appointment. So this is, again, only as good as what we have for those officers who have professional certificates.

So this is the statewide data. When this is live, which it is not public-viewing yet -- I wanted to make sure that before we make this a public page for people to see, you guys had an opportunity to look at this, ask questions, ask for additions. But we can toggle the

data on here.

Yes, ma'am.

COMMISSIONER GORDON: Can you do it by percentage? Like what percentage -- I know it is not exact. But I think it would be the comparison of -- because we have the total number of peace officers in the state. How many of those do we show have a degree? What is that percentage? And then what is the percentage -- I see the number, but what is the percentage that, then, have a degree for misconduct?

Because I think there's a lot that we could gain from that, especially as a conversation about what education is required to be a peace officer.

So since the data is there, I would just ask for that additional step that we could see the percentages.

MS. WEILER: That's an easier ask than the Advisory Board's ask yesterday.

Yes. We can look into doing that.

The next page is actually specific to the officers we have taken action against. It is the same display of the data. But we can certainly work on bringing percentages into that.

Just -- the Advisory Board asked yesterday about a breakdown for those who have some college. And to break that down by the college credits, are they college

credits earned from attending college courses versus credits earned for attending the academy versus credits earned for in-service training.

So that is a long-term breakdown that I will be giving this Commission and the Advisory Board. It will be definitely a long-term project, because we will have to, at this point, I think, manually review that data and reviewing transcripts. And we don't have a way to automate that at this time.

So that is something that we could try to produce in the future.

COMMISSIONER BRAZIEL: Michelle, I was actually -- it is Rick over here.

I was going to go the other way. It's -- I'm just looking at education.

And unless staff sees a need to show somebody has got an AA and a BA, that's a BA. I mean, that's their highest degree. I don't know if you need that much detail unless you are seeing patterns or trends that somebody with a bachelor of science is different than somebody with a bachelor of arts. I don't know if we need that level of background. Personally, I don't.

To that, it is too much -- too many pieces in there. It is like what's -- unless you are see saying somebody who's got a science degree is different than

somebody who's got a political science degree versus a biology degree, I'm not sure that we need that much detail.

I'm going the other way. It is just, like --

MS. WEILER: Yeah.

COMMISSIONER BRAZIEL: -- put them in bigger clumps. Because I think it is easier to look at and analyze the data.

I'd also look and see if maybe we can even do some of the ranks or similar -- I might call them -- you know, there might be a way to consolidate some of the ranks. There may not be a way to. I'm just not sure yet.

MS. WEILER: Okay. I will work with our computer services team. I think we can definitely work on combining the degrees.

So my question, actually, was -- my next question, before you had your question --

COMMISSIONER BRAZIEL: Sorry.

MS. WEILER: -- was going to be, so some of these are combined where we have an officer who has reported initially an AA; and when they go to apply for their next certificate, they have now achieved a bachelor's degree.

Would you prefer to just see the bachelor's degree

represented rather than the breakdown of the degrees that they have?

COMMISSIONER GORDON: Yes. Their highest degree.

COMMISSIONER BRAZIEL: Personally, highest -- what's the highest degree achieved? I don't need to know if you've got a JD and a bachelor's. You have got a JD, so you had your bachelor's degree to get your JD.

MS. WEILER: Okay.

COMMISSIONER BRAZIEL: So highest degree achieved.

CHAIRPERSON LONG: I would say, Michelle, to -- my scribbles were to do more disaggregating. But also, you know, I was messing around, going what are the percentages? Like I have no idea how many chiefs have this or how many this and this. You know, that would be much more interesting than that level of aggregation, I think.

COMMISSIONER GORDON: Who has a bachelor's? Who has an associate's? And who has a master's? And, you know, maybe a JD. But I think you could break it down into some bigger categories that we could actually see the data in the way that -- with a percentage that would make a little more sense.

MS. WEILER: Yeah. Very good.

COMMISSIONER GORDON: I did have one follow-up just because you brought it up.

Upon appointment, we don't know -- you -- and POST doesn't know what degree they have. But I do think it would be worth the consideration of adding it on the appointment because the department is going to know. It is part of the background. They have to provide transcripts. So it is not like there's additional work that goes into that.

So if that is notated on the appointment, then I think maybe the data is more accurate about who is starting with a degree, and then as they get, you know, additional certificates, that is updated if someone goes back and get their master's.

So it is just a suggestion when we're talking about education and the data that we're gathering, it's -- like I said, it is not -- it is not a bigger lift for the department just to enter that they are entering from the background and it may be worth it.

MS. WEILER: That is also something we're forecasting having to do anyway when -- I don't know where Meagan is. But when our favorite bill comes to fruition, we are probably going to have to find a way to track that anyway, so that is something that we could look at implementing sooner rather than later.

Okay. Then the last thing before I hand this off to my partner, Christine.

Normally, we do throw up the names of the individuals that we have deemed ineligible for you to view. We only have three names this go around. So before I -- so I was just going to read them off.

Before I do that, for the sake of our newest commissioner, we categorize our peace officers with felony convictions differently based on the date that they were convicted and the date that SB 2 was implemented.

So we have a group that we call 1029 ineligible. So those are the individuals who are convicted of something that was identified in Government Code section 1029, whether it's a felony or a misdemeanor. Mostly felonies, but there are some misdemeanors.

If they were convicted prior to January 1st, 2022, we deem them ineligible because that's prior to the implementation of the bill.

And then those who are convicted after January 1st, 2022, those are the individuals that are still ineligible but we are able to move forward with the revocation because it is after the implementation of the bill. So we could revoke their certification based on that conviction.

You will hear an item later on today -- that will be the last time that you will hear this, Chair Long --

with a handful of individuals that we are seeking the Commission's approval to revoke their certifications on for these convictions.

And I will reiterate that again later this afternoon.

So the three individuals that we have deemed ineligible since March of 2025, we have John Balian from -- formerly of Glendale PD; Robert Longdon, Jr., formerly of Simi Valley PD; and Raymond Ramdeholl, formerly of Los Angeles PD.

So these individuals were convicted of their crimes prior to January 1st, 2022.

Any other questions?

(No response.)

MS. WEILER: I will hand it off to Christine.

MS. FORD: Okay. Good afternoon, Mr. Chair and Commissioners.

I'm Christine Ford. I will provide you an update on our disciplinary action statistics and outcomes.

On the first slide, you can see that we're just over 35,000 total agency misconduct reports. Again, those are all the reports that the agencies are submitting to POST.

The breakdown by year: By 2023 was our first year that we began taking reports. As you can see, that's

the bulk of our reports thus far through the three years: 21,000.

Over 16,000 of those were, as you can see, the retro or look-back cases that we have.

2024, we leveled out to about 10,000.

And 2025, we're online to probably take in about 10,000. So we're looking at about 10,000 per year.

All of those reports. It shows 40,000 reported allegations that are involving 20,000 law enforcement officers. To give you some context, we do have over 82,000 peace officers in the state right now.

Our top three areas of serious misconduct allegations remain the same since the beginning. That is physical abuse, demonstrating bias, and abuse of power.

And then our breakdown for public complaints. We are just short of 2,100. And, again as you can see, the breakdown -- 2023, we took over 2,400. And as the public became aware of the public complaint process, you can see the uptick. In 2024, we took over a thousand. And, thus far, we have 600. So we anticipate that this year, we will take either the same or more than last year.

Our cases are about 33,000. As you are aware, "cases" mean that they have been assigned to somebody

in -- within our bureaus to begin the investigation.

We have over 13,000 that are open. And you can see the breakdown there of what is open with POST and what is still open with the agency. As you are aware, it is open with the agency when the IA is still -- probably still being completed and/or there's a criminal component to that case.

And then we have closed over 20,000 cases thus far.

This slide is going to show you our sustained agency findings. You have heard -- in prior meetings, we have referred to those cases usually Priority 1s or 2s. Thus far, we have closed 1,100. And the breakdown of those are not serious misconduct, 51 percent; not clear and convincing is 36 percent; and not actionable is the 13 percent.

And just a reminder that not actionable cases are cases where we received it from the agency. Those were -- are retro cases -- were due to the date of when the IA was completed and sent over to POST. We could not take action based on the bill.

This slide is going to show you the not sustained, unfounded, exonerated agency findings, which we referred, in prior meetings, as our Priority 3 cases. Thus far, we have closed over 12,000.

And, again, you can see the breakdown. The

majority of those cases, 95 percent of them, are not serious misconduct; 2 percent, not clear and convincing evidence; and, again, our nonactionable.

Our Executive Director mentioned earlier in his comments that back in February, we had a significant number of P3 cases. In the three months since then, we have gotten that number down to about 7,700. So we are working down that work -- that caseload and anticipate that we'll be able to concentrate most of our time and energy on our Priority 1s and 2 cases.

COMMISSIONER GORDON: Can I ask a quick question on this?

MS. FORD: Yes, Commissioner.

COMMISSIONER GORDON: Are there some lessons learned? Because, you know, 95 percent that are not serious misconduct, which I think is, in one sense, encouraging that departments are submitting. But it is also a significant workload on staff.

So I just would ask if there are there some lessons learned that, you know, could be shared with departments on what we're sitting that we shouldn't be submitting. Just now that you have seen so many.

I don't know if there's an opportunity for that or if that's too vague of a request. But just a suggestion.

No. I think that -- thank you for the question.

I think that was as we moved into year 3, I think our outreach with agencies and the agency heads about what the requirement is has assisted. I think that will help. I think there are agencies that are still reporting cases that do not necessarily meet the criteria.

And we continue to do outreach for trainings, going out to the field, and having meetings with chiefs and sheriffs.

CHAIRPERSON LONG: Would you agree -- along the lines of Commissioner Gordon. I mean, one of the things that I think a lot of people -- I'm certainly one of them -- thought when SB 2 was passed, that it was a pretty broad outreach. And has this not shown that we are asking for a lot of reports that are ultimately and obviously going to be unsustained? Is that not a conclusion you would --

MS. FORD: That it -- yes. I would agree that's a conclusion.

CHAIRPERSON LONG: And that was one of the concerns from day one was that it was too broad and it would capture way too many folks. Yeah?

It seems that we need to be compiling the lessons learned page, because, personally, I think that some

amendments are in order here to make this a more effective process.

MS. FORD: This slide shows the Notice of Intent to Revoke letters that we have sent thus far. As of May 13th, we have sent out 53 letters.

As you can see, 25 of those were default revocations. And the reminder for that is when the officer gets served that letter, they have 30 days to respond to POST; and when they do not respond, it becomes a default revocation.

We have 15 that have requested for review. Those are the cases that you have heard.

And we do have ten pending right now as of that date, where they are in that 30-day window where they are going to either appeal or they become a default.

One was a default suspension.

One ended up being a Government Code 1029 disqualifier.

And then one became a surrender during that process.

On the same note, on these Notice of Intent letters, you can see that the breakdown of what the agency did with those 53 cases gives you a very good idea of the agency response with those officers, and whether the main allegation occurred on-duty or

off-duty.

As you can see from this pie chart, the top two allegations that we have for these cases that have moved forward through the process is that it is acts that violate the law and dishonesty.

So a little bit different allegations that you saw in slide 1.

Cases that have gone before our POSAD Board. They have heard -- we have had four hearings with them. They have heard 15 cases. This is just a breakdown of what their recommendations were. Of those, 12 were revocation; two were for settlement; and one was for a suspension.

This next slide is going to show the Commission recommendations on those cases that were heard and the breakdown of those.

The Commission recommended eight of those for revaluation; four for settlement; two no action; and one for suspension.

And then this slide just gives you the disciplinary decision and outcomes. The Board had reached a different determination from the division three times. And the Commission had reached a different determination from the board on five different occasions.

Something that Michelle already talked briefly

about. With the certification actions based on felony convictions: Those that were ineligible, there was 123; and those that we found after 2022 was 103.

And the last slide we have is total revocations. That totals 130. So the breakdown on that is 1029 revocations was 103; 25 were from that default revocations; and two were from default revocations before they got to the ALJ process.

Just keep in mind, this slide does not show you a total of ineligibles that are on there. And also voluntary surrenders. So this gives you an idea of just the total revocations that POST has taken.

I also want to provide the Commission an update on some of the upcoming case dates for our Office of Administrative Hearings.

For Peace Officer Sifredo Cano, his case is set for September 29th, 2025.

For the case on Peace Officer Joshua Enea, this was a hearing for a cancellation of a certificate; and that is set for August 25th, 2025.

And then, lastly, we have Peace Officer Ivan Sarabia-Medina; and his case is set for October 13th of 2025.

And I welcome any questions you have.

CHAIRPERSON LONG: Any questions, folks? Any

concerns?

Commissioner Gordon.

COMMISSIONER GORDON: Just a quick question on -- you mentioned those dates.

How long would -- could we expect, as a Commission, then to hear them after they go to the ALJ, hearing them back at the Commission?

MS. FORD: I will phone a friend.

And Annemarie said she was not going to come up here, but I do not know the answer to that.

MS. DEL MUGNAIO: Good afternoon, Commissioners.

Once a case is heard before an administrative law judge, they have 30 days within which to render a decision, a proposed decision, to the Commission. So it is not too far off from the hearing date.

Now, that being said, strategies always include continuances, so the opposing counsel, when it gets closer to the hearing date, can request continuances and try to delay the hearing of the case.

We can object and do what we need to do to hopefully have it heard timely, but the proposed decision has to be rendered.

Anything --

MR. DARDEN: The other -- the other little trick is judges sometimes can push briefing off. And if they

want a closing brief, they can push the briefing off and so that would also extend it. But it's -- by statute, it is supposed to be 30 days after the submission of the case to the judge.

CHAIRPERSON LONG: All right. Any additional questions on this item?

(No response.)

CHAIRPERSON LONG: I'm being told we have to break for lunch. I was hoping to get through consent. We're two items short.

But we'll take a break right now. Be back at 1:30 promptly to knock this stuff off. Thank you very much.

(Break taken in proceedings.)

CHAIRPERSON LONG: The next item. We got a couple of fiscal items: A report on expenditures year to date for fiscal year 24/25. Administrative Services Chief Cheryl Smith [sic] and Assistant Executive Director Tom Osborne will report.

Tom, if I could ask you to begin with an explanation of the $11 million hit to the POST 25/26 budget. Let's start there and we will work backwards. Where is the hit? Why the hit? And how will POST absorb it?

It's -- someone was asking earlier about tracking

the budget. And this one is -- you got to dig to find out what happened to POST and where it is going to -- where it's going to happen. So if you can just -- we could start there and then everything else kind of follows.

MR. OSBORNE: Yes, sir. Chair Long, good afternoon. Good afternoon, Commissioners. Tom Osborne, Assistant Executive Director.

I wanted to briefly update you regarding the most recent May revision to the Governor's January budget and its impact to POST.

Bottom line upfront: We're taking a 9.94 percent reduction, which equals $11,123,000. And within that, it includes a reduction, as previously mentioned, of six positions, and then some reduction in operational cost.

During the March 25th, 2025, Commission meeting, I provided you some details from the 2024 Budget Act, which identified two distinct budgetary reduction mandates, which would affect our upcoming fiscal budget, the 25/26 budget.

They were control section 4.12, which is related to vacant position and salary savings; and control section 4.05, which relates to ongoing reductions to state operations.

During that Commission meeting, I explained our

internal process; how we identified areas to comply with this budget mandate; and provided our proposed salary savings and operational savings numbers.

In the May revision to the January 10 budget, this incorporates our previously proposed salary savings and operational savings numbers, which are: The six positions I identified equate to a savings ongoing of $1,789,000; and then operational savings of $9,334,000. That totals the $11 million for this next upcoming fiscal year.

Within that, I can -- as Director Alvarez talked about earlier, there's not going to be any impact to the field, no impact to the delivery of training, nor any impact to local reimbursements for ongoing training.

Within that $11 million, the $9 million that I had talked about, there was some reductions that we took as it relates to support related to SB 2-related cases, specifically to the Department of Justice and OAH reductions. So previous submissions that created that budget had a forecasted amount of X.

And as we have come further down the line, that is much lower than initially anticipated. So we are able to reduce some numbers there to make up the bulk of that.

So that, by and large, is how we're going to

accomplish our reductions for this next fiscal year.

Happy to answer any questions you may have.

CHAIRPERSON LONG: Questions on the $11 million hit to POST and how it is being absorbed?

COMMISSIONER BRAZIEL: I have one. Commissioner Braziel.

Are they -- are they sweeping the vacancies and eliminating them? Or just -- or would we just be mandated to keep them vacant?

MR. OSBORNE: It will be sweeping those if -- as proposed, yeah, come July 1.

COMMISSIONER BRAZIEL: Okay. Thank you.

COMMISSIONER THERRIAULT: Commissioner Therriault.

And it's from the -- which -- which division of POST is this coming from again?

MR. OSBORNE: The six vacant positions, in particular, are across all the different divisions outside of POSAD. So none of the positions identified are coming from POSAD. Those have been positions that have been vacant for quite some time, and so it's not coming from the POSAD line items, if you will.

CHAIRPERSON LONG: Additional questions on proposed hits to the 25/26 budget?

(No response.)

CHAIRPERSON LONG: If not, you guys can proceed.

MS. SINGLETON: Okay. The slide up there is showing the total expenditures for POST's total budget and expenditures.

POST's budget is funded out of two state funds: The General Fund and the State Penalty Fund. General Fund constitutes 57 percent of POST's total budget; State Penalty Fund is 42 percent.

On the next slide, that is showing just total expenditures for the State Penalty Fund portion of the budget.

And it looks like we are spending about 58 percent of that budget so far, which is similar to the amount that was spent last year, which was around 60 percent.

And then the next slide.

The next slide shows total expenditures for just the General Fund portion of the budget. We're at 56 percent right now, which is similar to last year, which was at 57 percent.

And then on the final slide, these are all the Commission-approved contracts for this fiscal year. The invoice column will represent the expend -- the expenditure amounts. Overall, 53 percent of the total executed amount has been invoiced, compared to last fiscal year's percentage, which was a little over 40 percent. We seem to be on track.

And then just want to point out, really quickly, that in the agenda packet, the executed amount, the total executed amount for supervisory course should be 1.83 million. In the agenda packet, it does not include the two contracts that were executed: LAPD for 141,000; and Sac Regional for 189,000.

Are there any questions?

(No response.)

CHAIRPERSON LONG: Seeing none, thank you.

I neglected, before we raced into lunch, to ask if there were additional comments that the Advisory Committee would like to make on any other consent items that we dealt with?

Chief Salazar.

ADVISORY CHAIRPERSON SALAZAR: Thank you, Mr. Chair. And I will be brief and try to summarize.

We did have a discussion around the certification/decertification item. And some of the Commission addressed a number of the issues that were also discussed by the Advisory Committee.

But one having to do with the graph that showed the education piece. And as you heard Chief Weiler mention, there were some requests for diving down a little deeper into that data but also to include -- that chart didn't particularly give reference there. It just showed those

that had a college degree, particularly in the misconduct, and didn't show, you know, the percentages or those that don't have is a college degree, to kind of give it some context as to -- in terms of the total number of submissions on misconduct. So there was that piece on the education.

But then some discussion -- and there was some by the Commission as well a moment ago -- about education for chiefs and what -- or sheriffs who were submitting data and submitting -- submitting information that ends up being determined not to be serious misconduct by POST staff.

And the issue there really being chiefs and sheriffs or agencies are submitting data that is in compliance with what the law requests us to submit.

The issue is the definitions are overly broad. And so you are submitting information based on the definitions that are included in the legislation, that ends up being not serious misconduct once you look at it.

And so -- and there was recently a meeting between PORAC, Cal Sheriffs, Cal Chiefs, and POST staff discussing a few issues related to SB 2, some of it with regards to procedural issues. But also some of that conversation surrounding the definitions being overly

broad, which is leading to up -- a number of submissions that make it to POST that, frankly, are probably not serious misconduct or need to be looked at.

And then Sheriff Honea particularly expressed concern over the fact that when you look at there's -- I think it was just shy of 13,000 open cases, 6,000 or so that are open with POST, 6,000 with the agency.

When those definitions are overly broad, then those -- that case number is high for both POST and the agencies.

And then you potentially have officers who are being accused of serious misconduct that should be addressed, but they're -- those cases are just pending. And so they are still -- maybe still working and not being addressed. But then it is just a burden on the POST staff to have to weed through these and determine what is not. And so you are not getting to the cases that really need the attention because of that particular situation.

So I think that summarizes the majority of what that conversation was.

But good data on the education. It could be honed in a little bit. But really, there's a concern still just on the number of cases, how quickly you can get to them. And part of that is just the legislative

definitions are overly broad.

CHAIRPERSON LONG: Thank you, Chief Salazar.

That's a wrap on consent.

We move now to the Basic Training Bureau.

The first item is a proposal to amend Commission Regs 1005 and 1008, Basic Course Waiver Process.

LEC Michael Marshall will report.

MR. MARSHALL: Good afternoon, Mr. Chair, Commissioners.

Today I'm presenting proposed changes to the Basic Course Waiver, also known as the BCW program.

The Basic Course Waiver program receives roughly 150 applicants a year, including the Specialized Investigator Basic Course Waiver, also known as the SIBCW.

Since January 2020, 272 Basic Course Waivers have been issued to individuals. And of those, 187 individuals gained qualifying employment. To date, 136 remain employed in California.

Most of the requirements to apply for the Basic Course Waiver have been in place for over 25 years. To apply for a Basic Course Waiver, an individual must complete a 200-hour academy, have a total of 664 hours of general law enforcement training, and have a minimum of one year general law enforcement experience.

To apply for the SIBCW, an individual must complete a basic investigative course similar in content to the SIBC, have a total of 519 hours of investigative or general law enforcement training, and have a minimum of one year of investigative or general law enforcement experience.

Regardless of the length of separation from law enforcement in another state, as long as an applicant meets the previous listed requirements, they can apply to begin the process with no other expectation for current training or experience.

Currently, the process requires applicants to print and mail in their application with their entire law enforcement portfolio, which, in 2025, is a very outdated process.

There have been instances where packages with applicants' personal identifying information have been opened and information removed prior to delivery to POST.

To address both the outdated minimum eligibility requirements and the outdated mail-in process, POST staff proposed changes to an electronic submission process system and propose an increase in minimum eligibility requirements.

For the electronic submission process, staff have

already started working the process to develop an online submission page for applicants interested in applying for the Basic Course Waiver or the Specialized Investigator Basic Course Waiver.

This new process will allow them to electronically complete the application, have access to instructional packets to assist in the process, and upload all the supporting documents.

The proposed increase in minimum eligibility requirements include:

Increasing the basic training requirement for the Basic Course Waiver from a minimum 200-hour academy to a 400-hour academy;

Increasing the patrol experience requirements from one year to two years, which is in line with the time requirement to obtain a basic -- POST Basic Certificate in California;

Adding a new requirement that there will be no longer than a six-year break in qualifying service to apply for the Basic Course Waiver;

And requires the applicant provide documentation supporting their last qualifying employment did not exceed six years prior to the date of their application;

Adding a new requirement applicants attest they left their prior employment in good standing and are not

decertified or in danger of decertification as a peace officer in another state.

The last proposed change to Commission Regulation 1005 corrects a conflict in the regulation by removing the allowance of one additional opportunity to complete the requalification course or test-out option as Step 3 of the Basic Course Waiver process.

Commission Regulation allows six months for the applicant to complete the requalification course after receiving their approval letter from POST.

Currently, if a Basic Course Waiver applicant fails the requalification course, regulation allows them a second opportunity to retake the course within one year of the date of their failure, which conflicts with the six-month time limit.

POST is proposing to revert back to the previous regulation verbiage stating, "If an applicant fails a requalification course, the applicant would then be required to take a full regular basic course to gain employment in California as a law enforcement officer."

Thank you for your time.

I'm here to answer questions you might have about the regulation change.

CHAIRPERSON LONG: Questions on BCW waiver? Anybody?

COMMISSIONER THERRIAULT: Commissioner Therriault.

How many waivers do you receive roughly a year?

MR. MARSHALL: Roughly about 150 applicants a year.

COMMISSIONER THERRIAULT: And then the -- I notice it says if more than six years have elapsed since the individual's full-time employment are not eligible.

Is there any thought process on three years? Because isn't your Basic Certificate invalid after three?

MR. MARSHALL: So we have looked at the option -- or the option for three and six years. The problem is in California it's three years. In other states, it could be four or five, six. And some states, I believe, have no time limit to when it actually expires.

COMMISSIONER THERRIAULT: Thank you.

CHAIRPERSON LONG: Commissioner Nieto.

COMMISSIONER NIETO: Commissioner Nieto.

You took out the Step 3 on retesting if you didn't pass the first time. And to go back, you have to go through a whole course.

What is the reasoning behind that? Because it was retesting one time and you only had one other shot, right?

MR. MARSHALL: Yeah.

COMMISSIONER NIETO: And it was within so much time

and you still had to get POST approval if you did that.

So why -- why are we changing it to that you can never retest again? When we allow people in the academy to retest one time.

MR. MARSHALL: Correct. Good question.

One of the issues we saw with that is, when we issue them their requalification letter, we give them six months to complete it. And that's in the regulation.

And in this, if they fail, they get one year from the date that they failed. So it changes that six-month time frame and it just -- it contradicts the policy or the regulation.

EXECUTIVE DIRECTOR ALVAREZ: May I?

CHAIRPERSON LONG: Yes, Mr. Executive Director.

EXECUTIVE DIRECTOR ALVAREZ: If I can ask a question. Because I can see there's a question over there on the other side of the table.

Mike, can you elaborate?

If an individual receives a Basic Course Waiver and takes the requalification course a month after they receive the waiver --

MR. MARSHALL: Yeah.

EXECUTIVE DIRECTOR ALVAREZ: -- and they fail the requalification course, what happens?

MR. MARSHALL: So with regulation they have -- after 30 days, they let us -- they, in writing, let us know that they would like to attend another requalification course. And then we give them the opportunity to attend another.

That's the current process.

EXECUTIVE DIRECTOR ALVAREZ: They can -- are you proposing that we eliminate that process and it is a one-and-done?

MR. MARSHALL: Correct.

EXECUTIVE DIRECTOR ALVAREZ: Okay.

COMMISSIONER NIETO: I do have some issues on the thought process that went to the one-and-done. And I do understand the time limits.

Was there a compromise? And did we talk to other people besides making this decision?

MR. MARSHALL: To date, as -- I'm not sure how long this has been the new regulation. But we have only had one person that has had to use this second chance, and they did not pass the second time.

CHAIRPERSON LONG: Additional concerns or questions at the moment, before our Executive Director speaks up?

COMMISSIONER NIETO: One other -- sorry. One other comment and then I will be done. I promise.

We're changing a role on somebody who didn't pass

to change the role. Is there some more reasoning behind that? Is that the workload or something like that? Or...

EXECUTIVE DIRECTOR ALVAREZ: I can't speak to the workload issue.

I would propose that we table this one and bring it back, if at all possible, just because I can see the concerns on that side of the table. And I have some of my own questions going on in my head regarding the requalification course and whether it should be a one-and-done.

Is that possible? Or at least we can table it during today's meeting, just so we can get some clarification, and readdress it or do it at another Commission meeting.

Is that possible?

CHAIRPERSON LONG: Yeah. Absolutely. Absent objection. That was a pretty quick roll. But, sure, we'll put it over until next time.

COMMISSIONER BRAUN: I do have one --

CHAIRPERSON LONG: Commissioner Braun.

COMMISSIONER BRAUN: -- question that also maybe could be given for consideration.

How did we settle on six years?

I think you said that, but if you leave law

enforcement in California, or you go out of law enforcement, your POST is good for three years.

MR. MARSHALL: Correct.

COMMISSIONER BRAUN: Wouldn't three -- I would like three years, actually.

MR. MARSHALL: So one of the thoughts was in other states, they could still be current. And we kind of went with the six-year rule if you complete a regular Basic Academy, you don't gain employment after six years, you would have to take another academy.

COMMISSIONER BRAUN: But if you were in California law enforcement, you -- oh, you could do a re- --

MR. MARSHALL: A requalification course.

COMMISSIONER BRAUN: Okay. Right, right, right.

MR. MARSHALL: And the requalification course is Step 3 of the Basic Course Waiver.

COMMISSIONER BRAUN: Okay. Thank you. That answers that.

CHAIRPERSON LONG: Okay. Our Executive Director has suggested we put this until our next meeting.

Seeing no objection to that --

EXECUTIVE DIRECTOR ALVAREZ: Or later today. If you just give us a few moments to just have discussion.

CHAIRPERSON LONG: Oh, later today. All right. If they come in with something, that will be change --

change course. We will hear it later today.

All right. Thank you, Mr. Marshall.

The next item is a proposal to amend training and testing specs to adopt a new Learning Domain 44 regarding active shooter.

LEC Brandon Kiely will report.

MR. KIELY: Thank you, Mr. Chair. Good afternoon, Members of the Commission.

As approved at the March 2024 Commission meeting, Learning Domain 44, Active Shooter, was piloted at several basic academies through the state. That pilot training program process was completed in December of 2024.

POST staff would like to thank all the subject matter experts that took their time and effort to develop the training and testing specifications as well as the workbook. And we also want to thank all of the pilot program presenters that participated in this process.

The following presenters participate in the pilot program:

The California Highway Patrol, Orange County Sheriff, Riverside County Sheriff, Sacramento County Sheriff, San Diego Regional Public Safety Training Institute, San Joaquin Delta College, and the Ventura

County Criminal Justice Training Center.

POST staff, as well as some of the subject matter experts, were able to attend the majority of the course presentations to get in-person feedback from the instructors.

We also put out online questionnaires to the students and the instructors that participated in the process.

We received a total of 318 student questionnaires back to validate that the training and testing specifications did include the minimum content that the subject matter experts were wanting to have covered.

That feedback was recently presented at the March 2025 Basic Course Consortium so that the directors and coordinators in attendance could hear a presentation from several of the pilot program participants, as far as what they did to accomplish the required learning activities, what worked successfully for them, how the training was delivered, all with the goal to help the other course presenters develop lesson plans, and also afford them enough opportunity to game-plan for the potential incorporation of this Learning Domain into their academies.

The content for Learning Domain 44, Active Shooter, is designed to make students use their critical thinking

skills in order to determine when they may need to use rapid response tactics versus a slow systematic approach based upon the stimulus presented to them.

And the required learning activities are designed to reinforce this. The required learning activities involve solo officer movement, team movement, incorporating formations, overwatch bounding, etc.

And then there are more involved required learning activities that are designed to be a required learning activity so that we have the benefit of the instructors to provide immediate coaching and feedback, versus unlike a scenario test where you wouldn't have that opportunity.

When you boil this all down to its simplest form, the idea is for the students to develop the ability to read the landscape and make the determination on what is the appropriate response. And that may require that immediate response or something else. But the emphasis here is for determining, does it warrant a direct threat response and including rapid response tactics.

This Learning Domain would ideally be introduced towards or at the end of a course presentation. This would allow the students to have undergone the process, through the academy presentation, of being exposed to patrol techniques, crimes in progress, etc., so that

they have been given, to the best ability in an academy setting, to hopefully operate at a peak level of performance and going through the required learning activities for this Learning Domain and have developed the skill or the realization of, okay, understanding and self-recognizing in this particular situation why they are passing up an open door, per se, that they may not have -- they would not necessarily do so when they are taught in other Learning Domains. We're to slow things down, containment, etc.

This proposed Learning Domain would be covered in the Regular Basic Course for 16 hours. The Module I for 16 hours; and the Module II for six hours.

If the Commission concurs, the appropriate action would be a motion to approve the proposed curriculum as described in the staff report.

I'm happy to answer any questions if there are any.

COMMISSIONER NIETO: Commissioner Nieto.

I think it is great training. So this is just something to point out. We're adding two days to their academy, correct, with adding this course? Is that correct?

MR. KIELY: As far as traditional -- depending on how the academy schedules, but, yes, for a traditional eight-hour schedule with the exception for the Module

II, which is six-hour increase.

EXECUTIVE DIRECTOR ALVAREZ: Commissioner Nieto, there is no intent to remove additional training in the academy to make room for the active shooter, active assailant training.

So this is an addition.

CHAIRPERSON LONG: Commissioner Gordon. Looking pensive.

COMMISSIONER GORDON: Is there a standard for the instructors?

MR. KIELY: That was something that was explored with the feedback of the instructors.

And, certainly, one of the points of emphasis and the presentation back to the other directors and coordinators and ensuring that all of your tactics base instructors are on the same page and they're instructing techniques that are complementary overall throughout the entire course of an academy.

But the feedback as of now is to not make it necessarily a 1070-based instructor course.

COMMISSIONER GORDON: I would give that some further consideration to make sure that the standard is consistent across the state in the academies as far as who is instructing and what they are instructing. Because I think it could vary.

And then my other question is, I noticed in looking through it, there's no testing on this whatsoever.

MR. KIELY: Correct.

COMMISSIONER GORDON: Okay.

MR. KIELY: And if I may expand on that.

The required learning activities were identified by the subject matter experts to -- to reinforce that immediate coaching and feedback that can be presented during a required learning activity, which can't be done during a testing phase.

COMMISSIONER MOON: Commissioner Moon.

Correct me or educate me. And this is with the patrol rifle?

MR. KIELY: We aren't -- we aren't -- and here are some of the ironies. The reality is that -- and this is one of those matters that is -- you know, address the elephant in the room, so to speak, of one of the main tools, when responding to an active shooter event, would be a long rifle of some sort.

But, yet, POST has limitations in how and if we would be able to present rifle training in the basic course academy, because not everyone is agency-sponsored.

But it is like anything else. We're teaching -- it's the emphasis on tactics and movement here. We're

not teaching how to shoot a rifle.

So this is -- this is not something where you would need a 1070 firearms instructor. This is, again, going to solo officer movement, team movement, etc.

COMMISSIONER DOERING: Commissioner Doering.

Just to follow up regarding the instructors.

So not having a 1070 instructor for this course would be consistent with other movement-related courses in the basic academy regarding building searches and clearances. Those aren't 1070 either. So that would be consistent with that?

MR. KIELY: Correct. Yes.

So for patrol techniques, crimes in progress, there's no 1070 requirement for those instructors. And this would be in line with that.

And the thought process was, if I can teach patrol techniques or crimes in progress, then the general rule should be that the instructor should have an understanding of responding to an active shooter event.

And when I say "active shooter," this was a title that was -- that was decided upon by the subject matter experts that, quite frankly, makes the students sit up, pay attention, and recognize that I really need to lock in and focus on the tactics at hand, because I could very well apply these in a real world setting. But it's

really designed for any active assailant event where there could be mass casualties involved. And it's -- the focus is, you know, stop the killing, stop the dying.

COMMISSIONER THERRIAULT: Commissioner Therriault.

First, I appreciate all your work on this.

Secondly, if you could just go through the, you know, overview on the solo officer response. What that -- what that looks like?

MR. KIELY: Sure. So thank you for the question.

The solo officer response -- and I can apply it to -- and this is -- this is one that we had the opportunity, as POST staff, to observe in person.

But we had one particular presenter that brought out their entire tactical team, and they had workstations like in a -- in a factory assembly line process. And one of the stations involved solo officer movements.

Within that -- and it also included -- with an electric component -- has brought up the -- when it boils down to it, the solo officer needing to make a decision of do I need to re- -- do I need to go or not and respond to the direct threat weighing, you know, what is the amount of time that the next available resource may be coming from, etc.

But it's really involving the movement of your standard tactics movements. As a solo officer, that 360 awareness or, you know, just reinforcing concepts that they have already had in patrol techniques/crimes in progress.

But also with that general understanding of I have -- may have stimulus such as something consistent with the sound of gunshots. And I may need to bypass an entire area to get to where that stimulus is.

That stimulus then may not be there anymore, and I might have to transition to a slower, systemic search until I have indicators that appear again, and then tailor my tactics accordingly.

COMMISSIONER THERRIAULT: I appreciate that.

I would -- it's important that we -- there's an assertion that if the officer feels the necessity to move forward and address that with whatever threat may be, that that is actually trained and put forward.

And, you know, we're one of the most armed societies on the planet per capita. And so these things unfortunately play out every day on our -- on our streets.

So, you know, when I see things like what happened in Uvalde, Texas -- and obviously it's in other state, etc. -- but we can't really afford to have, you know,

these types of hesitations that we saw played out. So I think it's really important we have the training.

I actually would like to see some type of further like -- again, I know it is obviously more money and more -- more expansive problem. But actual -- you know, add it to the LDs that have scenarios attached to them as well, since that doesn't seem to be the case right now.

MR. KIELY: Right. And with the scenario-based concept, that was something discussed. But to provide the resources for each student to go through individually and then test accordingly, grade accordingly. And then if you have failures, to bring back all the -- so would some of that be severely diminished.

So if you have a presenter that is doing their due diligence of trying to deliver the training, but then now they are incurring and potentially the -- an additional funding mandate, then how do they accomplish that to the same scale to where it doesn't diminish the overall purpose of it?

And, really, some of the feedback, and why this would ideally be presented at the end of the academy, was -- some of the student feedback was that they realize that they were quickly going into a real-world

setting and they -- they -- they had the emphasis right there, in and of itself, knowing that they could potentially apply these tactics day one on their field training officer program to -- to be prepared, pay attention, and lock in.

And it's -- it just goes back to certainly considered, weighed that, but that was ultimate feedback as far as not doing the scenario-based testing.

COMMISSIONER THERRIAULT: Understood. It's just a long-term goal. I think something to strive for. But I understand the issues that get in the way. Thank you.

MR. KIELY: Thank you.

If I may. For the solo officer response -- and that's something that was layered in throughout this with all the presenters.

With that solo officer response, although there's no legal mandate that would require an officer to respond, it was emphasized that that's why we're going over -- or that's why there is the inclusion of the solo officer movements. Making the determination. Also indicated in the training and testing specifications.

And when it comes down to it, frankly you sign up for this profession for a reason, and this would be for ultimately the goal of saving lives.

COMMISSIONER THERRIAULT: Noted. If you can't do

it, you shouldn't be in this profession to begin with.

Thank you.

CHAIRPERSON LONG: Mr. Executive Director.

EXECUTIVE DIRECTOR ALVAREZ: So just to expand on the topic of rifle, the use of rifles in the -- in the training.

So there are some limitations with training on rifles in the academy. Pursuant to law, affiliated students, sponsored students are able to train using rifles; nonaffiliated students are not.

However, correct me if I'm wrong with this, Brandon. We do not dictate what weapon systems they use during the training. They can use pistols. They can use shotguns. They can use rifles. They can use shields. All of that is at their discretion, correct?

MR. KIELY: Correct. And thank you for pointing that out.

Because you have -- amongst presenters, you may have more resources with one versus another, so you might have a presenter that has an entire scenario village, can use Simunitions, etc., and then you might have one that doesn't have those resources.

And included within that is, yes, you do have the ability to include tools. But the focus really is on the tactical movements.

CHAIRPERSON LONG: Questions? Concerns? Will of the Commission?

(No response.)

CHAIRPERSON LONG: Is there a motion to approve these proposed changes to Regs 1005 and 1008 regarding the basic waiver process?

COMMISSIONER NIETO: Nieto moves.

CHAIRPERSON LONG: I'm sorry.

We moved on. I'm reading the wrong one.

Right. For the new Learning Domain 44.

COMMISSIONER NIETO: I will move that one too.

CHAIRPERSON LONG: Right. The proper one.

COMMISSIONER MOON: Chairman, was there any discussion at Advisory on --

CHAIRPERSON LONG: Thank you. Thank you.

ADVISORY CHAIRPERSON SALAZAR: Yes. Thank you.

The Advisory Committee did receive this report and had some discussion similar to the Commission. Just with regards to the consistency of the training, particularly with events where you have multiple responding agencies and so the need for uniformity in training and response.

We do have Tammie Murrell who represents the Academy Directors Association. Her academy was one of the pilot agencies. She did provide feedback and

compliments to POST staff for the great job they did. The pilot was run well. There was a mix of various-sized agencies and adaptability of the subject to those differences. And that the training was run well and adaptable and consistent across boards for various agencies.

But essentially those were the main concerns: Just consistency, so that everyone is getting the same training as you have multiple agencies responding.

And then a question with regards to whether this would affect, eventually, advanced officer courses. And at this point, we are told it does not.

And that was the feedback.

CHAIRPERSON LONG: Thank you, Chief.

Thank you, Sheriff.

COMMISSIONER NIETO: Nieto still motions.

CHAIRPERSON LONG: So we have a motion.

Is there a second?

COMMISSIONER BRAZIEL: Braziel. Second.

CHAIRPERSON LONG: A motion and a second.

Ms. Essex, please call the roll.

MS. ESSEX: Barcelona.

COMMISSIONER BARCELONA: Yes.

MS. ESSEX: Braun.

COMMISSIONER BRAUN: Yes.

MS. ESSEX: Braziel.
COMMISSIONER BRAZIEL: Yes.
MS. ESSEX: Cooper.
COMMISSIONER COOPER: Yes.
MS. ESSEX: Doering.
COMMISSIONER DOERING: Yes.
MS. ESSEX: Ewell.
(No response.)
MS. ESSEX: Gordon.
COMMISSIONER GORDON: Yes.
MS. ESSEX: Johnson.
COMMISSIONER JOHNSON: Yes.
MS. ESSEX: Long.
CHAIRPERSON LONG: Yes.
MS. ESSEX: Moon.
COMMISSIONER MOON: Yes.
MS. ESSEX: Nieto.
COMMISSIONER NIETO: Yes.
MS. ESSEX: Rodriguez.
COMMISSIONER RODRIGUEZ: Yes.
MS. ESSEX: Therriault.
COMMISSIONER THERRIAULT: Yes.
MS. ESSEX: Woolery.
COMMISSIONER WOOLERY: Yes.
CHAIRPERSON LONG: The motion carries. 13/0.

MS. ESSEX: Yeah. 13 yeses. Motion carries.

CHAIRPERSON LONG: Okay. Our next item is a proposal to amend Commission Reg 1006, an extension of time limits for course completion, which would allow Basic Course presenters, in addition to law enforcement departments, to request an extension of time limit for course completion.

LEC Brad NewMyer will report.

Welcome, Mr. NewMyer.

MR. NEWMYER: Thank you, Commission Chair. Good afternoon, Commission.

POST Basic Bureau is requesting a change to Regulation 1006. 1006 allows an extension of time to complete a course within the course dates.

So if a course, a 40-hour course, you only complete 32 hours of it, you have missed eight hours, you won't get credit for the course. Based on illness, injury, military service, or special duty assignment required made in the public interest of the concerned jurisdiction can be consideration to allow them to complete the training at a later time, get credit for the course, and move on for a required course.

The current language only allows a department to make the request and the department is identified in our regulation as a POST-participatory agency. This

immediately rules out an academy from making a request that is not a POST-participatory agency.

And with the academy being a direct representative of the academy with the POST course presenter, we feel it is a -- it is important to allow the academy to make the request on behalf of not only the department-sponsored student, but nonsponsored students who don't have a department to represent them.

So by adding two words to the regulation after department to add in -- I'm sorry, three words -- "or course presenter," it allows the course presenter, on behalf of the student and the agency with justification by the agency, to seek that extension to complete the required course after the course completion date and get credit for that course.

And if you believe that's proper, then we recommend you approve the regulatory change. And if you have any questions, I'm here to answer any questions you might have.

CHAIRPERSON LONG: Questions?

(No response.)

CHAIRPERSON LONG: I will ask a question, Brad.

You cited -- it is really two clauses in 1006. And the first -- this is current, current law.

The first clause is, as you read, you are unable to

complete the course because of X, Y, and Z, and in the public interest.

In the second clause it says, "or anything else," basically.

MR. NEWMYER: Correct.

CHAIRPERSON LONG: One: I'm kind of curious about the origin of that. Why the second clause just says "or anything else" that should come up, which I don't get. And there's no deadlines or anything.

And then second -- so that's current.

But then, secondly, could you just, for my benefit anyway, explain what the interest in giving a private presenter the right to do what heretofore only the department can do?

MR. NEWMYER: Well, it's not -- it is going to have to be in cooperation with the agency. If it is a department-sponsored agency and a private presenter's course, the department can make the request or the presenter can make the request.

If the department wants to do it and exclude the presenter, they are free to do that. It just opens up the ability for the presenter to represent a nonsponsored agency -- or a nonsponsored agency personnel.

For example, Delta College. Delta College is an

academy, and they cannot make a request, on the strict reading of our regulation, for a course extension if one of their kids gets hurt in the last week and has to make up time after the completion of the academy.

CHAIRPERSON LONG: So for -- basically you have to have somebody who is nonaffiliated?

MR. NEWMYER: Nonaffiliated, yes. Or a lot of times, if it's a -- if it's a -- I worked in Orange County Sheriff's Department, its academy. And we had agencies that were not our folks.

So in this case, even though it is an agency-run academy, we could -- based on the regulation, we can make the request for our people. But because we were a department, we could also make it for another agency's people, Santa Monica PD or -- or whatever.

If it's Delta College, Delta College is not a POST-participatory agency, and they would be excluded from making the request for the course extension to get that required course completed. And it is only for required courses we're talking about.

CHAIRPERSON LONG: That would only add -- like I just -- so I understand it.

So if a private presenter does it, does it have to be in concert with the department? Or would there be a clash there? The department says (makes noise), "We're

not giving this guy an extension." Does that -- do they trump?

MR. NEWMYER: Absolutely. It is the department's asset. And if they don't want the employee to go back and get the additional training to complete that course and not get credit for the course, that's the agency's prerogative.

But it opens up the ability. And, frankly, we talk far more to the agency presenters at the academies than we do to the agencies working through the -- and this is mostly from the basic academies' viewpoint.

This is for 832, for Specialized Investigator Basic Course, all of our modular courses, the Regular Basic Course. There are a lot of nonsponsored students there that are probably underrepresented on a course extension if they need one.

So this just opens up the presenters' ability to -- on behalf of those students that aren't a department asset, to seek and receive, if it is reasonable, an extension of time limit to complete the course.

CHAIRPERSON LONG: Thank you.

Any questions? Further concerns or questions?

(No response.)

CHAIRPERSON LONG: Chief Salazar, did the Advisory Committee have something to say about this one?

ADVISORY CHAIRPERSON SALAZAR: Thank you, Mr. Chair.

No comments on this item.

Is there a motion? Will of the Commission?

COMMISSIONER THERRIAULT: Motion. Therriault.

CHAIRPERSON LONG: Is there a second?

COMMISSIONER JOHNSON: Second. Johnson.

CHAIRPERSON LONG: Ms. Essex, please call the roll.

MS. ESSEX: Barcelona.

COMMISSIONER BARCELONA: Yes.

MS. ESSEX: Braun.

COMMISSIONER BRAUN: Yes.

MS. ESSEX: Braziel.

COMMISSIONER BRAZIEL: Yes.

MS. ESSEX: Cooper.

COMMISSIONER COOPER: Yes.

MS. ESSEX: Doering.

COMMISSIONER DOERING: Yes.

MS. ESSEX: Ewell.

(No response.)

MS. ESSEX: Gordon.

COMMISSIONER GORDON: Yes.

MS. ESSEX: Johnson.

COMMISSIONER JOHNSON: Yes.

MS. ESSEX: Long.

CHAIRPERSON LONG: Yes.
MS. ESSEX: Moon.
COMMISSIONER MOON: Yes.
MS. ESSEX: Nieto.
COMMISSIONER NIETO: Yes.
MS. ESSEX: Rodriguez.
COMMISSIONER RODRIGUEZ: Yes.
MS. ESSEX: Therriault.
COMMISSIONER THERRIAULT: Yes.
MS. ESSEX: Woolery.
COMMISSIONER WOOLERY: Yes.
CHAIRPERSON LONG: Motion carries --
MS. ESSEX: Motion passes with --
CHAIRPERSON LONG: -- 13/zip.

All right. We move now to proposed staff amendments to Commission Reg 1055 to require Basic Course presenters to provide the specific reason a student failed the course.

Bureau Chief Carrie Hollar will report. Welcome, Ms. Hollar.

MS. HOLLAR: Welcome, Chair Long. And good afternoon, Commissioners.

Currently Commission Regulation 1055 requires presenters to complete and submit a course roster after the completion of a course presentation.

The completed course roster includes all the individuals who attended the course and whether or not they passed or failed on -- the successful completion was achieved.

However, the regulation does not require the presenter to put a reason why the student did not complete the course. So there have been times where the Basic Training Bureau has been asked to the reasons why students aren't completing the academy.

So we are asking that for basic courses requires them to put a comment on there so that we can identify any potential trends or potential issues that we have with potentially existing curriculum or with academies.

So at this time, I will take any questions.

COMMISSIONER GORDON: Gordon.

No question. Just complete support of that.

COMMISSIONER NIETO: Commissioner Nieto.

Thank you for that. Because I know sometimes it is hard to get an answer from the academies when you are hiring these people and they washed out and they kind of give you the "well," so this will make it a requirement.

And then the second point is that POST will be able to track that to make recommendations to provide better training or recommendations to the academies in the future.

So thank you.

COMMISSIONER DOERING: Commissioner Doering.

Quick question for -- primarily for tracking purposes. Would it be a free-fill box or will there be selections to choose from to help with tracking?

MS. HOLLAR: So in the roster, it is a box with like, I think it is 200 characters. I don't -- I don't see anybody from EDI. I don't know. But I believe it is 200 characters.

So it is not a drop-down, but they would -- you know, it would say "fail firearms test." They could write a paragraph if they wanted to, with 200 characters.

And we will be monitoring it, so our course approvers check those rosters at the completions of the course. So if there is something that's not clear, we could go in there and ask them to clarify for us.

CHAIRPERSON LONG: Additional questions?

(No response.)

CHAIRPERSON LONG: Chief Salazar, did the Advisory Committee have a --

ADVISORY CHAIRPERSON SALAZAR: No comments on this item, Chair.

CHAIRPERSON LONG: Is there is a motion? Will of the Commission?

COMMISSIONER MOON: Motion. Moon.
CHAIRPERSON LONG: Is there a second?
COMMISSIONER GORDON: Gordon.
CHAIRPERSON LONG: I don't see any.
Is there any objection to unanimous consent on this item?
(No response.)
CHAIRPERSON LONG: Seeing none, motion carries.
MS. HOLLAR: Thank you.
CHAIRPERSON LONG: Move now to Training Program Services. A report on DA Investigator Course Regs. We will now hear the dulcet tones of LEC Andrew Mendonsa.
(Laughter.)
MR. MENDONSA: I'm going to have to slow down now.
CHAIRPERSON LONG: I always think I'm hearing, you know, National Public Radio or something.
MR. MENDONSA: I have good face for radio.
Good afternoon, Commissioners.
Commission Regulation 1005 requires all district attorney investigators to complete a course of instruction within 12 months of appointment.
The requirements for that course are contained in two separate areas: One is Commission Procedure D14, which spells out the requirements for the four -- the course to include learning activities, learning

objectives, and testing; the other requirements are included -- and it is about a 45-page document that is incorporated by reference called the "Training Specifications for the Investigation and Trial Preparation Course."

While the course has been updated over the years, the actual incorporated document has not been updated since 2009.

In 2022, POST staff identified the issue and brought it before the Commission. They attempted to correct the old -- the references to the older document, but the request was ultimately rejected by the Office of Administrative Law for a lack of justification or a proposed alternative. And the request timed out with OAL before it could actually be completed here.

In March of '25, POST staff met with subject matter experts including instructors and representatives from the DAI Investigators Association. Members represented the San Bernardino County DA's Office, Riverside DA's Office, San Mateo, Monterey, and LADA.

All of the subject matters reviewed the training specifications. They agreed that the use and the structure of the document is no longer suitable for necessary -- no longer suitable or necessary for the course. They recommended adopting hourly requirements

and minimum topics directly into Commission D14. This allows for flexibility in the future if we need to make course updates.

The proposal is to repeal the training specification for the investigation and trial preparation course from Commission Regulation 1005.

The topics that are currently covered in that document as Learning Domains would then be added to Commission Regulation D14 as minimum course topics.

We would remove references to learning domains, learning needs, learning objectives and learning activities that are currently in D14, and those would be incorporated into a course-specific lesson plan for the course.

And I'm happy to answer any questions you might have about that.

COMMISSIONER NIETO: Commissioner Nieto.

Sorry. I did take -- took a quick look at it.

MR. MENDONSA: Yeah.

COMMISSIONER NIETO: You guys revoked, I guess, what you used to teach, looking at these things. And then I was looking at the topics.

MR. MENDONSA: Sure.

COMMISSIONER NIETO: So my question is, there was a section on -- I got to bring it up now.

MR. MENDONSA: Just so I can track along, are you talking minimum topics?

COMMISSIONER NIETO: The minimum topics.

MR. MENDONSA: The proposed minimum topics? Yes.

COMMISSIONER NIETO: And -- but I don't know what they are teaching within those minimum topics.

And the reason I'm asking this question is that when you look at DAs' offices and sheriffs' officers, sometimes there's debates about who does what.

MR. MENDONSA: Yeah.

COMMISSIONER NIETO: And so this just opens it up for the DA to turn around and say, "Well, POST says I do this."

And so if we don't have specifics, I don't know what that specific is.

MR. MENDONSA: So I'm happy to go through this expanded course outline with you. That's actually one of the things we're working with the DAIs on, is to identify what those specific things are under each of the topics.

I don't necessarily think we should include that in the regulation.

I'm not answering your question.

COMMISSIONER NIETO: No. I just wanted to see what you are teaching. If I'm going to vote on a regulation

saying, okay, this is a topic -- and this is, again, as the sheriff -- I don't want a DA to turn around and say, "Well, POST says I do this," without looking at what that thing is.

MR. MENDONSA: So that would take the expanded course outline, which we're currently working with DAIs to finalize into the lesson plan.

So I can provide that. I don't have it in front of me to go through line by line to show you, for example, what they are teaching in public corruption. It is fairly broad.

But if that's what you would need before you feel comfortable adopting the minimum topics --

COMMISSIONER NIETO: You -- you included the ones --

MR. MENDONSA: Yeah.

COMMISSIONER NIETO: -- that you killed, though, right? So you took the ones -- we're no longer teaching those, which was an expanded course outline.

MR. MENDONSA: Right.

COMMISSIONER NIETO: And now you just have come back with something very general for --

MR. MENDONSA: Correct.

COMMISSIONER NIETO: For me to vote on.

MR. MENDONSA: Sure.

COMMISSIONER NIETO: That's just a comment. Not a question, Manny.

CHAIRPERSON LONG: Other questions?

(No response.)

CHAIRPERSON LONG: Commissioner Nieto, let me ask you: Does that -- does your concern rise to the level of asking to come back later? Or are you okay at the moment?

COMMISSIONER NIETO: I would just like to see, in the expanded course outline, what we're saying, "Hey, DAs, this is what we expect you to teach," as far as POST -- what POST is saying.

CHAIRPERSON LONG: So are you comfortable voting for this at this time? Or would you rather delay it and get more information?

COMMISSIONER NIETO: Well, for myself, I don't want to vote on something I don't know what we're asking them to teach. The changed regulation.

CHAIRPERSON LONG: Totally fair.

Similar concerns? Other concerns from the members? Questions?

(No response.)

CHAIRPERSON LONG: Mr. Executive Director tells me there won't be a huge problem if we put it over.

Mr. Mendonsa.

MR. MENDONSA: Yeah. Happy to.

CHAIRPERSON LONG: I mean, if the commissioner has an issue and it's a fairly substantive issue, let's get more information.

COMMISSIONER NIETO: I would like that. So thank you.

MR. MENDONSA: Absolutely.

CHAIRPERSON LONG: All right. Thanks.

Thank you, Mr. Mendonsa.

MR. MENDONSA: Yep.

CHAIRPERSON LONG: Kathy, are you doing okay?

THE COURT REPORTER: We could do one more.

CHAIRPERSON LONG: All right. We'll do one more and then we'll take a break.

And we'll take up a good one. Management Counseling and Projects Bureau. Report on establishing a definition of "biased conduct."

COMMISSIONER NIETO: Oh, I forgot to ask, does the CPCA have any comments regarding that?

CHAIRPERSON LONG: Oh, I do too. Thank you for reminding me.

Advisory Committee. I didn't -- I didn't think they did, but -- so I didn't circle it.

ADVISORY CHAIRPERSON SALAZAR: On that item, no. Thank you.

CHAIRPERSON LONG: No comment? All right.

Anyway, a report from the Management Counseling and Projects Bureau on establishing a definition of "biased conduct," as required pursuant to Assembly Bill 443 and Penal Code 13510.6.

Executive Director -- Assistant Executive Director Annemarie Del Mugnaio and LEC Raymund Nanadiego will report.

MR. NANADIEGO: Good afternoon again. Actually --

CHAIRPERSON LONG: Oh, I'm sorry. I wasn't even looking. I thought Annemarie was coming forward. And the attorney, Simone Renteria, is here. Thank you.

MR. NANADIEGO: Yes, sir. Attorney IV Simone Renteria will be joining me today.

Okay. We have a PowerPoint for this one.

Thank you, sir.

Assembly Bill 443 established Penal Code section 13510.6 and requires the Commission to create a definition of "biased conduct."

It states that beginning on January 1st, 2026, when investigating any bias-related complaint or incident that involves possible indications of officer bias, a law enforcement agency shall determine whether the conduct being investigated constitutes, quote, "biased conduct," using the definition developed by the

Commission.

Next slide, please.

POST staff convened a group of subject matter experts on March 18 to 20, 2025, to provide insight and help meet the requirements of Penal Code 13510.6.

The group included Jay Boyarsky from the Santa Clara District Attorney's Office and Assistant CEO Jonathan Raven representing the California District Attorneys Association;

Detective Ashleigh Oliver from the Sacramento County Sheriff's Office and Constitutional Policy -- Policing Advisor Mary Izadi from the Orange County Sheriff's Department representing the California State Sheriffs Association;

Lieutenant Carmelin Rivera from the San Diego Police Department representing PORAC, or the Peace Officers Research Association of California;

Special Agent-in-Charge Lottie Bloxsom from the DOJ;

Sergeant Robert Raw from the San Mateo County Sheriff's Office;

Captain Sean Frost from the San Francisco Police Department;

Retired Lieutenant Paul Henry from the Santa Rosa Police Department;

And Administration of Justice Department Chair Cheryl Mackey from Chabot College;

The representatives from the RIPA Board included:

Marisol Leon from the DOJ;

Co-Chair Andrea Guerrero;

And Public Defender Soley Diallo from Riverside County.

The diverse group of subject matter experts met over the three-day workshop to assist the Commission in meeting the requirements of AB 443 and Penal Code section 13510.6 through their collective insight. The subject matter experts had legal, academic, or law enforcement backgrounds and came from various regions around the state.

The group provided a suggested definition for, quote, "biased conduct" to the Commission and offered input to expand guidance for background and Internal Affairs investigations by law enforcement agencies through their collaborative effort and diverse expertise.

The suggested definition was included in this agenda item as Attachment A and as a collaborative product of the subject matter experts in the workshop, not an independent work product by POST staff.

The accompanying information in Attachment A is

offered by the subject matter experts as suggestions and context to help the Commission meet the requirements of Penal Code 13510.6.

The group discussed how bias operates not only through what people do but also through the way -- through what they fail to do.

Within the context of AB 443, they talked about some of the academic literature on bias and key examples like failure to intervene and use of force incidents that could make officers complicit in bias or unlawful actions.

They also discussed neglecting to investigate certain complaints since failure to act on reports due to biased assumptions could reflect systemic bias through inaction.

Traffic stops also came up since inaction within agencies can enable a culture of racial bias and lack of accountability.

The subject matter experts agreed that including, quote, "inaction" in the definition is critical.

The suggested definition by the subject matter experts in the workshop provides considerations to expand the statutory language in Penal Code 13510.6(a) by introducing or paraphrasing statutory language by using verbiage such as, quote, "action or inaction";

quote, "whether on-duty or off-duty," but omitted some language that the statute mandates be included. For example, quote, "encounters with the public, first responders, or employees of criminal justice agencies as defined in section 13101"; and also, quote, "an officer need not admit bias or prejudiced intent for conduct to be determined to be biased conduct," end quote.

Next slide, please.

And one more, please.

Two options to define "biased conduct" are provided on the screen in yellow font. This is Option A. And it defines "biased conduct" using statutory language only.

Next slide, please.

Option B replicates Option A with the added language from the subject matter experts-suggested definition in the workshop, found in the agenda attachment.

Option B is not the identical definition suggested by the subject matter experts, as additional text was needed to comply with the statute mandate. Option B was constructed as a suggested definition to meet the statute's requirements while including additional language recommended by the subject matter experts.

We'll take any questions.

CHAIRPERSON LONG: Questions on the definitions?

Questions?

COMMISSIONER BRAUN: I have a procedural question.

Are we supposed to pick between Option A here and Option B here? Okay.

CHAIRPERSON LONG: That would be the recommendation of staff. That is certainly an option.

I think it is easier, actually, if you look at the agenda, it shows A and B laid out kind of the same. And the only real difference is there's two -- there's two components, really.

Correct me if I'm wrong, Raymund.

That B has "biased conduct may result from action or inaction" and "biased conduct may occur on-duty or off-duty." Those two statements are not in A, which simply relies on the statutory definition.

MR. NANADIEGO: That's correct, sir.

CHAIRPERSON LONG: So, really, it is just two lines that are of difference.

And if there's no comments right now, I know there were quite a few comments from Jason's gang.

Chief, would you like to talk a little bit about that, please?

MR. SALAZAR: Thank you, Mr. Chair.

I will do my best to sum- -- we did have a fairly robust discussion. I will do my best to summarize it.

But there was some discussion primarily to, as well, just with regards to difficulty determining bias, as it can be a subject of evaluation. And some questions as to whether or not once a definition is adopted, if POST provides guidelines to agencies particularly on how to determine bias in a background or IA investigations. And we were told that would take place.

There were some comparisons to SB 2 issues regarding some -- this definition potentially being overly broad. And particularly with concerns about the terms in Option B, that reference "inaction" and then the "off-duty" reference as well. And comments made regarding law enforcement doesn't always have a duty to act in certain circumstances.

And so ensuring that that doesn't get labeled then as "inaction" for purposes of bias, particularly as it relates to response to mental health calls. You have seen, you know, a number of agencies now that have adopted either disengagement policies or not responding to mental health. Can that be somehow determined to be inaction for purposes of bias against a protected class?

And then the references to "off-duty." Is there a duty to act while off-duty or a consequence for inaction while off-duty? There was some discussion around, you

know, the combination of those two: "Inaction," "off-duty."

There was -- Attachment A provides some additional context to the definitions that are provided here. And so if -- when you read through the attachment that is included in the staff report, it goes into depth as to, kind of, what the intent of each of those comments was made. However, those would not be provided as context once you adopt the definition.

At some point, I suppose it could be provided as part of a guideline for either background or IA investigations. But the definition, as it stands alone, without some of that context, had some concern for members of the Advisory Committee.

I would say it was about -- there was 12 members of the Advisory Committee. I believe there were five that were not in favor of Option B, and preferred Option A. And the concerns primarily kind of surrounding "inaction" and "off-duty" and quite a bit of discussion on those two items.

CHAIRPERSON LONG: Thank you, Chief.

Comments or questions?

COMMISSIONER BRAUN: Commissioner Braun.

I feel like we had a lesson learned on this before, where we spent hours coming up with a definition only to

be told that the statutory definition was preferred by OAL.

So should we cut to the chase on this one, Toby? And just -- or is this different?

CHAIRPERSON LONG: I would -- go ahead, Toby.

MR. DARDEN: Sure.

So the law does require for POST to establish this definition. And then agencies are required to use the definition when they are conducting any investigation of a bias-related complaint. So we are obligated to establish the definition.

Just with -- as with SB 2, the Legislature said we could develop the definition of "serious misconduct," but there was minimum content that was required.

Same here. So we can establish the definition.

It is possible for us to put additional information within the definition beyond that which the Legislature has specified as the minimum. So we can do that.

Hopefully OAL wouldn't give us any pushback if we wanted to go with the Option B.

But again, that's -- it is up to the Commission as to which option it wishes to -- to go with. If the Commission is concerned about Option B and the "inaction" language, I do have some potential additional language that I could propose that might help mitigate

some of the concern. But that's at the discretion of the Commission; if you would like to hear it.

COMMISSIONER BRAUN: Thank you.

I agree with what was discussed yesterday about the off-duty/on-duty/inaction, especially given the circumstance -- the consideration on when we are not required to take action. And if we're saying now that we -- inaction is -- I'm not being clear. But I think you get what I'm saying.

Kelly does.

CHAIRPERSON LONG: I would like to suggest that -- listening to the Advisory Committee yesterday, I thought this one might be -- meet both sides halfway. I don't know. I talked to Toby a little bit. I talked to Jason about it a little bit.

But striking the "biased conduct may occur on-duty or off-duty," which seemed to cause the most headaches. Leaving the "biased conduct may result from action or inaction with" -- go ahead, Toby. Jump in as a --

MR. DARDEN: Okay. So --

CHAIRPERSON LONG: With additional language that clarifies what exactly that means.

MR. DARDEN: Sure.

So I drafted this just as a possible to clarify or mitigate. If we leave the "action or inaction" in it,

it would be the following:

"For purposes of this regulation, 'inaction' refers to a failure to act when, pursuant to governing law or in accordance with the policy of the employing agency, the peace officer is obligated to take action."

So, again, what that does is say, "action or inaction." But the "inaction" is referring to only those instances where the officer is obligated to take action in accordance with governing law or the policy of the employing agency.

So I thought that might be a way to mitigate it if the Commission wants to leave in the action/inaction language.

MS. DEL MUGNAIO: Chair Long, may I add something?

CHAIRPERSON LONG: Please.

MS. DEL MUGNAIO: So in response to that -- because I know it is getting kind of a cold reception -- there is one thing that is already in "serious misconduct." And I want to make sure we continue to separate 443 from serious misconduct, because one doesn't mean the other.

So when we define "an act of demonstrated bias," for the purposes of serious misconduct, that is an act or action that is occurring. That's an active step; someone has done something. And the definition is different and it's been defined. So this doesn't mean

"serious misconduct."

But the one thing that comes up is failure to intercede. That is already something that's required of an officer in use of force.

And if that were what we were referring to, in terms of "inaction," then a failure to intercede, based on some sort of explicit or implicit bias, could, in fact, render the officer to have committed some kind of serious misconduct.

I just want you to keep that in mind, because that would be an inaction, on-duty behavior.

The only other thing I wanted to mention -- and then Simone can kind of elaborate on this. The bill does a couple of things:

It requires us to establish a definition for the purpose of investigating misconduct or investigating -- excuse me -- complaints of bias, not necessarily misconduct. But it also establishes or serves to require POST to establish guidelines for agencies conducting investigations into applicants in terms of whether or not there's been any biased conduct before you are hiring someone on to your law enforcement agency. And that's looking through social media checks, etc.

So there's a requirement in the law that POST will

develop guidance on that, which is a little different than what we are talking about here with the definition in terms of the investigation. So it is twofold. And I just don't want that to get lost.

So for what it is worth.

COMMISSIONER THERRIAULT: Commissioner Therriault.

COMMISSIONER DOERING: Commissioner Doering.

COMMISSIONER THERRIAULT: Go ahead.

COMMISSIONER DOERING: Just wanted to -- based off our prior conversations and talking about expanding definitions, I don't know that I see a need, at least from my point of view, to expand more than what the statutory regulations already say with Option A. I feel like we -- when we start adding things and pigeonholing ourselves a little bit more, it becomes a little bit more difficult for the Commission to make decisions. And I know we have talked about expanding definitions before.

But initially, in reading this, I don't -- I don't know why we would work to expand the definition further when we already have the statutory regulation there.

Just my thoughts.

CHAIRPERSON LONG: Commissioner Gordon.

COMMISSIONER GORDON: And I would also add, you know, if there's a failure to intercede, and during the

investigation it shows that the cause is bias, then that bias charge does come out. So there is a way that agencies have, and then POST has, to deal with that concern; you know, the inaction piece specifically related to that duty to intercede.

I'm not in favor of adding that and using -- and using B, because I think you are adding a very broad, from action to inaction, even by adding the additional language that you are suggesting.

And I'm not a fan of the on-duty or off-duty either.

So my vote is for A.

MR. DARDEN: If I may, if you don't mind. I just want to make sure that we're all on -- exactly on the same page. And hopefully the Commission understands. We're not doing anything here with respect to the definitions of "serious misconduct." That's not what this is. So we're all on the same page on that.

Because, really, this is just a result of a report that was done by the State Auditor, who thought that law enforcement agencies, when investigating biased-related complaints, just didn't understand enough about what bias was and what might be causing it.

And so passed this bill, which basically just says we come up with the definition. Agency, when it is

investigating bias, has to use that definition in order to determine if bias occurred.

But there's no sanction attached to our definition. It is simply something that the agency is required to use if there's a determination that biased conduct occurred.

It is completely up to the agency to decide if it did. And the complaint was a citizen's complaint that came in the door; then the agency might decide it is a training issue or a -- or it is a violation of policy or there's no violation at all.

So I just wanted to make sure we were all clear on that. And perhaps we were.

COMMISSIONER BARCELONA: That includes B as well? That includes B as well, the option?

MR. DARDEN: Yeah. So the Options A or B are just the mechanisms for us to try to satisfy the statutory mandate that POST is required to establish a regulatory definition by 1/1/26.

COMMISSIONER BARCELONA: The "off-duty" point really bothers me.

MR. DARDEN: Yeah.

COMMISSIONER NIETO: Commissioner Nieto.

MR. DARDEN: That was the subject matter experts that had suggested that.

Yeah.

CHAIRPERSON LONG: Commissioner Nieto.

COMMISSIONER NIETO: I would prefer, like Commissioner Braun, not to go down that rabbit hole again. Keep it as simple as we can keep it, as a Commission.

And I do appreciate the auditor coming in and making a suggestion to let POST decide.

COMMISSIONER GORDON: And with that, I will make a motion to -- for recommendation A.

CHAIRPERSON LONG: Second?

COMMISSIONER THERRIAULT: Commissioner Therriault. Second.

CHAIRPERSON LONG: Ms. Essex, please call the roll.

MS. ESSEX: Barcelona.

COMMISSIONER BARCELONA: Yes.

MS. ESSEX: Braun.

COMMISSIONER BRAUN: Yes.

MS. ESSEX: Braziel.

COMMISSIONER BRAZIEL: Abstain.

MS. ESSEX: Cooper.

COMMISSIONER COOPER: Yes.

MS. ESSEX: Doering.

COMMISSIONER DOERING: Yes.

MS. ESSEX: Ewell.

(No response.)
MS. ESSEX: Gordon.
COMMISSIONER GORDON: Yes.
MS. ESSEX: Johnson.
COMMISSIONER JOHNSON: Yes.
MS. ESSEX: Long.
CHAIRPERSON LONG: Abstain.
MS. ESSEX: Moon.
COMMISSIONER MOON: Yes.
MS. ESSEX: Nieto.
COMMISSIONER NIETO: Yes.
MS. ESSEX: Therriault.
COMMISSIONER THERRIAULT: Yes.
MS. ESSEX: Woolery.
COMMISSIONER WOOLERY: Yes.
MS. ESSEX: Two abstentions.
CHAIRPERSON LONG: Motion carries. 11-zip.
We will now take a break. Is 3:00 o'clock good enough, Kathy?
THE COURT REPORTER: That's fine.
CHAIRPERSON LONG: We will take a break until 3:00 o'clock. Thank you.
(Break taken in proceedings.)
CHAIRPERSON LONG: We're back in session.
Due to side-bar conversations, I think we have got

a couple of items we can go back to and that will answer Commissioner Nieto's questions on a couple of items. So this will be the Nieto calendar -- the sub-calendar.

COMMISSIONER NIETO: Thank you, Chairman. You cornered me. So I have learned my lesson, POST.

CHAIRPERSON LONG: We will go back to 4, Training Program Services. And that's a report on the DA investigator course regulation.

And Commissioner Nieto just had some questions she wanted answered. POST has come up with the answers. I think they talked offline, and I believe we're okay.

Commissioner Nieto.

COMMISSIONER NIETO: Yeah. Just a comment.

So he did pull me offline. I had an opportunity to look at the proposed curriculum. I am comfortable with the changes that they are making and would support the motion at this point.

CHAIRPERSON LONG: Is there a motion to adopt the amendments reflected in the staff report on the district attorney investigator course regs?

COMMISSIONER GORDON: Gordon.

COMMISSIONER DOERING: Doering. Second.

CHAIRPERSON LONG: Motion and a second.

Ms. Essex, please call the roll.

MS. ESSEX: Barcelona.

COMMISSIONER BARCELONA: Yes.
MS. ESSEX: Braun.
COMMISSIONER BRAUN: Yes.
MS. ESSEX: Braziel.
COMMISSIONER BRAZIEL: Yes.
MS. ESSEX: Cooper.
COMMISSIONER COOPER: Yes.
MS. ESSEX: Doering.
COMMISSIONER DOERING: Yes.
MS. ESSEX: Ewell.
(No response.)
MS. ESSEX: Gordon.
COMMISSIONER GORDON: Yes.
MS. ESSEX: Johnson.
COMMISSIONER JOHNSON: Yes.
MS. ESSEX: Long.
CHAIRPERSON LONG: Yes.
MS. ESSEX: Moon.
COMMISSIONER MOON: Yes.
MS. ESSEX: Nieto.
COMMISSIONER NIETO: Yes.
MS. ESSEX: Therriault.
COMMISSIONER THERRIAULT: Yes.
MS. ESSEX: Woolery.
(No response.)

MS. ESSEX: Rodriguez.
COMMISSIONER RODRIGUEZ: Yes.
CHAIRPERSON LONG: That would be how many votes? Let's be careful.
MS. ESSEX: 12.
CHAIRPERSON LONG: Motion carries. 12-0.
While we're being careful on roll calls, I also -- a little bit of housekeeping. We need to go back and re- -- and make an adjustment. On Item 5a; that is the biased conduct. Commissioner Rodriguez's name wasn't called. We got the number right, but his name was inadvertently not called. So we need to clarify that. So I believe we can do that with unanimous consent. If there's any objection to it -- the vote number does not change. It is still 11.
But Commissioner -- would you call the roll and just -- and call for Commissioner Rodriguez, please? Item 5a, Biased Conduct. Just call Rodriguez.
MS. ESSEX: Rodriguez.
COMMISSIONER RODRIGUEZ: Aye.
CHAIRPERSON LONG: Okay. The record is reflected and accurate.
One more.
We'll going back to Basic Training Bureau, number 3a -- wasn't it 3a? Proposal to Amend Commission Regs

1005 and 1008 on the Basic Course Waiver process.

Commissioner Nieto had raised some concerns regarding the one-and-done thing. Those concerns are -- were shared by the Executive Director and other focus on the POST staff. Again, offline conversations.

And I believe -- Commissioner Nieto?

COMMISSIONER NIETO: Thank you, Chair Long.

I would like to propose to pull that out of it and I would have -- you would have my support after that and I think you'd have --

CHAIRPERSON LONG: Specifically pull what?

COMMISSIONER NIETO: The -- the one with all the red lines through it. Let me look at my -- I got to go back to it.

CHAIRPERSON LONG: It is Step 3.

COMMISSIONER NIETO: Yeah. Step 3. That's the one with -- completely red-lined out. That's correct.

CHAIRPERSON LONG: Pulling the red-lined out.

And that was, more or less, inadvertently made it through the staff process. And there was some chagrin at the part of various POST staff on that. And they agree with you and that would come out.

And absent that, I don't believe -- are there any other concerns on that or can we get a motion?

(No response.)

CHAIRPERSON LONG: Okay. That's the staff proposal to amend Commission Regs 1005 and 1008 on the Basic Staff Waiver process, as specified in the staff report.

COMMISSIONER NIETO: So would we be leaving that in, Commissioner Long?

CHAIRPERSON LONG: No.

COMMISSIONER NIETO: And I want to hear from Manny, what your recommendation would be completely. I know I did talk to you, Chairman, but I'd like to hear from the director.

CHAIRPERSON LONG: No. We would be striking that whole paragraph.

Mr. Executive Director.

EXECUTIVE DIRECTOR ALVAREZ: All right. Thank you, Mr. Chair.

Yeah. Thank you for the feedback on that. Just really do appreciate it.

It is removing Step 3 -- the three small iii's. And we can read that into the record as to what we will be removing from the proposed regulation. Carrie or -- I have it.

Would you like me to read it or would you like to read it?

MS. HOLLAR: I can read it.

EXECUTIVE DIRECTOR ALVAREZ: Okay. You can read

it.

So this is what we are going to remove. The rest will remain.

MR. DARDEN: So in other words, Manny, just so we're clear: In the posting in the agenda, this text had been proposed to be deleted. We are now reading it in so that it is clear for OAL that this text, although it was proposed to be deleted, in what we posted, is now going to be included within the regulation.

Is that right?

EXECUTIVE DIRECTOR ALVAREZ: Thank you. Yes.

MR. DARDEN: Okay.

EXECUTIVE DIRECTOR ALVAREZ: Because I messed that up. That is correct.

COMMISSIONER NIETO: That was my confusion. I'm like --

EXECUTIVE DIRECTOR ALVAREZ: Thank you.

COMMISSIONER NIETO: -- I think that's the same thing there.

EXECUTIVE DIRECTOR ALVAREZ: The opposite of what I said initially is correct. I'm sorry about it. Thank you, Toby.

COMMISSIONER NIETO: So Commissioner -- Chair, so that will be staying in the POST regulation. Correct?

MS. HOLLAR: Correct.

COMMISSIONER NIETO: 3?

MS. HOLLAR: Yes.

Would you like us to read it into the record? Mike.

MR. MARSHALL: Lower case iii: "An individual who has failed the requalification course or a testing option may repeat Step 3 one time within 12 months of the date of failure. After a 30-day waiting period, the individual shall submit a written request to POST for approval before contacting the requalification presenter or POST testing center. When an individual fails to successfully repeat Step 3, they are no longer eligible for a waiver and must complete the appropriate POST Certified Basic Course, RBC, or SIBC before exercising peace officer powers."

COMMISSIONER NIETO: Commissioner Nieto.

Just, Director, for the future, when we do make these changes, sometimes I just want to know why we're making the changes if it is not obvious.

EXECUTIVE DIRECTOR ALVAREZ: Understood. Thank you.

And thank you for allowing us to bring this back.

Obviously, it -- it ups some of the training requirements for individuals coming from out of state, as well as aligns with other POST regulations and also

allows us to deploy the online portal for Basic Course Waivers, as opposed to keep getting them through the mail.

So we do appreciate you allowing us to bring it back.

CHAIRPERSON LONG: So we'll need to go back then and simply ask: Is there a motion to approve the proposed changes as delineated to Commission Regs 1005 and 1008, the Basic Course Waiver process, as specified in the staff report and just read into the record by Ms. Hollar [sic].

COMMISSIONER BRAZIEL: Braziel.

CHAIRPERSON LONG: Motion.

Second?

COMMISSIONER DOERING: Doering will second.

CHAIRPERSON LONG: Second. Doering.

Please call the roll, Ms. Essex.

MS. ESSEX: Barcelona.

COMMISSIONER BARCELONA: Yes.

MS. ESSEX: Braun.

COMMISSIONER BRAUN: Yes.

MS. ESSEX: Braziel.

COMMISSIONER BRAZIEL: Yes.

MS. ESSEX: Cooper.

COMMISSIONER COOPER: Yes.

MS. ESSEX: Doering.
COMMISSIONER DOERING: Yes.
MS. ESSEX: Ewell.
(No response.)
MS. ESSEX: Gordon.
COMMISSIONER GORDON: Yes.
MS. ESSEX: Johnson.
(No response.)
MS. ESSEX: Long.
CHAIRPERSON LONG: Yes.
MS. ESSEX: Moon.
COMMISSIONER MOON: Yes.
MS. ESSEX: Nieto.
COMMISSIONER NIETO: Yes.
MS. ESSEX: Rodriguez.
COMMISSIONER RODRIGUEZ: Yes.
MS. ESSEX: Therriault.
COMMISSIONER THERRIAULT: Yes.
MS. ESSEX: Woolery.
(No response.)
MS. ESSEX: Motion carries. 11 in favor.
CHAIRPERSON LONG: All right.
COMMISSIONER MARSH: Thank you.
CHAIRPERSON LONG: We are on 6a now, right?
Moving now -- we're still at Peace Officer

Standards Accountability Division. 6a. The first item is a Report on Peace Officer Revocations Based on Felony Convictions, distinct from the 1029 ineligibles we heard earlier. As referenced, I think, by Ms. Weiler earlier, this is the last time we will have to do this. The Commission has transferred this authority to the Executive Director since the action is basically ministerial.

Bureau Chief Michelle Weiler will report.

MS. WEILER: Yes. Good afternoon, everyone.

So just a refresher for everyone and to get Commissioner Rodriguez up to speed, back in November, I believe, the Commission voted to delegate the authority for these revocations to the Executive Director so that we do not have to come back to a vote from the Commission every time, and it would expedite the process for these revocations as they are ministerial because the Penal Code already notes that they shall be revoked.

So these are what we have been referring to as 1029 revocations, distinct from the 1029 ineligibles or disqualifying, referred to this morning.

This list has six individuals on it this time around. And I wanted to point out specifically that three of these individuals are from Antioch Police Department. Those three individuals are Mr. Morteza

Amiri, Mr. Daniel Harris, and Mr. Ben Padilla.

The other three individuals are Mr. Kevin Carpenter from -- formerly of the Riverside County Sheriff's Department; Mr. Peter Griffin, formerly of the San Diego Police Department; and Mr. Gregory Salcido, formerly of the Los Angeles County Sheriff's Department.

So this will be the final time that the Commission has to hear this list and vote on it because we did not get this approved through the rulemaking process until after the March Commission meeting. So these are the last set of individuals we will be decertifying through this process.

COMMISSIONER THERRIAULT: Commissioner Therriault. I make a motion to approve.

COMMISSIONER COOPER: Second. Cooper.

CHAIRPERSON LONG: Ms. Essex, please call the roll since we are dealing with revocations.

MS. ESSEX: Barcelona.

COMMISSIONER BARCELONA: Yes.

MS. ESSEX: Braun.

COMMISSIONER BRAUN: Yes.

MS. ESSEX: Braziel.

COMMISSIONER BRAZIEL: Yes.

MS. ESSEX: Cooper.

COMMISSIONER COOPER: Yes.

MS. ESSEX: Doering.
COMMISSIONER DOERING: Yes.
MS. ESSEX: Ewell.
(No response.)
MS. ESSEX: Gordon.
COMMISSIONER GORDON: Yes.
MS. ESSEX: Johnson.
(No response.)
MS. ESSEX: Long.
CHAIRPERSON LONG: Yes.
MS. ESSEX: Moon.
COMMISSIONER MOON: Yes.
MS. ESSEX: Nieto.
COMMISSIONER NIETO: Yes.
MS. ESSEX: Therriault.
COMMISSIONER THERRIAULT: Yes.
MS. ESSEX: Woolery.
(No response.)
MS. ESSEX: Rodriguez.
COMMISSIONER RODRIGUEZ: Yes.
MS. ESSEX: Motion carries. 11 in favor.
CHAIRPERSON LONG: Motion carries.
Item b is the proposed adoption of disciplinary guidelines. As you recall, we discussed these guidelines in some detail in March. They are back

before us today for a review.

Has a copy been provided to the commissioners? The amended proposed guidelines we asked to be developed are changes from the March -- that has that been distributed? They got one? Okay, Good.

Assistant Executive Director Annemarie Del Mugnaio and Bureau Chief Michelle Weiler will walk us through the changed proposal.

MS. WEILER: I know this is the exciting topic of the afternoon.

But just to backtrack just a little bit for Commissioner Rodriguez.

For the better part of the last year, we've been working to put together a set of disciplinary guidelines not only for this body and the Peace Officer Standards Accountability Advisory Board, but also, and most importantly, for the administrative law judges who will be hearing the evidentiary cases that come before them.

So the process is that the division would review an investigation, make a determination and recommendation, present that to the POSAAB board.

They would then review and make a determination and recommendation to the Commission.

The Commission then reviews all that information, makes their own recommendation. And should they make

that motion for a disciplinary action against a peace officer's certification, then the subject peace officer has the option to let that stand or requests an appeal to an administrative law judge.

And there are four offices -- sorry. Four courts that those hearings are held in throughout the state. Generally, they are held in the court that is closest to the subject peace officer's residence.

So it is important that we have a consistent set of guidelines for these judges so that the proposed actions made by those judges is consistent throughout the state. Ideally is consistent throughout the state.

And they have some expectation of what the Commission's expectations might be based on the evidence presented to them on how they should make a recommendation.

The Commission is not obligated to accept the recommendation. They can make their own separate recommendations.

So again, for some consistency sake, if the Commission chooses to deviate, there are guidelines here for how the Commission may justify that deviation.

So that's the historical context for this.

Throughout the year, we have had -- I think this is our third meeting with some proposed language. We are

hoping that we can get you guys to approve it this time around. Because as you heard earlier, we do have three individuals who will be going through an administrative hearing later this year, and it would be nice to have this for those ALJs.

So in March, we had some discussion not only amongst the commissioners who had some questions and concerns, but the ACLU and a member of the public also expressed some specific concerns.

Initially, we looked at the ACLU concerns, and we're not sure that we had to address most of them, because the way that the guidelines were written.

Since that time and since publishing the agenda, we have had some recommendations for additional language that we will be adding.

So to make sure I get it all straight, I don't normally read straight from my documents, but I want to make sure I don't miss anything so that we get everything covered in this session here.

So one of the ACLU'S primary concerns was the suggestion to consider whether there's a pattern of behavior and the use of "may" when considering potential penalties that are less than revocation for certain allegations of serious misconduct.

Specifically, they were concerned with allegations

related to bias and -- oh, sorry. I heard something over there.

Specifically, they were concerned with bias and it was law enforcement gangs and physical abuse.

So when we were looking at the language, we ultimately decided to strengthen -- oh, before you -- sorry -- is a copy of the -- a marked-up copy that was distributed by Ms. Essex so you can see specifically what we have changed since the last iteration of this document.

If you go to, I believe, page 11, under "Physical Abuse," that last paragraph, we propose to add a statement that says: "However, revocation is not incumbent upon a pattern of behavior."

To make clear that while patterns of behavior may play into a consideration of whether or not to revoke or suspend, there does not have to be a pattern of behavior in order for the Commission to make that motion to revoke. If the initial allegation or the -- is egregious enough, the Commission can make that determination then. They don't have to see a repeated pattern of physical abuse.

The same language will be added, if you go to page -- the bottom of page 15, under "Demonstrating Bias." That last paragraph, that same sentence will be

added there as well.

Also to reiterate that there does not have to be a pattern of behavior for the Commission to determine whether or not revocation is the appropriate action.

In terms of law enforcement gang, there was some concern, both by the ACLU as well as Commissioner Braziel, about whether or not they were coerced into participating in this gang, whether it's by their peers, or there is just an organizational culture.

If that plays into it, how do we make that distinction and does that necessarily mean we go easier on them?

We -- our consultants would take all factors into consideration and look at the totality of circumstances. There would have to be evidence that there is coercion. What is that level of coercion? What is their level of tacit participation? Are they just standing by? Are they feeling coerced to actually participate? Those were all things that had to be taken into consideration.

So you can see the blue text that is already there at the bottom of page 18. "Both of these should be weighed against whether the subject peace officer reported the gang to appropriate supervisors and, if not, why they did not do so."

That was added to address Commissioner Braziel's

concern regarding their participation, whether it was active or not, and how do we make that distinction and whether or not there should be some level of discipline.

And then to address the ACLU's concern, we are adding, "However, organizational pressure or coercion does not preclude revocation."

To make clear that that is always going to be on the table. The Commission has that ability to make that determination. Just because somebody says or there is evidence of coercion does not mean the Commission can't still determine that their participation was still egregious enough to warrant revocation.

They also -- the ACLU also had some concerns in -- with regard to a demonstration of bias and the participation in a law enforcement gang. And they wanted us to include specific language with regard to their behaviors, any -- what's the word I'm looking for? -- tattoos and such, that are commonalities.

And we opted not to add that to the disciplinary guidelines more specifically at their request, because that is already addressed in the standard definition that we have for participation in a law enforcement gang. And to add to that might make it more redundant as well as potentially tighten that definition of what might be considered inclusion in a law enforcement gang.

So we did not add those in here.

And then the biggest concern of this Commission, that was discussed in July, was "Optional Terms and Conditions," number 18. The counseling and psychotherapy piece.

At the recommendation of Commissioner Gordon and Commissioner Doering, we did seek out additional recommendations, language, did some additional research in terms of culturally competent evaluations, who these practitioners should be that we are relying on, and what kind of language we should be appropriately using here to distinguish -- because I know there was also a concern about doing a mental health evaluation and a fitness for duty evaluation. So we did separate those two items out.

As you can see, we now have number 19, which is the fitness for duty evaluation. It is not meant to overstep on an agency head's ability to recommend a fitness for duty evaluation.

I think these are partially geared towards those individuals who are not currently working because they won't have an agency head to direct them to that.

And potentially at the discretion of a practitioner who might see some concerns and want to recommend a third party, not them themselves, conduct a fitness for

duty evaluation to determine whether or not this individual may be unsuited at the moment to return to fieldwork while they are seeking treatment, or potentially not able to return to work at all.

So I know that some of the concerns were, is it POST's role to make these determinations? And we absolutely do not think it is our role to do that. We don't have that subject matter expertise, which is why we wanted to distinguish and make more clear in the language that POST will be taking on the role of making the recommendation, in the "Optional Terms and Conditions," that they seek an evaluation from a culturally competent practitioner.

And then based on their findings and recommendations, then the subject peace officer would either be able to move forward without seeking additional treatment or they would seek additional treatment at the recommendation of a culturally competent practitioner, not at POST's direction. Although that would then later be built into their terms and conditions because it would be the recommendation of a practitioner.

Something I know that was a discussion topic and concern is, who are these practitioners going to be? How do we come up with this list? Should we use the

individuals who are established on the list for background investigations?

And there is some discussion about, well, are they all culturally competent? Are they simply doing the initial standard evaluation on fitness to be a peace officer versus this person has experienced trauma and needs to be treated for this trauma. Or this person has an addiction. What is the cause of the addiction? This person is -- whatever -- you know, whatever the potential issue may be.

So our proposal is actually to use subject matter experts. Dr. Lee would be spearheading this effort with us -- or we have invited her to help spearhead this effort with us -- to come up with a resource list for our subject peace officers to go to for these initial evaluations, as well as for continued treatment, if necessary.

We also hope to provide this information on our website for all law enforcement personnel in the state of California. So it is not exclusive to officers subject to potential disciplinary actions against their certification. It would be available to all peace officers.

If somebody wants to self-refer because they see themselves going down this path, it is a list that we

can say, hey, this is on our website. Or if they are looking for help, we can refer them to this list and say, hey, these practitioners have been vetted by subject matter experts as being culturally competent.

And you can seek them throughout the state. Our plan is to do this throughout the state, so that if you are in, let's say, Butte County, you don't have to be forced to go see somebody in the Central Valley or the Bay Area. Hopefully we can identify somebody in your region.

We would also -- I think the Advisory Board had also asked, well, what about telehealth? Certainly, that would be an option as well. If the practitioner doing an evaluation or the practitioner that the individual has contacted deems that as a viable option, then telehealth would obviously be an option for them as well.

I think this goes to a larger plan that we have -- Raymund has already walked out -- that we hope to fold into the organizational wellness plan in the future as well, so that we are attacking this from all angles and providing a whole -- well, a holistic approach to organizational wellness and a peace officer's wellness, so that hopefully they can seek treatment before they get to this point, right, of potentially becoming

involved in serious misconduct and, in essence, being forced to seek this treatment.

We want to make this as available to everybody as possible because the goal is to make sure we have healthy officers on the street. Not just so that they can return to work after coming through a serious misconduct allegation, but also to stay on the streets in general and the profession.

I think that's all I have.

Any questions?

COMMISSIONER DOERING: Commissioner Doering.

I just want to thank POST staff for all the work you put in on that. And I think the rewording and the amount of effort that you did to explain the definitions was phenomenal. So thank you for all the hard work and putting that in there and spearheading this into a larger discussion to try to get this across the state in general is huge.

So thank you.

MS. WEILER: Oh, and going back to, actually, Commissioner Braziel's point earlier today.

We have invited Dr. Lee to the September Commission meeting to hopefully copresent an initial, kind of, concept of what we are looking for as a long-term. An immediate and a long-term plan for this.

CHAIRPERSON LONG: Additional questions?

COMMISSIONER GORDON: No questions.

I would actually like to make the motion.

CHAIRPERSON LONG: Can I ask a quick question first?

(Laughter.)

CHAIRPERSON LONG: As we're teetering on the brink of success, just a question. I'm sure you will bat it down easily.

Why did -- why did we strike all the quart- -- the quarterly reporting periods and due dates for probation? You probably want more flexibility. But it went from one week to none. I am just curious.

MS. DEL MUGNAIO: Primarily we don't want to isolate dates, because it all depends on if it's an order, a final order, from the judge, that's going to change the four-month quarterly period, or three-month quarterly period.

If we're doing it as part of a settlement, we need to be fluid with the date. So those dates will be established at the point that we do the intake with the probationer, and so there will be dates that are fluid, because it's going to be dependent upon when the case is final.

CHAIRPERSON LONG: Perfect. Thank you. Thank you

very much.

So there was a motion.

COMMISSIONER MOON: Second. Moon.

CHAIRPERSON LONG: Second from Moon.

Ms. Essex, please call the roll.

MS. ESSEX: Barcelona.

COMMISSIONER BARCELONA: Yes.

MS. ESSEX: Braun.

COMMISSIONER BRAUN: Yes.

MS. ESSEX: Braziel.

COMMISSIONER BRAZIEL: Yes.

MS. ESSEX: Cooper.

COMMISSIONER COOPER: Yes.

MS. ESSEX: Doering.

COMMISSIONER DOERING: Yes.

MS. ESSEX: Ewell.

(No response.)

MS. ESSEX: Gordon.

COMMISSIONER GORDON: Yes.

MS. ESSEX: Johnson.

COMMISSIONER JOHNSON: Yes.

MS. ESSEX: Long.

CHAIRPERSON LONG: Yes.

MS. ESSEX: Moon.

COMMISSIONER MOON: Yes.

MS. ESSEX: Nieto.
COMMISSIONER NIETO: Yes.
MS. ESSEX: Rodriguez.
(No response.)
MS. ESSEX: Therriault.
COMMISSIONER THERRIAULT: Yes.
MS. ESSEX: Woolery.
(No response.)
MS. ESSEX: Motion carried. 11 in favor.
CHAIRPERSON LONG: Thank you.
MS. DEL MUGNAIO: Thank you, Commissioner Gordon and Commissioner Braziel, for contributing so much time and energy to working with us multiple times to try to get it right. It's a much better product. So I appreciate all the input, and the struggle to get here is real, but it's worth it. Thank you.
EXECUTIVE DIRECTOR ALVAREZ: Thank you, Annemarie.
I was also going to say the same: One, to Commissioner Doering, thank you for acknowledging the staff. The Legal Affairs Bureau and POSAD did a ton of work on this for the last nine months.
But, really, the point is to thank Commissioner Braziel and Commissioner Gordon for all the work on this. It was a ton. It was in person, phone calls, Zoom calls. I think we paid you perhaps with a cup of

coffee and maybe a bottle of water, and that is it.

But thank you for all your continued efforts with this. We really couldn't have done it without you. So thank you. So just to echo what Annemarie Mugnaio said.

MS. WEILER: And I have to admit. I sent some last-minute emails, and they responded very quickly to those last-minute emails.

CHAIRPERSON LONG: Number 7. Certification Bureau. This is a Report on Proposed Amendments to Commission Reg 1201 - Definitions Related to Peace Officer Certification.

I believe I can characterize this proposed amendments at minor clarifying changes. I'm not sure who is here. Chief Weiler will report. Lindsay Lewellyn who is with Chief Weiler.

MS. LEWELLYN: Hi. I'm Lindsay Lewellyn. I'm with the Certification Bureau.

Initially, we presented 1201 to you last June to add terms and definitions. And per the recommendation of OAL, they recommended submitting these with the disciplinary guidelines that you just heard. So these definitions would align with these guidelines.

A few terms that are being added is "accusation," "canceled appointment," "canceled certificate," "conditional certificate," "default revocation," "denied

appointment," "denied certificate application," "expired," "revoked," "stipulated settlement," and "corporal."

We also wanted to make a change to the "corporal" definition. We found a typo between last June and now. We're simply replacing "are" with "is," but I do need to read it into record.

So the text has been added -- or edited to now read, "Corporal is a quasi-supervisory classification as defined in Commission Regulation 1001 and is not eligible for the Supervisory Certificate."

We did amend two terms as well: That would be "first level supervisor" and "middle management position."

MS. WEILER: I did also want to clarify. "Corporal" was a definition that we did have in existence in Regulation 1001. And when we shifted some of these definitions and copied over some of the definitions into 1201, we accidentally omitted 1201. I mean, omitted "corporal" from 1201. So it is kind of, sort of, going back into the regulation. It is not a brand new definition. We're just putting it back.

CHAIRPERSON LONG: Any questions? Any concerns?

(No response.)

CHAIRPERSON LONG: Seeing none, is there a

motion --

COMMISSIONER BRAZIEL: Braziel.

COMMISSIONER DOERING: Doering.

CHAIRPERSON LONG: -- to approve the amendments and -- described in the staff report.

There's a motion and a second.

Is there an objection to unanimous consent?

(No response.)

CHAIRPERSON LONG: Seeing none, motion carries unanimously.

CHAIRPERSON LONG: We will move to 8. Legal Affairs Bureau. Staff amended -- recommended amendments to the Commission's Conflict of Interest Code. Bryant Henley from the Legal Affairs Bureau will report.

MR. HENLEY: Thank you, Mr. Chair. Good afternoon, Commission Members.

I'm mindful of the fact that it's been a long day and you are all pretty familiar with Form 700 and Statements of Economic Interests since you have to file them at least annually.

So I will make this very brief, with the understanding that I would be happy to answer questions if I'm being too brief.

As I mentioned, every year -- and for those who are starting or leaving this agency -- there are certain

members of -- all commissioners and employees and certain employees of POST must file a Statement of Economic Interest. In order to help those persons as they make those filings, there is also a requirement for a state agency to create a Conflict of Interest Code.

We have one that we adopted most recently in 2018 that the FPPC approved. That's been the last time we have received an FPPC-approved Conflict of Interest Code. And as this body knows, our mandate has changed quite a bit since that time. And, in particular, SB 2 has created new requirements and, therefore, POST staff have endeavored to prepare amendments to our Conflict of Interest Code to reflect our expanding duties.

We permitted -- we submitted those amendments to the FPPC to get their consultation. They provided us some -- some suggestions for changes.

And the document that you have before you, as Agenda Item 8, reflects the amendments that FPPC and POST staff recommend to amend our Conflict of Interest Code.

So with this body's permission, I would be happy to answer any questions. But we are here today asking the Commission to vote to permit POST staff to proceed with adopting the amendments to the Conflict of Interest Code at this time.

And with that, Mr. Chair, I'm open to answer any questions.

CHAIRPERSON LONG: Questions or concern about the Conflict of Interest Codes?

(No response.)

CHAIRPERSON LONG: Seeing none, is there is a motion to approve the disciplinary guidelines as amended in the proposed staff draft --

MR. DARDEN: I'm sorry?

CHAIRPERSON LONG: A motion to approve the amendments and reg -- well, let me ask first if Chief Salazar from the Advisory Committee had any --

ADVISORY CHAIRPERSON SALAZAR: No comments, Chair.

CHAIRPERSON LONG: -- comments on this.

So then is there a motion to approve the amendments in Reg 1201 as described in the staff report?

COMMISSIONER NIETO: Nieto moves.

COMMISSIONER THERRIAULT: Therriault. Second.

CHAIRPERSON LONG: Is there objection to unanimous consent?

(No response.)

CHAIRPERSON LONG: Seeing none, the motion carries unanimously.

MR. HENLEY: Mr. Chair, just as a point of clarification, I believe you said Regulation --

CHAIRPERSON LONG: I said 1201.

MR. DARDEN: -- 1201.

CHAIRPERSON LONG: I said 1201. Yeah.

MR. DARDEN: Conflict of Interest Code.

CHAIRPERSON LONG: Yeah. Conflict of Interest Code. Conflict of Interest Code, for the record.

Move now to committee reports.

Advisory Committee Chair Chief Jason Salazar will report on the Advisory Committee meeting held yesterday.

And Chief, please include disciplinary guidelines.

ADVISORY CHAIRPERSON SALAZAR: Thank you, Mr. Chair. I will start then.

Just some comments from the disciplinary guidelines.

The committee received the report and just had some clarifying questions. The biggest area of concern that was brought up was related to the psychotherapy. I will say there was appreciation for the culturally competent providers being included.

On the psychotherapy, one concern that was brought up was that an evaluator could also then be the subsequent provider, and there was some concern over potential conflict with that being the case. So that issue was raised.

And then a couple of the members brought up

concerns about the intersection of potential problems with the psychotherapy piece; where an officer may be on probation with POST, also dealing with a separate employment issue with their employer, maybe also dealing with a workers' comp claim, and just how eventually, down the road, you reconcile those crossroads as they come together.

So those were generally the comments related to that -- that item.

As far as the committee reports, there was a couple of committee members, either from law enforcement agencies or from educational institutions, that commented about immigration concerns and immigration issues, particularly as it relates to administrative immigration warrants as well as criminal warrants and looking for some guidance or potentially training on how to handle those situations.

And I believe some of the associations are working on submitting some sort of a guidance with regards to those increasingly -- those increasing encounters that we're seeing.

From Cal Chiefs, I will mention that the Cal Chiefs is in the process of developing a statewide accreditation process. They obtained a grant from the US DOJ. This would be something, you know, akin to

CALEA, although something would be a little bit more accessible, more affordable, but it would be a California state -- statewide accreditation for law enforcement, starting small, probably with patrol-type and operations accreditation.

But, eventually, it would like to expand into some form of corrections/dispatch accreditation as well.

Just trying to make accreditation and more standards accessible to agencies throughout the state, because very few actually participate in CALEA, largely due to cost.

And then I will say there was a number of kudos and appreciation for POST staff. So this -- this came from public safety dispatch representative who commented -- wanted to recognize POST staff for working with the dispatch group.

Also for POST staff that worked with the -- I believe it was private presenters rep with regards to revamping the FTO program. Basic Training Bureau; kudos to POST staff on there from CADA. And then from CHP as well, thanking for their assistance in getting their academies rolling. Thanks to assistant -- POST assistance from CPOA with their training courses.

So just wanted to acknowledge the POST staff and a number of the members from the Advisory Committee who

appreciate the work that POST does every day, particularly the staff.

Thank you, Mr. Chair.

CHAIRPERSON LONG: Thank you, Chief.

Without objection, the Commission will deem the report accepted.

(No response.)

CHAIRPERSON LONG: We move now to Number 10, Correspondence.

The following correspondence was sent from POST to Shannon D. Dicus, Sheriff, San Bernardino County Sheriff's Department, expressing sympathy for the on-duty death of Deputy Hector Cuevas, Jr.;

To Christian S. Sachs, Chief, Marysville Police Department, expressing sympathy for the on-duty death of Officer Osmar Rodarte.

Old business. There is none.

New business. Proposed meeting dates. You have them in your agenda.

March 3rd and 4th, 2026; somewhere tentatively in Southern California.

June 2nd, 2026, and June 3rd through 4th; POST headquarters.

September 16th and 17th, 2026; tentatively Southern California.

And December 2026, 1st, 2nd, and 3rd; POST headquarters.

B. New Advisory Committee Appointments.

Staff requests the Commission to appoint Sergeant John Kachirisky of the Santa Ana Police Department and president of the Santa Ana Police Officers Association to the POST Advisory Committee as a representative of the California Coalition of Law Enforcement Associations.

Assistant Executive Director Jim Grottkau will report on the proposed addition of Sergeant Kachirisky to the Advisory Board.

Jim.

MR. GROTTKAU: Good afternoon, Mr. Chair and Commission.

Essentially this is a position that is filling a set vacancy that exists. We have a number of positions on the Advisory that are set to organizations like PORAC. And in this case, it is set here also as well with the California Coalition of Law Enforcement Associations. So this is replacing Juan Viramontes, who was on the Advisory, representing this organization in the past.

So happy to answer any questions on this.

CHAIRPERSON LONG: Is there is a motion, then, to

add Sergeant Kachirisky to the Advisory Board?

COMMISSIONER JOHNSON: Motion.

CHAIRPERSON LONG: Is there a second?

COMMISSIONER THERRIAULT: Therriault. Second.

CHAIRPERSON LONG: Is there objection to unanimous consent?

(No response.)

CHAIRPERSON LONG: Seeing none, the motion passes unanimously.

And we welcome Sergeant Kachirisky to the Advisory Board.

Number 13. Future Commission dates:

Upcoming Commission hearings will be held September 9th and 10th at Golden West College in Huntington Beach.

And December 3rd and 4th at POST headquarters.

I believe the Executive Director wants to make a comment about next year's hearing dates.

EXECUTIVE DIRECTOR ALVAREZ: Correct. Thank you, Mr. Chair.

So going back to the proposed meeting dates for next year. Just as an FYI, I know we have had some challenges in the past with conflicting schedules. We did vet all of those dates, including with PORAC, as the November meeting generally conflicts, so we have moved

it to the first week of December, I believe.

So those do not conflict with Cal Sheriffs, Cal Chiefs, CPOA, or PORAC.

CHAIRPERSON LONG: Thank you, Mr. Executive Director.

We will now adjourn to -- for a brief closed session.

Would everyone but commissioners and counsel please exit the room. We will reconvene in regular session at the conclusion of closed session, which should be brief.

(Break taken in proceedings.)

(Closed session was held:
3:55 p.m. to 4:09 p.m.)

(Closed session was held outside the presence of the court reporter; no record was made.)

CHAIRPERSON LONG: Commissioners, is there any additional business?

(No response.)

CHAIRPERSON LONG: We need a motion to adjourn.

MR. DARDEN: Yeah. Hold on. Let me --

CHAIRPERSON LONG: Oh, wait. Toby wants to say what we talked about.

MR. DARDEN: Yeah. Let me just report out that we discussed litigation matters.

CHAIRPERSON LONG: Discussed litigation matters.
So motion to adjourn?
COMMISSIONER MOON: Motion. Moon.
CHAIRPERSON LONG: Is there a second?
COMMISSIONER COOPER: Second.
CHAIRPERSON LONG: We are adjourned.
(Proceedings concluded at 4:08 p.m.)
---o0o---

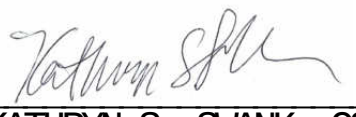
CERTIFICATE OF REPORTER

I, KATHRYN S. SWANK, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing proceedings were reported, to the best of my ability, in shorthand by me, Kathryn S. Swank, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said proceedings nor in any way interested in the outcome of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of June 2025.



KATHRYN S. SWANK, CSR
Certified Shorthand Reporter
License No. 13061

E R R A T A S H E E T

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AGENDA ITEM REPORT

Title: ACTION SUMMARY - JUNE 04, 2025, WEST SACRAMENTO, CA

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Executive Office	
RESEARCHED BY Brandy Essex	**REVIEWED BY**	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/11/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

BACKGROUND:

ANALYSIS:

RECOMMENDATION: If the Commission concurs, the appropriate action would be a **MOTION** to approve the meeting Action Summary from the last Commission meeting.

ATTACHMENT(S):
6.04.2025_CommissionMeeting_Action_Summary.pdf

POST

GAVIN NEWSOM
GOVERNOR

ROB BONTA
ATTORNEY GENERAL

POST COMMISSION MEETING

Commission on POST
860 Stillwater Road
West Sacramento, CA 95605

June 04, 2025

ACTION SUMMARY

CALL TO ORDER

Chair Geoff Long called the meeting to order at 10:02 a.m.

COLOR GUARD AND FLAG SALUTE

The Color Guard was provided by the California Highway Patrol Honor Guard. The pledge of allegiance was led by Chair Long.

MOMENT OF SILENCE HONORING OFFICERS KILLED IN THE LINE OF DUTY

A moment of silence was held in honor of those peace officers who lost their life in the line of duty since the last Commission meeting.

- Deputy Hector Cuevas Jr., San Bernardino County Sheriff's Department
- Officer Osmar Rodarte, Marysville Police Department
- Officer Samuel Riveros, Baldwin Park Police Department

ROLL CALL OF COMMISSION MEMBERS

PRESENT	PRESENT	ABSENT
Alan Barcelona	Jacob Johnson	P. Lamont Ewell
Ingrid Braun	Geoff Long - Chair	
Rick Braziel - Vice Chair	Shannan Moon	
Jim Cooper	Tina Nieto	
Justin Doering	Freddie Rodriguez	
Kelly Gordon	Benjamin Therriault	
	Stephen Woolery	

A calling of the roll reflected a quorum was present.

INTRODUCTION OF POST ADVISORY COMMITTEE CHAIR, CHIEF LEGAL COUNSEL, AND THE EXECUTIVE DIRECTOR

Chair Long introduced POST Advisory Committee Chair Chief Jason Salazar, Visalia Police Department, POST Chief Counsel William "Toby" Darden, along with POST Executive Director Manny Alvarez.

Chair Long welcomed new Commissioner Freddie Rodriguez.

OPENING REMARKS

California Highway Patrol Commissioner Sean Duryee provided opening remarks.

AWARDS PRESENTATIONS

Chair Long called for the presentation of the 2024 POST Excellence in Training Awards. Assisting at the ceremony were POST Executive Director Manny Alvarez and Assistant Executive Director Jim Grottkau.

- Recipient of the 2024 POST Excellence in Training Individual Achievement Award: Deputy Sheriff Joela Jimenez, San Bernardino County Sheriff's Department.

- Recipient of the 2024 POST Excellence in Training Organizational Award: California State University, Long Beach – Center for Criminal Justice and Research Training Center. Accepting the award on behalf of the organization; Director Ron Mark and Administrative Manager Hillary Edwards.

- Recipient of the 2024 O.J. "Bud" Hawkins Exceptional Service Award: Senior Inspector Kimberly Zaragosa, Contra Costa County District Attorney's Office.

Break: 10:42 a.m.
Reconvened: 11:01 a.m.

Chair Long called meeting back to order.

PUBLIC COMMENT PERIOD

Chair Long opened the floor for public comment. Two people came forward and delivered their public comments.

EXECUTIVE DIRECTOR COMMENTS

Chair Long introduced Executive Director Alvarez who addressed the Commission.

1. APPROVAL OF TRANSCRIPT AND ACTION SUMMARY

Approval of the Transcript and Action Summary of the following meeting:

a. Meeting Transcript – March 05, 2025
b. Action Summary – March 05, 2025

Chair Long called for unanimous consent to approve the Meeting Transcript and Action Summary of the March 05, 2025, Commission Meeting.

2. CONSENT

Chair Long announced the presentations on Consent Items: 2.c - h. He then asked if the Commission would like presentations on additional Consent Items.

There were no additional requests.

2.c. Report on the Update to the Discussion Regarding the Transferability of Peace Officer Background Investigation Files Between Agencies

Chair Long called upon Staff Services Manager Kelli Surawski, Strategic Communications and Research Bureau, who provided a report.

This report was provided for information only. No action was required.

2.d. Report on the POST Organizational Wellness Program

Chair Long called upon Law Enforcement Consultant Raymund Nanadiego, Management Counseling and Projects Bureau, and Dr. Cassandra Vietin, UC San Diego, who provided a report.

This report was provided for information only.

Chair Long called for a **MOTION** to name the POST Organizational Wellness Program after the person who initiated the program, "The Joyce Dudley Wellness Program".

MOTION – Long, second – Therriault and carried by unanimous consent to approve naming the POST Wellness Program "The Joyce Dudley Wellness Program".

2.e. Report on K-9 Guidelines

Chair Long called upon Law Enforcement Consultant Michael Dalisay, Management Counseling and Projects Bureau, who provided a report. Executive Director Manny Alvarez provided additional comments.

This report was provided for information only. No action was required.

2.f. Report on Certification/Decertification Update

Chair Long called upon Bureau Chief Christine Ford, Professional Conduct Southern Bureau, and Bureau Chief Michelle Weiler, Certification Bureau, who provided a report. Assistant Executive Annemarie Del Mugnaio provided additional comments.

This report was provided for discussion and recommendations only.

Lunch Break: 12:52 p.m.
Reconvened: 1:34 p.m.

Chair Long welcomed everyone back.

2.g. Report on Expenditures Year-to-Date for Fiscal Year 2024-2025

Chair Long called upon Staff Services Manager Kim Singleton, Administrative Services Bureau, and Assistant Executive Director Tom Osborne, Field Services Division, who provided a report.

This report was provided for discussion and recommendations only.

2.h. Report on Contract Expenditures Year-to-Date for Fiscal Year 2024-2025

Continuing – Staff Services Manager Kim Singleton, Administrative Services Bureau, and Assistant Executive Director Osborne, Field Services Division, who provided a report.

This report was provided for discussion and recommendations only.

Advisory Chair, Chief Salazar, shared feedback from the Advisory Committee.

3. BASIC TRAINING BUREAU

3.a. Report on Amendment to Commission Regulations 1005 and 1008 – Basic Course Waiver Process

Chair Long called upon Law Enforcement Consultant Michael Marshall, Basic Training Bureau, who provided a report.

Executive Director Manny Alvarez requested that we bring this agenda item back to the Commission later.

Commissioners decided to hold off on voting on this agenda item until they receive more information.

3.b. Report on Amendment to Training and Testing Specifications – Adoption of Learning Domain 44 - Active Shooter

Chair Long called upon Law Enforcement Consultant Brandon Kiely, Professional Conduct Northern Bureau, who provided a report.

Chair Long called for a **MOTION** to approve the proposed changes to adopt Learning Domain 44 – Active Shooter into the basic course curriculum as described in the report.

MOTION – Nieto, second – Braziel and carried unanimously by **ROLL CALL VOTE** to adopt Learning Domain 44 – Active Shooter into the basic course curriculum.

3.c. Report to Amend to Commission Regulation 1006 – Extension of Time Limit for Course Completion

Chair Long called upon Law Enforcement Consultant Brad Newmyer, Basic Training Bureau, who provided a report.

Chair Long called for a **MOTION** to approve the changes described in the staff report.

MOTION – Therriault, second – Johnson and carried unanimously by **ROLL CALL VOTE** to approve the proposed changes to Commission Regulation 1006 – extension of time limit for course completion.

3.d. Report on Amendments to Commission Regulation 1055 – Requirements for Course Presentation

Chair Long called upon Bureau Chief Carrie Hollar, Basic Training Bureau, who provided a report.

Chair Long called for a **MOTION** to approve the changes described in the staff report.

MOTION – Moon, second – Gordon and carried by unanimous consent to approve the proposed changes to Commission Regulation 1055 – Requirements for Course Presentation.

4. **TRAINING PROGRAM SERVICES**

4.a. Report on District Attorney Investigator Transition Course Regulation

Chair Long called upon Law Enforcement Consultant Andrew Mendonsa, Training Program Services Bureau, who provided a report.

Commissioners decided to hold off on voting on this agenda item until they receive more information.

5. **MANAGEMENT COUNSELING AND PROJECTS BUREAU**

5.a. Report on Establishing a Definition of "Biased Conduct" Pursuant to Assembly Bill 443 and Penal Code 13510.6

Chair Long called upon Law Enforcement Consultant Raymund Nanadiego, Management Counseling and Projects Bureau, and Assistant Executive Director Annemarie Del Mugnaio, Peace Officer Standards Accountability Division, who provided a report. Chief Counsel William "Toby" Darden provided additional comments.

Commissioner Gordon called for a **MOTION** for recommendation A, as described in the staff report.

MOTION – Gordon, second – Therriault and carried with 11 ayes by **ROLL CALL VOTE** to approve the proposed changes as described in recommendation A. Commissioner Braziel and Commissioner Long abstained.

Break: 2:45 p.m.
Reconvened: 3:11 p.m.

Chair Long called meeting back to order.

Bureaus and Agenda Items Taken Out of Order from Published Agenda, circling back to earlier agenda items.

TRAINING PROGRAM SERVICES

4.a. Report on District Attorney Investigator Transition Course Regulation

Commissioner Nieto had a chance to look at the proposed curriculum and feels comfortable going forward.

Chair Long called for a **MOTION** to approve the changes described in the staff report.

MOTION – Gordon, second – Doering and carried with 12 ayes by **ROLL CALL VOTE** to approve the district attorney investigator transition course, as described in the staff report. Commissioner Woolery was not present for the vote.

Commissioner Rodriguez name was read into the record.

BASIC TRAINING BUREAU

3.a. Report on Amendment to Commission Regulations 1005 and 1008 – Basic Course Waiver Process

Chair Long called upon Law Enforcement Consultant Michael Marshall, Basic Training Bureau to read into the record; Step 3 (iii) – it was proposed to be deleted but now is going to be included within the regulation.

Chair Long called for a **MOTION** to approve the changes described in the staff report.

MOTION – Braziel, second – Doering and carried with 11 ayes by **ROLL CALL VOTE** to approve the proposed changes to as delineated to Commission Regulations 1005 and 1008 - Basic Course Waiver Process, as specified in the staff report. Commissioner Johnson and Commissioner Woolery were not present for the vote.

6. PEACE OFFICERS STANDARDS ACCOUNTIBILTY DIVISION

6.a. Report on Peace Officer Revocations Based on Felony Convictions

Chair Long called upon Bureau Chief Michelle Weiler, Certification Bureau, who provided a report.

Commissioner Therriault called for a **MOTION** to approve the revocation action specified in the report.

MOTION – Therriault, second – Cooper and carried unanimously by **ROLL CALL VOTE** to approve the revocation action specified in the report.

6.b. Report on Proposed Adoption of Commission Regulation 1216 – Disciplinary Guidelines

Chair Long called upon Assistant Executive Director Annemarie Del Mugnaio, Peace Officer Standards and Accountability Division, and Bureau Chief Michelle Weiler, Certification Bureau, who provided a report.

Chair Long called for a **MOTION** to approve the changes described in the staff report as proposed by the Commission subcommittee.

MOTION – Gordon, second – Moon and carried unanimously by **ROLL CALL VOTE** to approve the disciplinary guidelines as proposed by the Commission subcommittee.

7. CERTIFICATION BUREAU

7.a. Report on Proposed Amendment to Commission Regulation 1201 – Definitions Related to Peace Officer Certification

Chair Long called upon Staff Services Manager Lindsay Lewellyn, Certification Bureau, and Bureau Chief Michelle Weiler, Certification Bureau, who provided a report.

Chair Long called for a **MOTION** to approve the changes described in the staff report.

MOTION – Braziel, second – Doering and carried by unanimous consent to approve the amendments to Commission Regulation 1201 as described in the staff report.

8. LEGAL AFFAIRS BUREAU

8.a. Report on Discussion and Possible Action to Amend Conflict of Interest Code Pursuant to Government Code Section 87306

Chair Long called upon Attorney IV Bryant Henley, Legal Affairs Bureau, who provided a report.

Chair Long called for a **MOTION** to approve the changes described in the staff report.

MOTION – Nieto, second – Therriault and carried by unanimous consent to proceed with staff-recommended amendments to the Commission on POST's conflict of interest code. Chief Counsel Darden corrected the agenda item title.

9. COMMITTEE REPORTS

Chair Long called upon Chief Jason Salzar, Chair of the Advisory Committee, who provided a report on the results of the Advisory Committee meeting held on Tuesday, June 03, 2025.

10. CORRESPONDENCE

The following correspondence was sent from POST:

- Shannon D. Dicus, Sheriff-Coroner, San Bernardino County Sheriff's Department; expressing deep sympathy over the tragic on-duty death of Deputy Hector Cuevas Jr.

- Christian S. Sachs, Chief, Marysville Police Department, expressing deep sympathy over the tragic on-duty death of Officer Osmar Rodarte.

11. OLD BUSINESS

None.

12. NEW BUSINESS

a. Proposed Meeting Dates:

- March 3, 2026 – Advisory Committee (Tuesday)
  March 4 – 5, 2026 – Commission (Wednesday & Thursday)
  Tentative Location in Southern California

- June 2, 2026 – Advisory Committee (Tuesday)
  June 3 – 4, 2026 – Commission (Wednesday & Thursday)
  POST Headquarters, West Sacramento

- September 16 & 17, 2026 – Commission (Wednesday & Thursday)
  Tentative Location in Southern California

- December 01, 2026 – Advisory Committee (Tuesday)
  December 02 - 03, 2026 – Commission (Wednesday & Thursday)
  POST Headquarters, West Sacramento

b. New Advisory Committee Member Appointment

- Request to appoint John Kachirisky to the POST Advisory Committee as a replacement for the California Coalition of Law Enforcement Association (CCLEA).

Chair Long called upon Assistant Executive Director Jim Grottkau, Field Services Division to report on proposed new member to the POST Advisory Committee.

Chair Long called for a **MOTION** to approve the appointment of John Kachirisky to the Advisory Committee.

MOTION – Johnson, Second – Therriault, and carried unanimously to approve the appointment of Sergeant Kachirisky to the Advisory Committee.

13. FUTURE COMMISSION DATES

Chair Long read the future Commission meeting dates.

- September 09 – 10, 2025 – Golden West College, Huntington Beach, CA
- December 03 – 04, 2025 - POST HQ, West Sacramento

Closed Session Convened: 3:55 p.m.

L. CLOSED SESSION

Conference with Legal Counsel – Existing Litigation: Pursuant to Government Code section 11126I(1), the Commission hereby provides public notice that the following pending litigation matters may be considered and acted upon, as necessary and appropriate, in closed session. A) Tamara Evans v. POST, Sacramento Superior Court, Case No. 34-2014-00164423; Eastern District of California, Case No. 2:15-cv-01951. B) Mikkel Libarle v. POST, Sacramento Superior Court, Case No. 25WM000011. Conference with Legal Counsel – Existing/Potential Litigation: Pursuant to Government Code section 11126I(1) and (2), the Commission hereby provides public notice that it may meet in closed session to determine whether, based on existing facts and circumstances, any matter presents a significant exposure to litigation [see Government Code section 11126I(2)(B)(ii) and, if so, to proceed with closed session consideration and action on that matter, as necessary and appropriate [see Government Code section 11126I(2)(B)(i)], or, based on existing facts and circumstances, if it has decided to initiate or is deciding to initiate litigation [see Government Code section 11126I(2)(C)], or, if in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is litigation, or significant exposure to litigation, against the state body [see Government Code section 11126I(2)(B)(i)].

Reconvened to General Session – 4:08 p.m.

Chair Long reconvened the meeting to general session and asked for any additional comments.

Chief Counsel Darden shared they discussed litigation matters.

Chair Long called for a **MOTION** to adjourn the meeting.

MOTION – Moon, second – Cooper and carries with unanimous consent to adjourn the meeting.

ADJOURNMENT – 4:08 p.m.

Respectfully Submitted,

Brandy Essex
Staff Services Analyst
Executive Office

AGENDA ITEM REPORT

Title: REPORT ON POST REIMBURSABLE AGENCY ENTRY - PALOMAR COLLEGE POLICE DEPARTMENT DISPATCH

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Training Delivery and Compliance Bureau	
RESEARCHED BY Melanie Dunn		**REVIEWED BY** Mike Radford
REPORT DATE 07/29/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/11/2025
PURPOSE		**FINANCIAL IMPACT** Yes

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: The Palomar College Police Department has entered into the POST Reimbursable Program for its dispatchers effective May 21, 2025.

BACKGROUND: The Palomar College Police Department Dispatchers have been approved to participate in the POST Reimbursable Program pursuant to Penal Code sections 13510(a) and 13522. The agency has agreed to abide by Commission Regulations. A Resolution by the Governing Board of the Palomar Community College District was adopted on February 4, 2025, as required by Penal Code section 13522. Two attachments are included: the Letter of Intent and the Resolution.

ANALYSIS: The agency presently employs three (3) dispatchers.

RECOMMENDATION: The Palomar College Police Department has entered into the POST Reimbursable Program for its dispatchers effective May 21, 2025.

This report is presented for information only. No action is required.

ATTACHMENT(S):
Palomar College Letter of Intent.pdf
Palomar_CCD_PD_POST_Resolution_24-21656.pdf

POLICE DEPARTMENT
PALOMAR COLLEGE

PALOMAR COLLEGE POLICE DEPARTMENT

1140 WEST MISSION ROAD, SAN MARCOS, CA. 92069

March 3, 2025

Manuel Alvarez, Jr.
Executive Director
Commission on Peace Officer Standards and Training
860 Stillwater Road, Suite 100
West Sacramento, CA 95605

Dear Mr. Alvarez:

The **Palomar College Police Department** of the **Palomar Community College District** has empowered me to seek participation in the Commission on Peace Officer Standards and Training (POST) Reimbursable Program for our **Public Safety Dispatchers**.

Please find enclosed the Resolution No. 24-21656 from the Palomar College Governing Board declaring our intent to enter the POST Program.

We are ready for a review to finalize our acceptance. Please call at your earliest convenience.

Sincerely,

Chris Moore
Chief of Police

RESOLUTION NO: 24-21656

GOVERNING BOARD OF THE PALOMAR COMMUNITY COLLEGE DISTRICT

Commission on Peace Officer Standards and Training

A RESOLUTION ACCEPTING THE REQUIREMENTS OF SECTION 13510(c) AND 13522, 13510(c) and 13512 OF THE PENAL CODE RELATIVE TO THE RECRUITMENT AND TRAINING STANDARDS OF PUBLIC SAFETY DISPATCHERS.

Section 1: The Governing Body of **Palomar Community College District** declares that it desires to qualify to receive aid from the State of California under the provision of Section 13522, Chapter 1 of Title 4, Part 4 of the California Penal Code.

Section 2: The **Palomar Community College District** declares that it accepts the requirements of Section 13510(c), Chapter 1, of Title 4, Part 4, or the California Penal Code, and will adhere to the standards for recruitment and training established by the Commission on Peace Officer Standards and Training (POST) for Public Safety Dispatchers.

Section 3: The **Palomar Community College District** will adhere to the requirements of Section 13512, Chapter 1, that the Commission and its representatives may make such inquiries as deemed appropriate by the Commission to ascertain that the **Palomar College Police Department** public safety dispatcher personnel adhere to standards for selection and training established by the Commission on Peace Officer Standards and Training.

APPROVED, PASSED AND ADOPTED by the Governing Board of the Palomar Community College District this 4 day of February 2025 by the following vote:

AYES: Kaiser, Hamilton-Bleakley, Acosta, Rodriguez, and Patacsil

NOES: N/A

ABSENT: N/A

ABSTAINED: N/A

I, Jacqueline Kaiser, President of the Palomar Community College District Governing Board, do hereby certify that the foregoing is full, true, and correct copy of the Resolution passed and adopted by said Board at a regularly scheduled and conducted meeting held on said date, which Resolution if on file in office of said Board. 42883015.1 42883015.1[CR LF]

Jacqueline Kaiser
Jacqueline Kaiser (Feb 22, 2025 08:42 PST)

President of the Governing Board
Palomar Community College District

I, Yvette Marie Acosta, Clerk of the Governing Board of the Palomar Community College District Governing Board, do hereby certify that the foregoing Resolution was regularly introduced and adopted by the Governing Board of the Palomar Community College at a regular meeting thereof held on the 4 day of February 2025, by the above described vote of the Governing Board;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Palomar Community College District Governing Board this 4 day of February 2025

Yvette M. Acosta (Feb 23, 2025 17:22 PST)

Clerk of the Governing Board
Palomar Community College District

POST Resolution 2_4_2025

Final Audit Report 2025-02-24

Created:	2025-02-21
By:	Kelly Miller (kmiller4@palomar.edu)
Status:	Signed
Transaction ID:	CBJCHBCAABAAfZcPValqVV1r7mdkG4PeRGwOswr5hIS4

"POST Resolution 2_4_2025" History

Document created by Kelly Miller (kmiller4@palomar.edu)
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Document emailed to jkaiser@palomar.edu for signature
2025-02-21 - 1:34:52 AM GMT

Email viewed by jkaiser@palomar.edu
2025-02-22 - 4:42:16 PM GMT- IP address: 104.47.56.126

Signer jkaiser@palomar.edu entered name at signing as Jacqueline Kaiser
2025-02-22 - 4:42:47 PM GMT- IP address: 76.93.152.43

Document e-signed by Jacqueline Kaiser (jkaiser@palomar.edu)
Signature Date: 2025-02-22 - 4:42:49 PM GMT - Time Source: server- IP address: 76.93.152.43

Document emailed to yacosta@palomar.edu for signature
2025-02-22 - 4:42:50 PM GMT

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2025-02-24 - 1:20:55 AM GMT- IP address: 68.101.181.32

Signer yacosta@palomar.edu entered name at signing as Yvette M. Acosta
2025-02-24 - 1:22:35 AM GMT- IP address: 68.101.181.32

Document e-signed by Yvette M. Acosta (yacosta@palomar.edu)
Signature Date: 2025-02-24 - 1:22:37 AM GMT - Time Source: server- IP address: 68.101.181.32- Signature captured from device with phone number XXXXXXX1141

Agreement completed.
2025-02-24 - 1:22:37 AM GMT

AGENDA ITEM REPORT

Title: REPORT ON POST REIMBURSABLE AGENCY ENTRY - RIO HONDO COLLEGE POLICE DEPARTMENT AND DISPATCH

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Training Delivery and Compliance Bureau	
RESEARCHED BY Melanie Dunn	**REVIEWED BY** Mike Radford	
REPORT DATE 07/30/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/11/2025
PURPOSE	**FINANCIAL IMPACT** Yes	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: The Rio Hondo College Police Department and Dispatch has entered into the POST Reimbursable Program for its peace officers and dispatchers effective June 27, 2025.

BACKGROUND: The Rio Hondo College Police Department and Dispatchers have been approved to participate in the POST Reimbursable Program pursuant to Penal Code sections 13510(a) and 13522. The agency's officers are appointed pursuant to Section 830.32 of the Penal Code. The agency has agreed to abide by Commission Regulations. A Resolution by the Board of Trustees of the Rio Hondo Community College District was adopted on May 10, 2023, as required by Penal Code section 13522. Two attachments are included: the Letter of Intent and the Resolution.

ANALYSIS: The agency presently employs two (2) personnel.

RECOMMENDATION: The Rio Hondo College Police Department and Dispatch has entered into the POST Reimbursable Program for both its peace officers and dispatchers effective June 27, 2025.

This report is presented for information only. No action is required.

ATTACHMENT(S):
Rio Hondo CCD PD POST Intent Letter.pdf

Rio Hondo CCD PD Resolution No. 051023-4.pdf

RÍO HONDO COLLEGE

Office of the Chief of Police
Campus Police and Safety
3600 Workman Mill Road / Whittier, CA 90601

February 5, 2025

State of California
Commission on Peace Officer
Standards and Training

Dear CA POST:

The Rio Hondo College Campus Police and Safety Department was created by our Board of Trustees on May 10, 2023, pursuant to the adoption of Resolution 051023-4.

I was appointed Chief of Police on September 9, 2023, after the completion of a CA POST compliant background investigation and have begun the process of building out our department.

It is our intent to become participants in the POST program, inclusive of our sworn personnel and public safety dispatchers. We also intend to pursue support and reimbursement as it may be available.

Thank you for your consideration. I may be reached at anytime via (562) 713-8446 or trogers@riohondo.edu.

Sincerely,

Todd Rogers

Todd Rogers, Chief of Police
Rio Hondo College Campus Police and Safety

RÍO HONDO COLLEGE

RIO HONDO COMMUNITY COLLEGE DISTRICT
RESOLUTION ESTABLISHING THE RIO HONDO COLLEGE POLICE DEPARTMENT

Resolution No. 051023-4

WHEREAS, the Rio Hondo Community College District Board of Trustees has affirmed that the safety of our District community, comprised of students, faculty, staff, and the general public, is of the utmost concern and priority to the District; and,

WHEREAS, the District's Board of Trustees recognizes that the existing campus safety practices within the District need effective tools and resources so as to proactively address safety, criminal activity, violence, potential threats, as well the fear of the same; and,

WHEREAS, the District's Board of Trustees has heard from students, faculty, and staff about the need for prioritization of campus safety, as well as its relation to student/employee success and wellness; and,

WHEREAS, Education Code section 72330(a) authorizes the governing board of a community college district to stablish a community college police department under the supervision of a community college chief of police and, in accordance with Chapter 4 (commencing with Section 88000) of Part 51 of the Education Code; to employ personnel as necessary to enforce the law on or near the campus of the community college and on or near other grounds or properties owned, operated, controlled, or administered by the community college or by the state acting on behalf of the community college; and,

WHEREAS, Education Code 72330 (d) requires the governing board of a community college district that establishes a community college police department to set minimum qualifications of employment for the community college chief of police; and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby establishes the Rio Hondo College Police Department effective July 1, 2023 pursuant to its authority under Education section 72330; and,

BE IT FURTHER RESOLVED, that the Board of Trustees directs that the Rio Hondo College Police Department commit to a "Guardian" mindset which emphasizes law enforcement officers mentality on creating and strengthening relationships within the community, and develop community and evidence-based policing policies that create safe, secure, peaceful and inclusive campus environment in which all persons may fully develop their individual potential without fear or undue risk of physical or emotional harm; ensure faculty, staff and student participation in the governance of police services through a Public Safety Advisory Committee and development of a Public Safety Compact relative to public safety and police services; development of policies and procedures that reflect

a co-model and holistic approach to policing; development of public safety services that adhere to principles of diversity, equity, inclusion, accessibility, and anti-racism contribute to student success; and an expectation for regular training on community policing practices, anti-bias, cultural responsibility, conflict avoidance and de-escalation; and,

BE IT FURTHER RESOLVED, that the Board of Trustees does hereby expect full adherence to the 2022 California Community College Board of Governors new regulations under Title 5 of the California Code of Regulations that are commonly referred to as the Campus Climate and Public Safety Regulations; and,

BE IT FURTHER RESOLVED, that the hiring, training and retention of personnel shall be based on current California Peace Officer Standards & Training (CA POST) regulations of peace officers and that the Board of Trustees does hereby approve of the Districts participation in the California Commission on Peace Officer Standards and Training Certification Program, allowing Rio Hondo Community College District to participate in the CA POST training courses for the purposes of improving existing Campus Safety and Police services, and to seek reimbursement of training funds; and,

BE IT FURTHER RESOLVED, that the California Peace Officer Standards and Training Commission and its representatives may make such inquiries deemed appropriate by the Commission to ascertain that the Chief of Police and any future Sworn District Police personnel or police dispatcher adhere to the standards for recruitments and training established by CA POST; and,

BE IT FURTHER RESOLVED, the Board of Trustees is authorized to employ other person(s) as members of the Rio Hondo Community College District as Peace Officers, as defined by the California Penal Code Section 830.32, at such future dates as determined by the Board of Trustees; and,

BE IT FURTHER RESOLVED, that the Superintendent-President or designee shall be authorized to take reasonably necessary steps to establish the Rio Hondo College Police Department, subject to current policy, regulation and collective bargaining obligations, to the extent applicable, including but not limited to, the establishment of minimum qualifications and POST regulation for the chief of police, the recruitment and hiring of a chief of police, the establishment of police officer, dispatch and support positions, and the recruitment and hiring of same; and,

BE IT FURTHER RESOLVED, that the Superintendent-President or designee shall be authorized to take any additional acts needed to effectuate the purpose and intent of this resolution.

APPROVED AND ADOPTED by the Board of Trustees of the Rio Hondo Community College District of Los Angeles County, State of California, this 10th day of May, 2023.

Signed: _____ Dated: 5·10·23
Kristal Orozco, Board President
Río Hondo Community College District

Signed: _____ Dated: 5.12.2023
Marilyn Flores, Ph.D., Superintendent/President
Río Hondo Community College District

THIS RESOLUTION OF THE RÍO HONDO COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES IS HEREBY PASSED AND ADOPTED THIS 10th DAY OF MAY 2023 BY THE FOLLOWING VOTE:

MOVED BY: **Trustee Lomeli**

SECONDED BY: **Trustee Santana**

AYES: **4 – Santana, Lomeli, Valladares, Orozco Student Trustee Advisory Vote Yea**

NOES: **0**

ABSTAIN: **0**

AGENDA ITEM REPORT

Title: REPORT ON POST REIMBURSABLE AGENCY ENTRY - LANCASTER POLICE DEPARTMENT AND DISPATCH

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Training Delivery and Compliance Bureau	
RESEARCHED BY Melanie Dunn		**REVIEWED BY** Mike Radford
REPORT DATE 07/31/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/11/2025
PURPOSE		**FINANCIAL IMPACT** Yes

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: The Lancaster Police Department and Dispatch has entered into the POST Reimbursable Program for its peace officers and dispatchers effective July 30, 2025.

BACKGROUND: The Lancaster Police Department and Dispatchers have been approved to participate in the POST Reimbursable Program pursuant to Penal Code sections 13510(a) and 13522. The agency's officers are appointed pursuant to Section 830.1(a) of the Penal Code. The agency has agreed to abide by Commission Regulations. An Ordinance by the City Council of the City of Lancaster was adopted on January 29, 2025 for their peace officers and on May 19, 2025 for their dispatchers, as required by Penal Code section 13522. Three attachments are included: the Letter of Intent and two Ordinances.

ANALYSIS: The agency presently employs eleven (11) personnel.

RECOMMENDATION: The Lancaster Police Department and Dispatch has entered into the POST Reimbursable Program for peace officers and dispatchers, effective July 30, 2025.

This report is presented for information only. No action is required.

ATTACHMENT(S):
Lancaster PD Letter of Intent.pdf

Lancaster PD Ordinance No. 1107.pdf
Lancaster PD Dispatchers Ordinance No. 1129.pdf

LPD
City of Lancaster Police Department

RODRICK ARMALIN
Chief of Police

March 26, 2025

Manuel Alvarez, Jr.
Executive Director
Commission on Peace Officer Standards and Training
860 Stillwater Road, Suite 100
West Sacramento, CA 95605

Dear Mr. Alvarez:

The Council of the City of Lancaster has empowered me to seek participation in the Commission on Peace Officer Standards and Training (POST) reimbursable program for our peace officers/public safety dispatchers.

Please find the enclosed Ordinance No. 1107 from the City of Lancaster declaring our intent to enter the POST Program.

We are ready for a review to finalize our acceptance.

Sincerely,

Chief of Police, Rodrick Armalin

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ORDINANCE NO. 1107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER ADDING CHAPTER 2.10 TO THE LANCASTER MUNICIPAL CODE RELATING TO THE CHIEF OF POLICE

WHEREAS, the California Constitution provides that "[i]t shall be competent in all city charters to provide, in addition to those provisions allowable by this Constitution, and by the laws of the State for [...] the constitution, regulation, and government of the city police force [...]" and grants plenary authority, subject only to the restrictions of Article XI, to provide in a city charter "[...] the manner in which, the method by which, the times at which, and the terms for which the several municipal officers and employees whose compensation is paid by the city shall be elected or appointed, and for their removal, and for their compensation [...]"; and

WHEREAS, the City's Charter provides as follows:

> The City shall have all powers possible for a City to have under the Constitution and laws of the State of California as fully and completely as though they were specifically enumerated .in this Charter. Specifically, but not by way of limitation, the City shall have the power to make and enforce all laws and regulations with respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted, or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the Constitution of the State of California. Without limiting in any manner the foregoing power and authority, each of the powers, rights, and responsibilities described in this Charter is hereby declared to be a municipal affair, the performance of which is unique to the benefit and welfare of the citizens of the City of Lancaster. The enumeration in this Charter of any particular power, duty or procedure shall not be held to be exclusive of, or any limitation or restriction upon, this general grant of power.

(City Charter § 100); and

WHEREAS, under the general law, "[t]he city council shall appoint the chief of police []" and "[t]he police department of a city is under the control of the chief of police." (Cal. Gov't Code §§ 36505, 38630(a)); and

WHEREAS, the City currently contracts with the County of Los Angeles ("County") for the Los Angeles County Sheriff's Department ("LASD") to provide general municipal law enforcement services within the City's jurisdictional boundaries; and

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WHEREAS, pursuant to the City's contract with the County for LASD municipal law enforcement services, during the contract term "[...] the Sheriff or his designee shall serve as the Chief of Police of the City and shall perform the functions of the Chief of Police at the direction of the City"; and

WHEREAS, the City desires to exercise the authority granted by the California Constitution, City's Charter, and general law to establish the City's office of Chief of Police.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The above recitals are true, correct, and constitute a substantive part of this Ordinance.

Section 2. Chapter 2.10 is hereby added to the Lancaster Municipal Code to read as follows:

Chapter 2.10
CHIEF OF POLICE AND POLICE DEPARTMENT

2.10.010 Office of chief of police and police department created.
2.10.020 Police department functions.
2.10.030 Chief of police; powers and duties.
2.10.040 Relationship to contract for municipal law enforcement services.

2.10.010 Office of chief of police and police department created.

The office of the Chief of Police is created and established. The Chief of Police shall be appointed by the City Manager with the advice and consent of the city council. There is created a functional unit of city government known as the police department, under the general administration of the City Manager, which shall be under the direction and control of the Police Chief.

2.10.020 Police department functions.

The police department shall:

A. Preserve the peace and security of the city;

B. Enforce all laws of the United States, State of California, and all ordinances of the city except when the provisions thereof make the enforcement the responsibility of another officer, department or of another state or federal agency or officer;

C. Perform disaster and mutual aid services in accordance with approved plans and agreements;

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D. Perform such other related duties as shall be required by law, ordinance, or the city manager; and

E. Adhere to standards for recruitment and training established by the California Commission on Police Officer Standards and Training (POST). The POST Commission and its representatives may make such inquiries as they may deem appropriate from time to time to ascertain whether the POST standards are being adhered to.

2.10.030 Chief of police; powers and duties.

Pursuant to section 41601 of the California Government Code, the chief of police has the powers conferred upon sheriffs by general law and in all respects is entitled to the same protection. The chief of police shall have authority, subject to the city manager's approval, to adopt rules and regulations for the administration and discipline of officers and employees of the police department.

2.10.040 Relationship to contract for municipal law enforcement services.

Nothing in this chapter shall limit or prohibit the city from contracting with the County of Los Angeles for municipal law enforcement services. During the term of any such contract, and to the extent expressly required by such contract, the city may appoint or designate the Los Angeles County Sheriff, or his or her designee, as the city's chief of police. Such appointment or designation shall be in addition to, and not instead of, the provisions of this chapter.

Section 3. If for any reason any portion of this Ordinance is found to be invalid by a court of competent jurisdiction, the balance of this Ordinance shall not be affected.

Section 4. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect 30 days after its final passage.

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I, Andrea Alexander, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the 12th day of September, 2023, and placed upon its second reading and adoption at a regular meeting of the City Council on the 10th day of October, 2023, by the following vote:

AYES: Council Members Hughes-Leslie, Malhi, Mann, Vice Mayor Crist, Mayor Parris

NOES: None

ABSTAIN: None

ABSENT: None

ATTEST:

DocuSigned by:
Andrea Alexander
E37A8C8A94E5421...

ANDREA ALEXANDER
City Clerk
City of Lancaster

APPROVED:

DocuSigned by:
R. Rex Parris
94236E8F45454FC...

REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }ss
CITY OF LANCASTER }

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, Kathleen Stenback, Assistant City Clerk City of Lancaster, California, do hereby certify that this is a true and correct copy of Ordinance No. 1107, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this 29th day of January, 2025.

(seal)



LPD
City of Lancaster Police Department

RODRICK ARMALIN
Chief of Police

State of California

Commission on Peace Officer Standards and Training

RESOLUTION GUIDE

RESOLUTION NO: ORDINANCE NO. 1107

A RESOLUTION ACCEPTING THE REQUIREMENTS OF SECTIONS 13510, 13512, AND 13522 OF THE PENAL CODE RELATING TO THE RECRUITMENT AND TRAINING OF PEACE OFFICERS.

Section 1: The governing body of Lancaster Police Department declares that it desires to qualify to receive aid from the State of California under the provisions of Section 13522, Chapter 1 of Title 4, Part 4 of the California Penal Code.

Section 2: Pursuant to Sections 13510 and 13512 of said Chapter 1, the Lancaster Police Department will adhere to the standards for recruitment and training established by the Commission on Peace Officer Standards and Training.

Section 3: The Commission and its representatives may make such inquiries as deemed necessary to ascertain that the peace officer personnel of the Lancaster Police Department adhere to the standards for recruitment and training established by the California Commission on Peace Officer Standards and Training.

ADOPTED by the following called vote on October 10th 2023.

Chief of Police, Rodrick Armalin

661-723-6000
LPD@cityoflancasterca.gov
www.cityoflancasterca.gov

44933 Fern Avenue
Lancaster, CA 93534

State of California

Commission on Peace Officer Standards and Training

RESOLUTION GUIDE

RESOLUTION NO: ORDINANCE NO. 1107

A RESOLUTION ACCEPTING THE REQUIREMENTS OF SECTIONS 13510, 13512, AND 13522 OF THE PENAL CODE RELATING TO THE RECRUITMENT AND TRAINING OF PEACE OFFICERS.

Section 1: The governing body of Lancaster Police Department declares that it desires to qualify to receive aid from the State of California under the provisions of Section 13522, Chapter 1 of Title 4, Part 4 of the California Penal Code.

Section 2: Pursuant to Sections 13510 and 13512 of said Chapter 1, the Lancaster Police Department will adhere to the standards for recruitment and training established by the Commission on Peace Officer Standards and Training.

Section 3: The Commission and its representatives may make such inquiries as deemed necessary to ascertain that the peace officer personnel of the Lancaster Police Department adhere to the standards for recruitment and training established by the California Commission on Peace Officer Standards and Training.

ADOPTED by the following called vote on October 10th 2023.



Chief of Police, Rodrick Armalin

Docusign Envelope ID: 1C110A6E-DA76-4427-B685-0A72ADBA0CAC

URGENCY ORDINANCE NO. 1129

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, ACCEPTING THE REQUIREMENTS OF SECTION 13510(c) AND 13522, AND 13512 OF THE PENAL CODE RELATING TO THE RECRUITMENT AND TRAINING STANDARDS OF LAW ENFORCEMENT OFFICERS AND PUBLIC SAFETY DISPATCHERS

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: The City Council of the City of Lancaster declares that it desires to qualify to receive aid from the State of California under the provision of Section 13522, Chapter 1 of Title 4, Part 4 of the California Penal Code.

Section 2: Pursuant to Penal Code Section 13510(c), Chapter 1 of Title 4, Part 4 of the California Penal Code, the City of Lancaster will adhere to the standards for recruitment and training established by the Commission on Peace Officer Standards and Training (POST) for Peace Officers and Public Safety Dispatchers.

Section 3: Pursuant to Section 13512, Chapter 1 of Title 4, Part 4 of the California Penal Code, the Commission and its representatives may make such inquiries as deemed necessary to ascertain that peace officer and public safety dispatch personnel of the City of Lancaster adhere to the standards for recruitment and training established by the California Commission on Peace Officer Standards and Training.

Section 4. This Ordinance is hereby declared an urgency measure pursuant to section 36937(b) of the California Government Code and shall be effective immediately upon adoption by a four-fifths (4/5) vote of the City Council.

Section 5. The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

Docusign Envelope ID: 1C110A6E-DA76-4427-B685-0A72ADBA0CAC

I, Andrea Alexander, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was introduced and adopted as an urgency ordinance at a regular meeting of the City Council on the 13th day of May, 2025 by the following vote:

AYES: Council Members Hughes-Leslie, Malhi, Mann, Vice Mayor Crist, Mayor Parris

NOES: None

ABSTAIN: None

ABSENT: None

ATTEST:

DocuSigned by:
Andrea Alexander
E37A8C8A94E5421...

ANDREA ALEXANDER,CMC
City Clerk
City of Lancaster

APPROVED:

Signed by:
R. Rex Parris
Mayor
484578192FEC498...

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }ss
CITY OF LANCASTER }

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, Kathleen Stenback, Assistant City Clerk City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Urgency Ordinance No. 1129, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this 19th day of May, 2025.

(seal)

AGENDA ITEM REPORT

Title: REPORT ON POST WORKFORCE DIVERSITY STATS

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Executive Office	
RESEARCHED BY Emily Lee		**REVIEWED BY** Sonya Baland
REPORT DATE 08/01/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/12/2025
PURPOSE		**FINANCIAL IMPACT** No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: In 2021, the Commission requested diversity data for the POST workforce on an annual basis. The attached report includes the requested data.

The report is presented for information only. No action is required.

BACKGROUND: The Commission has requested diversity data for the POST workforce on an annual basis.

Diversity data is voluntarily self-reported by new employees during the on-boarding process at POST. POST HR collects the information and reports it to the State of California. The collection criteria is standardized by CalHR.

The attached report represents POST workforce diversity data of 224 full-time employees and 24 retired annuitants onboard as of August 1, 2025, or a total of 248 employees.

By way of comparison, as previously reported, as of August 9, 2024, POST had 198 full-time employees and 22 retired annuitants, or a total of 220 employees. Also as previously reported, as of August 8, 2023, POST had 171 full-time employees and 12 retired annuitants, or a total of 183 employees.

ANALYSIS:

RECOMMENDATION: This report is presented for information only. No action is

required.

ATTACHMENT(S):
POST_Workforce_Diversity_Comparison_2025_2024_2023.pdf

POST Workforce Diversity Report – July 30, 2025

The following information represents POST workforce diversity data for full-time employees (224) and retired annuitants (24) **as of July 30, 2025**:

Commission on Peace Officer Standards and Training

	Employee Category	Female	Male	Other	Total
Totals for Department as of 07/30/2025		124 (50%)	120 (48%)	4 (2%)	248 (100%)
	American Indian or Alaska Native Alone	1	1		2 (1%)
	Asian - Chinese Alone	5	5		10 (4%)
	Asian - Filipino Alone	3	5		8 (3%)
	Asian - Indian Alone	3	2		5 (2%)
	Asian - Japanese Alone	1	0		1 (.5%)
	Asian - Korean	0	1		1 (.5%)
	Asian - Laotian Alone	0	1		1 (.5%)
	Asian - Other Alone	4	2		6 (2%)
	Asian - Vietnamese Alone	2	3		5 (2%)
	Black or African American Alone	8	6		14 (5%)
	Hispanic or Latino Alone	24	9		33 (13%)
	Multiple Races	5	6		11 (4%)
	Unknown	11	19	4	34 (14%)
	White Alone	57	60		117 (47%)

For comparison purposes, below is the workforce diversity data for full-time employees (198) and part-time annuitants (22) **as of August 9, 2024**:

Commission on Peace Officer Standards and Training

	Employee Category	Female	Male	Other	Total
Totals for Department as of 08/09/2024		107 (49%)	109 (49%)	4 (2%)	220 (100%)
	American Indian or Alaska Native Alone	1	1	0	2 (1%)
	Asian - Chinese Alone	6	5	0	11 (5%)
	Asian - Filipino Alone	3	6	0	9 (4%)
	Asian - Indian Alone	3	3	0	6 (3%)
	Asian - Japanese Alone	1	0	0	1 (.03%)
	Asian - Korean	0	1	0	1 (.03%)
	Asian - Laotian Alone	0	1	0	1 (.03%)
	Asian - Other Alone	3	3	0	6 (3%)
	Asian - Vietnamese Alone	2	3	0	5 (2%)
	Black or African American Alone	7	5	0	12 (6%)
	Hispanic or Latino Alone	20	11	0	31 (14%)
	Multiple Races	4	6	0	10 (4%)
	Unknown	5	10	4	19 (9%)
	White Alone	52	54	0	106 (48%)

Below is the workforce diversity data for full-time employees (171) and part-time annuitants (12) **as of August 8, 2023**:

Commission on Peace Officer Standards and Training

	Employee Category	Female	Male	Total
Totals for Department as of 08/08/2023		95 (52%)	88 (48%)	183 (100%)
	American Indian or Alaska Native Alone	1	1	2 (1%)
	Asian - Chinese Alone	6	5	11 (6%)
	Asian - Filipino Alone	4	4	8 (4%)
	Asian - Indian Alone	1	3	4 (2%)
	Asian - Japanese Alone	1	0	1 (.05%)
	Asian - Laotian Alone	0	1	1 (.05%)
	Asian - Other Alone	3	3	6 (3%)
	Asian - Vietnamese Alone	2	2	4 (2%)
	Black or African American Alone	4	2	6 (3%)
	Hispanic or Latino Alone	9	9	18 (10%)
	Multiple Races	11	4	15 (8%)
	Unknown	7	5	12 (7%)
	White Alone	46	49	95 (52%)

AGENDA ITEM REPORT

Title: REPORT FROM THE RACIAL AND IDENTITY PROFILING ADVISORY BOARD (RIPA)

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Executive Office	
RESEARCHED BY Meagan Poulos		**REVIEWED BY**
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/22/2025
PURPOSE		**FINANCIAL IMPACT** No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: This is a report from the Racial and Identity Profiling Advisory (RIPA) Board.

Ms. Andrea Guerrero and Ms. Angela Sierra, Co-Chairs of the RIPA Board, will present to the POST Commission on September 9, 2025.

BACKGROUND:

ANALYSIS:

RECOMMENDATION: This is a report from the Racial and Identity Profiling Advisory (RIPA) Board.

Ms. Andrea Guerrero and Ms. Angela Sierra, Co-Chairs of the RIPA Board, will present to the POST Commission on September 9, 2025.

This report is presented for information only. No action is required.

AGENDA ITEM REPORT

Title: REPORT ON UPDATE ON K-9 GUIDELINES

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Management Counseling and Projects Bureau	
RESEARCHED BY Mike Dalisay	**REVIEWED BY**	
REPORT DATE 07/17/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/12/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: POST is seeking the Commission's feedback to validate the guidelines' legal and operational alignment, address any potential gaps, and finalize the document for implementation across California law enforcement agencies.

BACKGROUND: Over the past three years, the California legislature has introduced multiple bills, including Assembly Bill 400 (AB 400), targeting the regulation of law enforcement K-9s, particularly those used for apprehension purposes. POST previously updated its K-9 Guidelines in 2014, and the current revision (published June 2024) aims to address evolving legislative proposals and align with contemporary best practices. The guidelines remain recommendations unless codified by legislation like AB 400, which focuses on apprehension K-9s and excludes explosive ordnance detection (EOD), therapy, or cadaver K-9s.

During the development of the recent guidelines, POST staff conducted workshops with Subject Matter Experts (SMEs), including K-9 trainers, handlers, and K-9 program supervisors and coordinators with the intent of refining training, supervision, and operational standards for police K-9s. These SMEs recommended specific training topics, durations, and eligibility criteria, emphasizing minimum standards for obedience, search, apprehension, control, de-escalation, and tracking/trailing. The workshops also addressed the need for additional training for dual-purpose K-9s, such as those trained in narcotics detection, recommending at least 20 hours of monthly documented training to maintain proficiency, with extra

hours for specialized roles based on agency standards and operational demands.

Since the original K-9 Guidelines were approved in July 1992, K-9 team functions have expanded significantly, necessitating updated benchmarks for obedience, search, apprehension, handler protection, handler selection, and evaluation. The guidelines provide flexible recommendations to assist agencies in developing policies tailored to their resource constraints and operational needs. Feedback during the June 2025 Commission meeting emphasized safety in evaluations (e.g., civil finds and prone agitator tactical releases) and evaluator qualifications. The guidelines maintain flexibility in evaluator criteria, prioritizing expertise and impartiality while avoiding rigid requirements like a minimum number of years as a handler.

Following the initial presentation at the June 2025 Commission meeting, POST is now seeking the Commission's input to validate the K-9 Guidelines' alignment with current California laws (e.g., Penal Code § 835(a) on use of force), pending legislation like AB 400, and industry best practices.

ANALYSIS:

Law enforcement K-9 programs have drawn significant attention from the California State Assembly, POST's law enforcement constituents, K-9 training experts, and public stakeholders. The Commission seeks to ensure K-9 programs adhere to high standards of conduct and performance through uniform training recommendations.

Key topics from the June 2024 meeting include:

- **Public Concerns**: Emphasis on stricter oversight of apprehension K-9s to address excessive force risks, aligning with AB 400's accountability goals.
- **Safety in Evaluations**: Stakeholders highlighted risks in civil finds and prone agitator tactical release exercises, urging controlled training environments.
- **Training Hours**: Discussions over the 20-hour monthly training recommendation, with additional hours for dual-purpose K-9s (e.g., narcotics detection) questioned feasibility.
- **Evaluator Qualifications**: Flexibility in criteria, avoiding rigid experience requirements, to accommodate agency needs while ensuring impartiality.

The updated guidelines offer opportunities to standardize K-9 programs, enhance public trust, and support agencies with diverse sizes and budgets. Aligning with AB 400 and best practices, the guidelines can proactively prepare agencies for legislative changes.

RECOMMENDATION: This report is presented for information only. No action is required.

ATTACHMENT(S):
K-9 Guidelines 2025 DRAFT.pdf

2025



DRAFT

POST LAW ENFORCEMENT
K-9 GUIDELINES



CA COMMISSION ON POST

WWW.POST.CA.GOV

POST Law Enforcement K-9 Guidelines

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Published June 2024, November 2024

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POST MISSION STATEMENT

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California Law Enforcement in serving its communities

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POST appreciates the dedication of the 2023-2024 subject matter expert group who assisted in the update of this guideline.

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FOREWORD

In 1991, a group of K-9 Officers, Law Enforcement Managers, and K-9 Trainers from throughout the state met to discuss the need for K-9 Team Standards in California. The group believed that local liability would be reduced if statewide K-9 Team Standards were available. They further believed that these standards, to be acceptable and have an impact, should be supported by the Commission on Peace Officer Standards and Training (POST).

In February 1992, POST brought this committee and other interested experts together, and they agreed to develop guidelines in the areas of Obedience, Search, Apprehension, Handler Protection, Handler Selection, and Evaluation. After initial development work and following several reviews which resulted in consensus, the proposed guidelines were submitted to and approved by the POST Commission in July 1992.

Following Commission action, POST brought the subject matter experts together again and developed suggested scenarios to test the recommended minimum K-9 Team Standards contained within the approved guidelines. POST developed a one-day Evaluator's Course and accompanying evaluation forms to train officers evaluating K-9 Teams.

Updates to this document aim to refine and streamline the guidelines. POST recognizes that agencies utilize K-9 teams in various capacities and with differing expectations.

Additionally, many more specialized K-9 team functions have developed in the decades since POST first created the guidelines. These guidelines recommend minimum training and evaluation benchmarks for K-9 Patrol and Detection functions. They are intended to assist agencies with recommendations to develop policies for the use and training of K-9 teams.

Questions regarding the POST Law Enforcement K-9 Guidelines should be directed to the Management Counseling and Projects Bureau at (916) 227-4852. Questions regarding certification of K-9 training courses should be directed to the Training Delivery and Compliance Bureau at (916) 227-4863.

Manuel Alvarez Jr.

POST Executive Director

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INTRODUCTION

These guidelines are designed to assist agencies with minimum training and performance standards for patrol and detection K-9 teams. Patrol K-9 teams should meet minimum standards regarding obedience, search, apprehension, control, de-escalation, and tracking/ trailing.

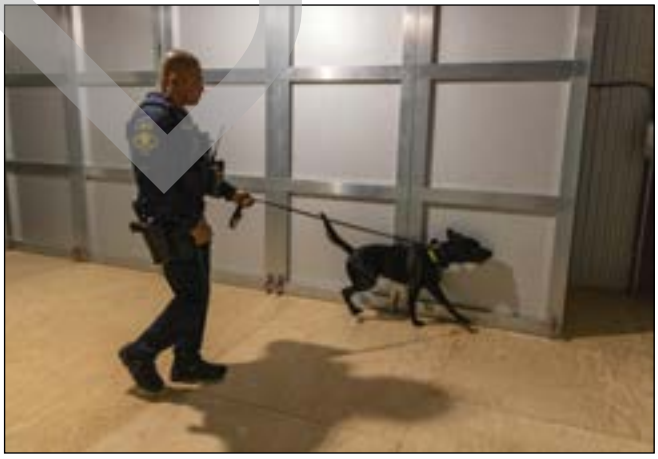
Detection K-9 teams should meet minimum standards for detection of the odor(s) that the K-9 is trained to detect.

This categorization (patrol and detection) is intentionally basic. POST recognizes that there are many specializations among law enforcement K-9s. Specializations include explosives detection, cadaver detection, search and rescue, SWAT, and airport operations, among others.

These guidelines recognize that the use of K-9s by law enforcement personnel is of important concern to the community, including law enforcement, and that safeguarding the life, dignity, and liberty of all persons, without prejudice to anyone, should be priority.









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GENERAL TRAINING GUIDELINES

Minimum Standards for Basic K-9 Handler/Team Training

1. The K-9 handler should demonstrate an understanding of current laws and competence in exercising sound judgment and critical decision-making when using force to include during the training and development of a law enforcement K-9.
2. The K-9 handler/team should successfully pass an evaluation prior to law enforcement deployment. For purposes of these guidelines, an "alert" is behavior recognized by the handler that indicates the presence of a target odor.
3. In-service K-9 teams should complete 20 hours of documented training monthly to maintain basic patrol and/or detection proficiency.
4. A K-9 team with multiple/added specializations (e.g., SWAT K-9, bomb detection, search and rescue) may require additional training to maintain proficiency.
5. POST recommends annual recertification for the K-9 team.
6. If a K-9 team member has an extended absence from training, POST recommends that the team member be re-evaluated by a trainer prior to service being reinstated.



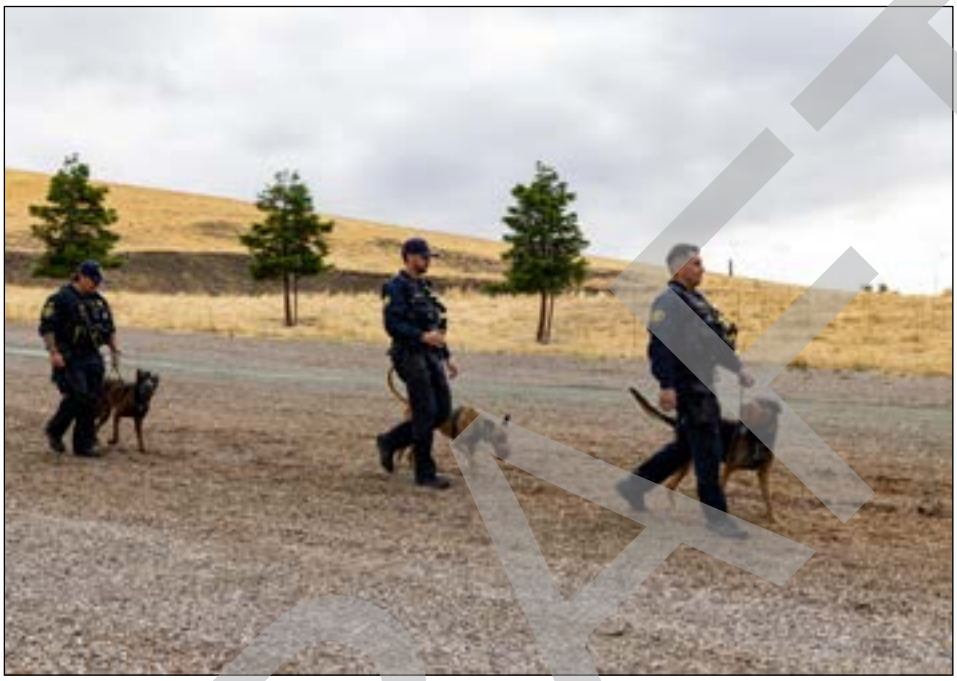


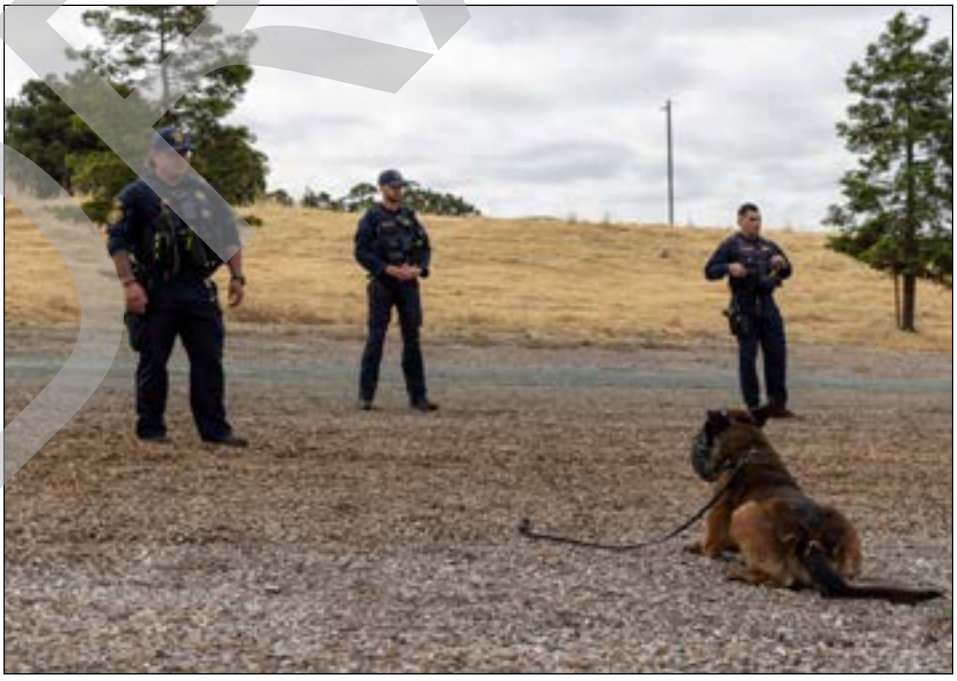
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K-9 TEAM EVALUATORS

In order to meet POST law enforcement K-9 guidelines, K-9 teams shall be assessed by an evaluator prior to general law enforcement deployment and at least once annually.

The evaluator and handler should not have a monetary interest in the breeding/selling/training of the K-9 being evaluated. This is to preserve the highest standards of professionalism and to avoid any perceived conflict of interest between the evaluator and the K-9 team.





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PATROL GUIDELINES

The release of a K-9 to search for or apprehend a suspect should be based upon the handler's reasonable belief that the suspect has committed, is committing, or is threatening to commit a serious offense under any of the following conditions:

1. There is a reasonable belief that the suspect poses an imminent or immediate threat of violence or serious harm to the public or an officer.
2. The suspect is physically resisting or threatening to resist arrest and the use of a K-9 reasonably appears necessary to overcome such resistance.
3. Officers reasonably believe the suspect is concealed in an area where entry by a person would pose a threat to the safety of officers or the public.
4. Unless the handler reasonably believes that it would pose an imminent threat of danger to the officer or other persons or substantially increase the risk of a suspect's escape, a warning, clearly audible, within the deployment area announcing the potential release of a police K-9 if the suspect does not surrender should be given prior to the release of the K-9.
5. Once given, the handler should allow a reasonable opportunity for the suspect to comply with any warning, if feasible as defined in Government Code section 7286.

In general, the K-9 should not be used for crowd control at an assembly, protest, or demonstration.



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K-9 TEAM COMPETENCIES

The following four K-9 team competencies outline minimum "patrol" performance standards that a K-9 team should be able to demonstrate. Testing for the following four competencies should be conducted in an environment closely simulating realistic job conditions and distractions.

1. **Obedience**

   The handler will demonstrate the ability to control the K-9 during an obedience performance test.

   a. The K-9 will perform a basic routine of left, right, and about turns, at normal, and quick pace, while on a leash.

   b. The K-9 team will perform basic tactical movements and control.

2. **Search**

   Under the direction and control of the handler, the K-9 will independently locate a hidden agitator/decoy in a structure or building and in an outdoor area within a reasonable amount of time.

   a. The K-9 will "alert" the handler after finding the agitator/decoy. Prior to the release of the K-9 , an announcement of intended use will be given. At least one search will be a civil find using no equipment on the agitator/decoy.

   b. The K-9 will locate a hidden agitator/decoy in a structure or building with multiple rooms and hiding locations places and "alert" the handler.

   c. The K-9 will locate a hidden agitator/decoy in a large outdoor area with multiple hiding locations and "alert" the handler.

3. **Apprehension**

   Under the direction of the handler and while off-leash, the K-9 will pursue and apprehend an agitator/decoy.

   a. The K-9 team will demonstrate a "pursuit and call off" prior to apprehension.

   b. On command from the handler, the K-9 will pursue and apprehend the agitator/decoy.

   c. From a reasonable distance and within a reasonable amount of time, on verbal command only, the K-9 will cease the apprehension.

   d. Handlers must demonstrate a tactical release from a prone agitator/decoy.

   e. Handlers will identify supplemental equipment they will have available to aid with the release and demonstrate its use. Supplemental equipment may include but are not limited to breaker bar, e-collar, pinch collar or other devices.

4. **Control and De-escalation**

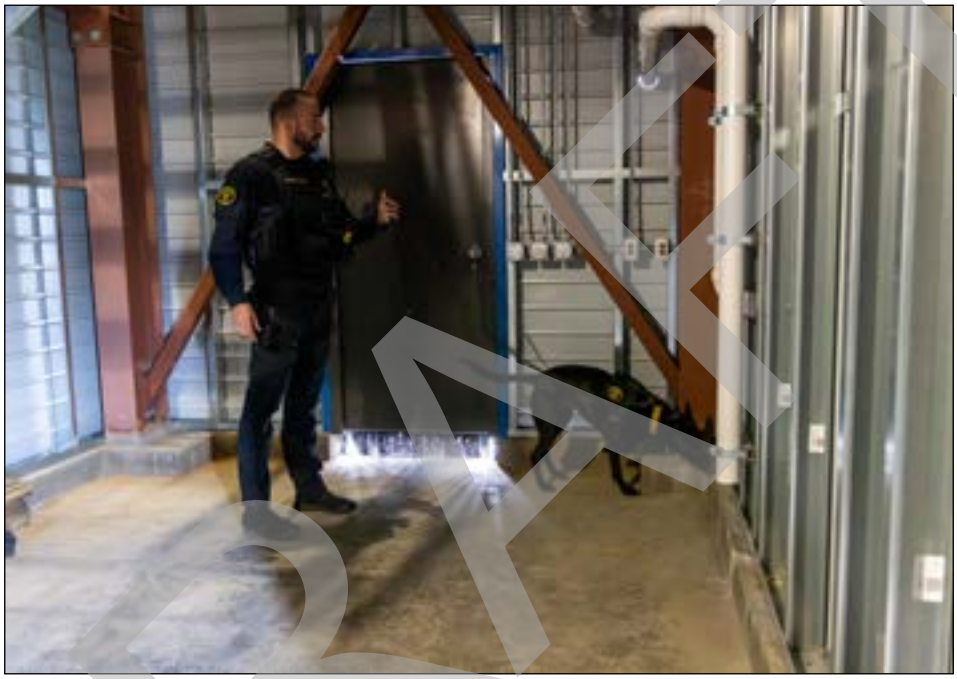
   The K-9 will remain under control while the handler attempts to gain compliance from the agitator/decoy.

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PATROL SCENARIOS FOR K-9 TEAM EVALUATIONS

The following are scenarios for a K-9 team evaluation in each of the competency areas. These scenarios contain minimum elements for an evaluation.

1. These exercises should be demonstrated in an environment closely simulating realistic job conditions and distractions without the use of a muzzle.
2. The evaluating instructor will be fully apprised of the pertinent agency policies and regulations prior to the commencement of all exercises conducted. The "correct" response or reaction of the handler, the K-9, or the two acting together, may differ from agency to agency, based on prevailing agency policy.



Obedience

Handlers will report to the evaluator with the K-9 on a leash. At the direction of the evaluator, the team will complete the following exercises as called for by the evaluator. During the exercise, the K-9 will be under the handler's control at the "heel" position.

At the "forward" direction of the evaluator, handlers will proceed ahead with their K-9s at the "heel" position and at a normal, and/or quick pace at the direction of the evaluator. The evaluator will direct the handler K-9 team through a series of turns and movements including the following:

1. On a leash:
   a. Two right turns
   b. Two left turns
   c. Two about-turns
   d. Two stop/sits
   e. Two stop/downs
2. Off-leash tactical obedience:

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This exercise will be performed using four stations or points of cover. The K-9 team starts from a position of cover near station number one. The K-9 is placed in a stationary position as the handler moves to the second station, leaving the K-9 behind. Once the handler is at the second station in a position of cover, the K-9 is called to a heel. From the second station, the handler has the K-9 heel to the third station. At the third station, the handler again assumes a position of cover, keeping the K-9 beside the handler in a controlled position. The handler leaves the K-9 and moves to the fourth station and assumes a position of cover. The handler recalls the K-9 to a heeling position, concluding the exercise. The K-9 must not break from stationary positions until called upon by the handler.

Search/Apprehension

During all the below exercises, a minimum of two people, which may include the evaluator, shall be present to simulate the presence of a search team. The K-9 should maintain neutrality to all persons present other than the agitator/decoy.

Based on the following criteria listed in this section, the evaluator will develop the certification scenarios which encompass the skills listed below.

The K-9 will demonstrate the following:

1. **Building Search**
   A structure or building with multiple rooms and hiding locations in which the K-9 will locate a hiding agitator/decoy. This scenario shall be demonstrated off-leash.

2. **Area Search**
   A large outdoor area with multiple hiding locations in which the K-9 will locate a hiding agitator/decoy. This scenario shall be demonstrated off-leash.

3. **Verbal Out**
   The K-9 will apprehend the agitator/decoy from a distance no less than ten yards from the handler. The handler, using verbal commands only, will have the K-9 release and recall back to the handler. This scenario shall be demonstrated off-leash and without the use of an e-collar correction.

4. **Tactical Release**
   The handler will demonstrate the ability to physically remove the K-9 from the apprehension of an agitator/decoy, in a reasonable amount of time, in two separate scenarios. For the first, the handler will demonstrate the ability to physically remove the K-9 from an agitator/decoy in a prone position. For the second, handlers will identify a supplemental method they will use in aiding with the release and demonstrate its use in removing the K-9 from an agitator/decoy. Supplemental methods may include but are not limited to a breaker bar, e-collar, pinch collar or other devices or techniques.

5. **Inaccessible Find**
   The alert to the presence of an inaccessible agitator/decoy with no equipment present. After the handler identifies the alert to the evaluator, the K-9 will then be recalled back to the handler's position. This scenario shall be demonstrated off-leash as part of the building search or area search, as determined by the evaluator.

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Call-off

This function is critical and separates the K-9 from all other less-than-lethal force options in that the handler has the ability to call off the K-9 prior to making contact with the agitator/decoy, within reason, to avoid a use of force.

1. This exercise will simulate a directed apprehension and will be conducted off-leash and without the use of an e-collar correction.
2. The K-9 will be sent on a directed apprehension, from approximately 30 yards, on a visible and accessible agitator/decoy.
3. Once the K-9 is in the pursuit and committed to the agitator/decoy (approximately halfway), the handler will call off the apprehension using only voice commands.
4. The K-9 is not allowed to make contact with the agitator/decoy.
5. The K-9 may or may not be recalled to the handler at the discretion of the evaluator.

The scenario will conclude when the K-9 is under physical control of the handler.



Control and De-escalation

The K9 handler will approach the agitator/decoy. The K-9 will remain under control while the handler attempts to gain compliance from the agitator/decoy for a minimum of 20 seconds. The circumstances of the scenario are at the discretion of the evaluator.



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DETECTION GUIDELINES

The following K-9 team competency outlines minimum "detection" performance standards that a K-9 team should be able to demonstrate when adopting these guidelines.

Search

While demonstrating reasonable control and coordination between the handler and the K-9 used in the detection, the K-9 must find (within a reasonable period of time as determined by the evaluator) the odor(s) they have been trained to find in the environment(s) they have been trained to search.

1. The K-9 should not "alert" to anything that it is not trained to find
2. A false "alert" (as determined by the evaluator) is a failure
3. The agency will designate what odors may be used



Detection

The evaluator will be fully apprised of the pertinent agency policies and regulations prior to the commencement of the exercise. The "correct" response or reaction of the handler, the K-9, or the two acting together, may differ from agency to agency, based on prevailing agency policy.

1. While demonstrating reasonable control and coordination between the handler and the K-9 used in detection, the K-9 must find—within a reasonable period of time—the odor(s) identified.
2. There should be a recognized signal "alert" from the K-9 to the handler which indicates that the K-9 has located each odor.
3. The handler must be able to interpret the K-9's "alert" clearly enough to be able to inform the evaluator of the substance's location.
4. Once a handler has signaled their K-9's "alert" to the evaluator, the exercise is complete.
5. The handler must demonstrate the ability to control the K-9 fully throughout all phases of the search. The evaluation should contain at least one trained odor in each environment evaluated.

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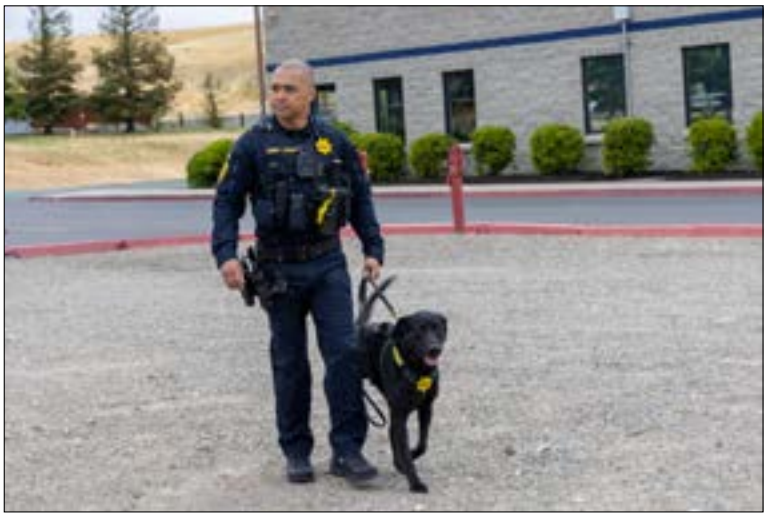
6. To ensure adequate scent dispersion, setup time for each sample of trained odor should be a minimum of 30 minutes prior to the actual search.
7. The actual target trained odor should be present for the evaluation of trained odor detection.

Detection Scenarios for K-9 Team Evaluations

The evaluator shall set up hides in test environments suitable to the K9 team being tested. Environments may include but are not limited to:

1. **Building Search**
   A minimum of three rooms, only one trained odor should be placed in any given room; one room must be blank with no trained odors present
2. **Open Area Search**
   Large, exterior area with one trained odor
3. **Vehicle Search**
   Minimum of three vehicles; only one trained odor should be placed on any vehicle; one vehicle must be blank with no trained odors present
4. **Other Search Area**
   As determined by the evaluator based on the needs of the agency





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Tracking/Trailing Guidelines

Minimum Standards for Tracking/Trailing Performance Standards

The purpose of this guideline is to determine the K-9's ability to follow the track/trail.

While demonstrating reasonable control and coordination between the handler and the K-9, the K-9 must find the article or odor to be tracked/trailed within a reasonable amount of time.



Tracking/Trailing Scenarios for K-9 Team Evaluations

1. The evaluator will have the track/trail laid in an environment suitable for the working conditions of the team being evaluated.
2. The evaluation must consist of two turns, a minimum of 100 yards, and one article or odor (if articles are trained).
3. The K-9 team will not be given the exact location of the start of the track/trail, but only the general area and the direction of travel by the evaluator.
4. The K-9 must provide an indication recognized by the handler when the article or odor is located.



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AGENDA ITEM REPORT

Title:

REPORT ON RACIAL AND IDENTITY PROFILING - COURSE GUIDELINES UPDATE

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Management Counseling and Projects Bureau	
RESEARCHED BY Mark Nagel		**REVIEWED BY**
REPORT DATE 07/17/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/12/2025
PURPOSE		**FINANCIAL IMPACT** No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

POST is seeking the Commission's feedback to validate the course guideline legal and operational alignment, address any potential gaps, and finalize the document for implementation across California law enforcement agencies.

BACKGROUND:

The Racial and Identity Profiling Act (AB 953, 2015) requires the POST Commission to develop and maintain guidelines and training for California peace officers related to racial, identity, and cultural differences, with an emphasis on understanding and respecting such differences and developing non-combative policing methods of carrying out law enforcement duties in a diverse racial, identity, and cultural environment. (Penal Code §13519.4).

In support of this mandate and following recommendations from the RIPA Advisory Board and subject matter experts, POST has updated the Racial and Identity Profiling Course Guidelines, which now reflect current legislation, best practices, and statewide input. The last substantial updates to these guidelines were tied to earlier revisions of Learning Domains 3 and 42, and the Museum of Tolerance (MOT) Train-the-Trainer curriculum.

ANALYSIS:

The updated guidelines respond to recent statutory and policy

developments, including Senate Bill 1102 and POST's ongoing commitment to professional, equitable policing. Input was gathered through workshops held in 2022 and 2024 involving:

- RIPA Advisory Board members
- Department of Justice Civil Rights Enforcement Team
- Law enforcement professionals
- Community-based organizations and advocacy groups

The guidelines integrate recommendations from the RIPA Board's 2022 and 2023 annual reports. These reports emphasized enhancing instruction on implicit bias, historical context, procedural justice, legal obligations, and community-centered policing. New sections were added to the course on topics such as the history of civil rights in policing, psychological impacts of bias, and strategies to apply the Fourth and Fourteenth Amendments without reliance on race or identity.

The revised curriculum also expands the role of scenario-based training, reinforces local community involvement, and outlines facilitator qualifications to ensure instruction is both evidence-based and culturally competent. It is structured around four core modules:
1. Why Are We Here?
2. Legal Considerations
3. History of Policing
4. Community-Centered Practices

RECOMMENDATION: This report is presented for information only. No action is required.

ATTACHMENT(S):
Racial and Identity Profiling Guidelines.pdf

2025

POST Training

RACIAL AND IDENTITY PROFILING

Course Guidelines

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Racial and Identity Profiling Course Guidelines
Produced By
Management Counseling and Projects Bureau

Facilitator Guidelines
POST Racial and Identity Profiling Course Guidelines
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Published August 2025

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The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the training of California law enforcement in serving its communities.

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POST appreciates the dedication of the 2024-2025 subject matter expert group who assisted in the development of these guidelines.

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Foreword

In 2022, Museum of Tolerance (MOT) subject matter experts, law enforcement managers, Racial and Identity Profiling Act (RIPA) Board members, and community stakeholders from throughout the state met to review and update the POST-certified MOT Racial and Identity Profiling Curriculum for Trainers (or Train-the-Trainer Curriculum). The group conducted three workshops to update the Train-the-Trainer Curriculum. POST and the curriculum development committee determined the updated MOT training complied with Senate Bill (SB) 1102 (1999-2000), Peace Officers: Racial Profiling Training and Assembly Bill (AB) 953, the Racial and Identity Profiling Act (RIPA) of 2015. Train-the-Trainer for Racial and Identity Profiling is legislatively mandated for presenters of the Racial and Identity Profiling: Issues and Impact course. This 24-hour course provides an in-depth analysis of the student course and facilitation skills to assist in leading discussions and presenting the course material.

In May 2024, POST brought members of this committee and other interested subject matter experts together, including members of the RIPA Board and the Department of Justice, to provide feedback on course guidelines utilizing the framework established by the MOT's initial Racial Profiling: Issues and Impact curriculum. The work group agreed to submit the guidelines to the POST Commission for approval in March 2025.

POST will establish the minimum training standards, but will not interfere with how or what an agency may present during the course over and above the legislatively required subjects. Instead, these guidelines set minimum course standards for California Law Enforcement professionals. They are for use by law enforcement agencies and are sufficiently general to accommodate differing agencies' policies; however, the guidelines include legislative training requirements for agency compliance.

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As these racial profiling courses are meant to educate officers and enhance public safety, it is critical that the guidelines reflect diverse perspectives from the community. POST will work to continuously update and improve the course content in partnership with the community in accordance with best practices and/or legislative mandate(s).

Questions regarding the POST Racial and Identity Profiling Course Guidelines should be directed to the Management Counseling and Projects Bureau at (916) 970-4645.

Manuel Alvarez Jr.
POST Executive Director

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Introduction

The following guidelines provide agencies with minimum training standards for conducting Racial and Identity Profiling training courses. They will assist agencies in developing a four-hour course complete with pertinent information to ensure trainers understand the requirements of AB 953 (2015-2016) (the Racial and Identity Profiling Act or RIPA) and the applicable statutes. In addition to refreshing their knowledge about racial and identity profiling, the course will provide ample opportunities for law enforcement professionals to apply their learning through self-reflection, activities, scenarios, discussions, and community engagement.

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Background

The practice of racial and identity profiling or bias-based policing can have a profound impact on the level of public trust afforded to law enforcement and compromise public safety. The curriculum in this course is designed to provide participants with a deeper understanding of the prohibition against racial and identity profiling, examples of profiling behavior, the consequences of engaging in profiling behavior, and factors to consider that may help officers mitigate the risk of profiling. As such, participants will better comprehend not only the negative impact of racial and identity profiling on the individual targeted and larger community, but also on law enforcement itself. The POST course guidelines for Racial and Identity Profiling were established in support of Penal Code (PC) section 13519.4(h), SB 1102(1999-2000) and AB 953 (2015-2016), which mandate that POST establish course guidelines relating to law enforcement and racial and identity profiling.

These course guidelines will provide comprehensive guidance to assist agencies and POST in developing curriculum that educates law enforcement professionals about the detrimental effects of racial and identity profiling, as well as the role of implicit bias in policing. These guidelines emphasize the negative impact such behaviors have on both the community and law enforcement professionals.

Participants will gain a thorough understanding of the relevant laws, including CA's Racial and Identity Profiling Act (AB 953), and learn their legal obligations to prevent profiling. The course will also focus on practical strategies for mitigating biased behavior, helping officers recognize and address their own implicit biases. Additionally, participants will explore how stereotyping individuals or groups based on race, ethnicity, or identity can lead to profiling, bias-based policing, and undermine the trust between law enforcement and the communities they serve.

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Participants will gain a deeper understanding of the psychological behaviors that can significantly influence decision-making and outcomes in law enforcement and public safety. This includes exploring how implicit biases, unconscious prejudices, and emotional responses can shape an officer's actions, interactions with the public, and overall effectiveness. By recognizing these psychological factors, officers will be better equipped to make fair, informed decisions, reducing the risk of racial and identity profiling while enhancing community trust and safety.

Finally, participants will be exposed to real-life examples designed to enhance their ability to critically analyze their beliefs and distinguish between when race and identity is and is not a legitimate factor.

POST may from time to time amend the guidelines and minimum standards for training associated with this course curriculum. POST will continue to engage internal and external stakeholders to ensure the curriculum is in compliance with applicable legal standards and legislative updates. Questions or comments regarding this curriculum should be directed to the Training Program Services Bureau at (916) 227- 4885.

Facilitator Guidelines

Curriculum Overview

This course will enhance participants' understanding and awareness of law enforcement professionals' legal obligations under AB 953 (2015-2016), including legal prohibitions on racial and identity profiling, consequences of officer misconduct when officers demonstrate bias, and ways to mitigate profiling and biased behavior to enhance overall safety while reducing incidents of disparate treatment towards individuals in the community. Specifically, participants will learn how explicit and implicit biases, prejudices, and stereotypes impede effective law enforcement job performance and hinder relationships between law enforcement professionals and the communities they serve.

Participants will learn how to apply the Fourth and Fourteenth Amendments of the United States Constitution and California law during evidence-based stops to prevent racial or identity profiling. Participants will be introduced to how historical perceptions of discriminatory enforcement practices have harmed communities and police-community relations. Strategies that will be shared can be applied to enhance positive policing practices, prevent racial and identity profiling, build credibility and trust among the communities participants are sworn to protect and serve. . Each participant who completes the course will receive credit for Continuing Professional Training (CPT).

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Curriculum Goals

The training has five primary goals:

1. Articulate how the racial profiling law has expanded to include identity profiling.
2. Explain key terms such as race, racism, identity, stereotypes, prejudice and bias, and how they relate to racial and identity profiling and serious misconduct.
3. Promote self-reflection on how one's thoughts and behaviors might lead to racial and identity profiling.
4. Demonstrate the appropriate and necessary application of both the Fourth and Fourteenth Amendments of the United States Constitution and California law when making evidence-based stops. Participants will have an understanding that racial and identity profiling is prohibited in California.
5. Identify strategies to prevent racial and identity profiling and mitigate their effects on job performance, safety, and communities.

This course contains pertinent information to help law enforcement professionals do their job and enhance their knowledge about racial and identity profiling. This course will also provide ample opportunities for law enforcement professionals to apply their learning through self-reflection, activities, scenarios, and discussions.

Curriculum Objectives

The following four sections are outlined in the POST-certified curriculum by the Museum of Tolerance – Racial and Identity Profiling Course:

- Section 1: Why Are We Here?
- Section 2: Legal Considerations
- Section 3: History of Policing
- Section 4: Community-Centered Practices

Section 1: Briefly introduces why participants are here – reviews the law that directed POST to create course guidelines, the laws and regulations that prescribe requirements for law enforcement professionals regarding racial and identity profiling, how bias may contribute to racial and identity profiling, and offer bias mitigation strategies.

Section 2: Provides a high-level view of the laws governing racial and identity profiling, serious misconduct, and the duty to report the misconduct of fellow law enforcement professionals. In addition, participants can apply the law and learn a practical and lawful approach to ethical considerations.

Section 3: Explores the history of law enforcement in the United States and how it has impacted the way policing is conducted today, relationships with communities, and trust between law enforcement professionals and the community.

Section 4: Examines strategies for building positive policing practices that support and protect law enforcement professionals and the community being served while mitigating the risks associated with engaging in racial and identity profiling.

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Curriculum Description

This course will provide the participants with the minimum topics mandated in section 13519.4(h) of the California Penal Code.

The training must include:

1. Classroom instruction
2. Facilitator-led active learning (i.e., scenario-based activities)
3. Participant evaluation and testing

Recommended maximum number of students = 30

Minimum Topics Required by Statute

- Identification of key indices and perspectives that make up racial, identity, and cultural differences among residents in a local community.
- Negative impact of intentional and implicit biases, prejudices, and stereotyping on

effective law enforcement, including examination of how historical perceptions of discriminatory enforcement practices have harmed police-community relations and contributed to injury, death, disparities in arrest detention and incarceration rights, and wrongful convictions.

- The history and role of the civil and human rights movement and struggles and their impact on law enforcement.
- Specific obligations of peace officers in preventing, reporting, and responding to discriminatory or biased practices by fellow law enforcement professionals.
- Perspectives of diverse, local constituency groups and experts on racial, identity, and cultural and police-community relations issues in a local area.
- The California and federal prohibition against racial and identity profiling.

Target Audience

This course is designed at the advanced level for law enforcement professionals to define and clarify racial and identity profiling, bias, and their negative impacts. The practice of racial and identity profiling or bias-based policing can compromise overall safety and public trust. Participants will learn how stereotyping can lead to racial and identity profiling or bias-based policing practices prohibited by law. The course is also relevant for supervisors responsible for making strategic decisions when leading shift operations and supervising personnel.

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Participants may have a wide range of experiences and preconceived attitudes, which may include strong opinions and/or frustration with the service of their communities. Participants should understand their obligations under the law regarding racial and identity profiling, including that biased behavior is a statutorily defined category of serious misconduct, and how preconceived attitudes could affect their decision making. The combination of front-line personnel and supervisor involvement can be instrumental in the learning process and may facilitate social and organizational change.

Class size is restricted to a maximum of 30 participants per class. Facilitators should strongly encourage active participation through facilitated discussions and scenario-based activities.

Facilitators should encourage participants to attend classes within the communities they serve for several key benefits. By learning in the same area where they work, participants gain direct exposure to local resources, organizations, and services, enhancing their awareness and ability to collaborate effectively. This approach also fosters networking opportunities, enabling participants to build connections with community leaders and members who can support their roles. Additionally, this localized training can increase participants' sensitivity to community-specific issues, building a stronger foundation of trust and understanding between the agency and the community.

Facilitator Selection

It is important to select facilitators carefully for this course. Facilitators must be knowledgeable, sensitive, and committed to the subject matter. They must be adept in facilitation, able to

present information in an interesting and meaningful manner, and able to manage time. Facilitators must also be able to teach cooperatively with law enforcement professionals and community stakeholders, including but not limited to, faith-based leaders, victim advocates, non-profit organizations, educational institutions, civil rights organizations, and community coalitions. Facilitators should ensure that any involved community stakeholders participating in the training are aligned with the priorities set forth in these guidelines.

POST recommends that the presentation of this course include, at a minimum:

- One facilitator from law enforcement who is knowledgeable in law enforcement policies, procedures, and protocols for principled policing, including but not limited to procedural justice, implicit and explicit bias, cultural awareness, and is familiar with laws applicable to racial and identity profiling statutes.
- One community stakeholder with a thorough knowledge and understanding of community resources and applicable statutes. Familiarity with principled policing, including but not limited to procedural justice, implicit and explicit bias, and cultural awareness will greatly enhance the participant's experience, as well as an understanding of challenges and/or concerns that law enforcement faces when dealing with diverse communities[1]. Facilitators are encouraged to meet with potential community stakeholders prior to the course to determine suitability and good standing.
- Facilitators must have attended a facilitator course that complies with California Code of Regulations, Title 11, Division 2, section 1082. The facilitator course shall have the following minimum content requirements :

  1. Modeling of Core Course
  2. Facilitation Skills
  3. Racial Profiling Defined
  4. Legal Considerations
  5. History of Civil Rights
  6. Community Considerations
  7. Facilitator Guide Orientation
  8. "Teach Back" Sessions

In instances where facilitators are not from the region, they are encouraged to collaborate and team-teach with qualified facilitators. Local training helps law enforcement understand local culture and the relationship their agency has with the communities in which they serve.

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1 MOT and POST will consider using facilitators from diverse backgrounds and organizations like those originally named as members of the curriculum development panel." The law mandating the training named several organizations who participated in the original development of the curriculum: "(1) State Conference of the NAACP (2) Brotherhood Crusade. (3) Mexican American Legal Defense and Education Fund. (4) The League of United Latin American Citizens. (5) American Civil Liberties Union. (6) Anti–Defamation League. (7) California NOW. (8) Asian Pacific Bar of California. (9) The Urban League." Former Cal. Pen. Code, § 13519.4, subd. (f), (1)-(9), as amended by Statutes 2011, chapter 854, section 63.

Ensuring locality will further assist in understanding the challenges and/or concerns law enforcement encounters when responding to the needs and expectations of their community. Localized training promotes systemic changes through collaborative problem-solving.

Due to the complex issues that are discussed in this curriculum, POST will only approve course certification requests that include instructor resumes reflecting recent and specific training or experience in this area. Facilitators must also understand and apply principles of adult learning concepts.

Collaboration between the law enforcement professional(s) and external service agency prior to the facilitation of the course is essential to meet the desired outcomes of the course that are balanced and demonstrates a committed partnership of problem solving and empathy between the law enforcement profession and the community.

It is recommended that the instructional team meet and discuss the method of delivery prior to facilitating the course. This collaborative planning session will ensure that all trainers are aligned in their approach, clarify any roles and responsibilities, and allow for a consistent and cohesive training experience. The team should review the course content, decide on the most effective teaching strategies (e.g., lecture, discussion, scenarios , case studies), and tailor the delivery to meet the needs of the participants. Additionally, this meeting will provide an opportunity to address any potential challenges and ensure that the training environment promotes open dialogue and engagement.

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Facilitator Preparation

Review of the Lesson Plan

- Review the expanded course outline, activities, and learning objectives.
- Review the instructor supporting materials in the Facilitator Course Guidelines.
- Review Government Code section 12525.5, PC sections 13012 and 13519.4, and 11 Cal. Code. Regs. sections 999.224–999.229.
- View the POST Scenario videos and Program Guide (2024).
- Review and implement the lesson plan provided by the MOT T4T Facilitators Guide.
- Review the MOT T4T Resource Guide.
- Identify videos and training materials to incorporate.

Localize the Training

- Be prepared to address challenges and/or concerns with resources and systems.
- Use personal experiences and/or examples from the local jurisdiction.
- Identify and be prepared to address local or regional issues regarding calls for service.
- Provide participants with local resources.

- Review local or regional RIPA data: Use data to demonstrate that racial and identity profiling may be occurring and is unlawful.
- Develop a robust plan for engaging individuals and community-based organizations from the communities most impacted, as evidenced by the annual RIPA report data.

Meet with the Instructional Team

- Assign training responsibilities for each lesson.
- Prepare handouts of local resources (facilitators to develop).
- Prepare for scenario-based activities.
- Identify potential community stakeholders.

Facility Arrangements

- Select a room large enough to accommodate classroom activities.
- Avoid regular classroom seating arrangements, where possible. Instead, seat participants in small groups of five to six people per table or arrange tables in a horseshoe shape.
- The maximum number of participants should be 30. Arrive 30 to 60 minutes prior to training start time to greet and build rapport with participants.

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Equipment and Supplies

- Sufficient copies of participant handouts.
- Scenario-based activities (i.e., training videos)

Facilitator Development

For facilitators who wish to enhance their facilitation skills, there are four self-paced courses available on the POST Learning Portal. Each course is certified for CPT credit:

- Learner's First – Course Number 9181-25501-24
- Best Practices of Good Training Course Number 9181-25504-24
- Student Learning Outcomes - Course Number 9181-25503-24
- Target Your Teaching - Course Number 9181-25502-24

Facilitator Challenges

Setting the Tone

Facilitators should explain that the goal of this course is to help participants better understand their legal obligations so they can perform their role as a law enforcement professional. Facilitation must challenge the beliefs, biases, and perceptions participants may have of protected classes covered by state and federal law.

Facilitators should establish ground rules such as:

- Avoid the use of stigmatizing labels.
- Use "I" statements and inclusive language during discussions.
- Encourage participation.
- Keep comments and questions relevant to the discussion topic.
- Understand that California law prohibits the consideration of, or reliance on, race and identity in deciding to stop a person or in determining the actions taken following a stop is a critical element of this training. Specifically, under California law, race and identity cannot be factors in decisions related to police stops, searches, or other law enforcement actions, except in the case where a shared suspect description includes race as one of the identifying characteristics. This legal standard aims to prevent racial and identity profiling, ensuring that law enforcement practices are based on lawful, non-discriminatory criteria and focused on public safety, rather than on inherent biases.
- Recognize the stated prohibition and understand its implications for law enforcement professionals' decision-making and interactions with the public.

Facilitators should ask participants to sit with someone they do not know and, if possible, mix participants to include junior and senior law enforcement professionals and line and supervisory personnel. This will stimulate new ideas and exchange of information and may promote positive thinking.

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Facilitators and participants should be prepared to challenge the culture in law enforcement and have a healthy discourse about how bias can affect behavior. When introducing the topic of racial and identity profiling, facilitators should challenge the perspectives on racial and identity profiling for participants who say they have never seen racial and identity profiling.

Time Management

Due to the limited time to teach this course, managing the necessary discussions and completing the lessons within the designated timeframes may be difficult, but is essential. For example, in discussing pretextual stops, facilitators should discuss the legal parameters for such stops, focusing primarily on the limits of pretextual stops.

Develop a plan for pacing the learning activities. Allow time for discussion, but do not permit the discussions to dwell on peripheral matters. Should this occur, redirect the discussion back to the course purpose and objectives.

It is important to give participants breaks. Try to schedule regular breaks; ask participants to adhere to the time limits and return promptly to the classroom. A common practice is to provide a ten-minute break every 60 to 70 minutes.

Delivery Method

This course is designed to engage participants in the learning process. Some lessons will require lectures as the primary teaching method while others will draw on the expertise and knowledge of the participants in the class.

Class Activities

The activities utilize large group participation and are designed to encourage discussion, share information and expertise, and stimulate problem-solving.

Facilitated Discussion

Facilitators will lead a collaborative exchange of information. Participants will share their knowledge and experience with the class while the facilitators add information unknown to the participants.

Facilitator Presentation

The lecture is used to instruct participants on technical information. Facilitators must teach the course at an advanced professional level. Knowing the audience and engaging participant experiences is also important to facilitate the learning environment.

Handouts

Facilitators should decide whether to pass out handouts at the beginning of the day or distribute them during the course at appropriate times.

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Facilitators should include a variety of pamphlets, brochures, and other informational materials that can enhance the learning experience and provide participants with valuable resources related to racial and identity profiling. These materials can help reinforce key concepts, provide additional reading, and offer practical tools for law enforcement professionals .

Here are some specific examples of materials that may be beneficial to include, but are not mandatory:

1. **Racial and Identity Profiling Act (RIPA) Overview**

   A brochure or one-pager summarizing the key provisions of AB 953 (2015-2016) (Racial and Identity Profiling Act), including the legal requirements, data collection, and reporting obligations for law enforcement agencies. This can serve as a reference document for officers to understand their responsibilities under the law.

2. **Implicit Bias Resources**

   A pamphlet explaining implicit bias, how it affects decision-making, and strategies to mitigate its impact. This could include links to online implicit bias tests or exercises, such as the Implicit Association Test (IAT) offered by Project Implicit, which helps individuals identify hidden biases.

3. A guide on how to reduce implicit bias in policing, offering practical suggestions like

structured decision-making processes, mindfulness techniques, and techniques to self-reflect during encounters.

4. **Community Policing and Trust-Building Tips**

   A brochure or handout outlining strategies for building stronger, trust-based relationships with diverse communities. It can include best practices for community policing, tips on cultural competency, and resources on how to engage with historically marginalized groups effectively.

5. Case studies from other law enforcement agencies that have successfully implemented community engagement initiatives to combat racial profiling and build public trust.

Legal and Ethical Guidelines for Law Enforcement

6. A handout summarizing legal principles around profiling, including PC section 13519.4 (which addresses racial and identity profiling) and other constitutional guidelines for law enforcement.

7. An FAQ document answering common legal questions about profiling, use of force, and officers' duties under the law, focusing on protecting both officers' rights and community rights.

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Resources for Mental Health and Wellness

8. A pamphlet providing information on mental health resources available to participants who may be struggling with the emotional or psychological impact of their work, especially related to stress and handling sensitive situations. This could include contact information for counseling services, peer support networks, or stress-reduction programs.

9. Reporting and Accountability Mechanisms A brochure explaining how officers can report instances of racial profiling within their department, along with information on the internal accountability process, and oversight bodies, and external organizations that track and review profiling complaints.

Cultural Competency and Bias Training Materials

10. A handout or workbook with exercises that help participants better understand cultural differences and how these can impact their interactions with various communities. This may include cultural competence self-assessments, key questions for reflective practice, and information on different cultural norms and values.

Scenarios for Reflection and Discussion

11. A set of scenario-based cards or discussion prompts for group work that challenge participants to reflect on how implicit biases or profiling might influence their actions in various law enforcement contexts. These scenarios can be based on real-world situations, offering a chance for participants to practice decision-making in a controlled, reflective environment.

Training Videos

Video segments should be selected to highlight learning points or to support lesson activities. Facilitators should recap the main learning points at the end of the segment.

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Resources

The POST resources are provided as a courtesy and are not intended to be comprehensive. The facilitators can develop their own handouts for the course, but they must include information provided by the following:

- *Senate Bill 1102* (199-2000)
- *Assembly Bill 953* (2015-2016) *https://leginfo.legislature.ca.gov/*
- *2024 Best Practices and Recommendations – RIPA Annual Report*
- California Penal Code Section *13519.4 (h)*
- POST Learning Domain 3: *Principled Policing in the Community*
- POST Leaning Domain 42: *Cultural Diversity/Discrimination*

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AGENDA ITEM REPORT

Title:

REPORT ON ANTI-REPRODUCTIVE RIGHTS CRIMES - GUIDELINES UPDATE

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Management Counseling and Projects Bureau	
RESEARCHED BY Mark Nagel	**REVIEWED BY**	
REPORT DATE 07/17/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/12/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

POST is seeking the Commission's feedback to validate the guideline legal and operational alignment, address any potential gaps, and finalize the document for implementation across California law enforcement agencies.

BACKGROUND:

California Penal Code §§13775–13778.2, originally established by the Anti-Reproductive Rights Law Enforcement Act, requires law enforcement agencies to prevent and respond to anti-reproductive rights crimes. In September 2022, Assembly Bill 1242 was signed into law by Governor Newsom, significantly expanding the legal protections afforded to reproductive health providers, patients, and associated staff in California. In response to these statutory changes and the passage of Proposition 1—enshrining reproductive freedom in the state constitution—POST has revised its Anti-Reproductive Rights Crimes Guidelines to reflect these developments and support law enforcement in protecting access to reproductive healthcare.

ANALYSIS:

The updated POST guidelines provide expanded direction to California law enforcement regarding the identification, reporting, and investigation of anti-reproductive rights crimes, with an emphasis on:

- Clarifying the role of law enforcement in safeguarding access to reproductive healthcare facilities.
- Detailing prohibited law enforcement cooperation with out-of-state investigations or arrests related to legal abortions in California.
- Reinforcing legal protections for patients, providers, and facilities against threats, intimidation, surveillance, and physical obstruction.
- Including new sections and clarifications regarding search warrants, wiretaps, and electronic surveillance limitations under AB 1242.
- Updating law enforcement responsibilities on how to handle out-of-state warrants and extradition requests.

The revised guideline also updates statutory references and expands content around protest management, buffer zones, privacy protections, and the criminal use of surveillance and intimidation tactics. The guidelines have been reviewed by a committee of subject matter experts, including representatives from the California Department of Justice, Planned Parenthood, the National Abortion Federation, the Feminist Majority Foundation, and law enforcement agencies.

RECOMMENDATION: This report is presented for information only. No action is required.

ATTACHMENT(S):
Anti-Reproductive Crimes 2025_updated8.26.25.pdf

2025

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ANTI-REPRODUCTIVE-RIGHTS CRIMES

Guidelines

CA COMMISSION ON POST

WWW.POST.CA.GOV

POST
Anti-Reproductive-Rights Crimes Guidelines

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POST Mission Statement

The mission of the California Commission on Peace Officer Standards and Training (**POST**) is to continually enhance the professionalism of California law enforcement in serving its communities.

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Introduction

In November of 2022, Californians passed Proposition 1, Constitutional Right to Reproductive Freedom enshrining the right to abortion and contraception in our state constitution. In addition, California passed the largest bill package expanding reproductive rights and protecting reproductive healthcare providers and patients in the history of the state. These laws build upon California's Reproductive Privacy Act, Reproductive Rights Law Enforcement Act, California Freedom of Access to Clinic and Church Entrances (FACE) Act, and other state and local laws designed to protect reproductive healthcare providers and their patients from anti-reproductive rights crimes.

California law requires that people have access to abortion care, family planning, and other sexual and reproductive healthcare services safely, confidentially, and in a timely manner, without harassment, threats, or fear of bodily harm. Law enforcement has a critical role in protecting the provision of reproductive health care services in California. These guidelines provide information to assist law enforcement agencies to enforce the California Freedom of Access to Clinic and Church Entrances Act.

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Glossary of Terms

Definitions of the following terms stem from a variety of sources including commonly known meanings, legal source books, and Webster's New World Dictionary.

Anti-reproductive-rights crime	PC §13776(a) – A crime committed partly or wholly because the victim is a reproductive health services patient, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity, or a class of persons or entities from becoming or remaining a reproductive health services patient, provider, or assistant.
Buffer Zone	Specifically defined public areas surrounding health care facilities where demonstrations or access are restricted or sharply limited. These zones often cover the vicinity of public entrances, so that doorways and driveways may not be blocked. Some buffer zone ordinances create "fixed buffer zones," or areas where people may not protest, regardless of whether patients are entering or exiting a clinic at the time. The zones are usually "fixed" in relation to a clinic's entrances, exits, and driveways, and they prohibit anyone who is not a clinic employee or a patient from standing within a certain radius of those points. Check your local ordinances and appendix.
Bubble Zone	Some buffer zone ordinances create "no approach zones" (or "bubble zones"), which protect the person seeking entrance to a health care facility by prohibiting or limiting demonstrations or attempts to speak with that person within a certain distance of that person when they are within a certain distance from a reproductive health care facility.
Doxing	To publicly identify or publish private information about (someone) especially as a form of punishment or revenge.
Injunction	A writ or order from a court prohibiting a person or group from carrying out a given action, or ordering a given action to be done.
Intimidate	PC §423.1(c) – To place a person in reasonable apprehension of bodily harm to themselves or to another. Examples: Distribution of "WANTED posters"; following patients or providers to and from vehicles and to and from clinic; harassing phone calls, emails, letters, and social media posts; targeting clinic staff or volunteers at their homes, children's schools, places of worship (short of stalking).

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Nonviolent	PC §423.1(d) – Conduct that would not constitute a crime of violence.
Physical Obstruction	PC §423.1(e) – Rendering ingress to or egress from a reproductive health services facility or to or from a place of religious worship impassable to another person, or rendering passage to or from a reproductive health services facility or a place of religious worship unreasonably difficult or hazardous to another person.
Reproductive Health Services	PC §423.1(f) – Reproductive health services provided in a hospital, clinic, physician's office, or other facility and includes medical, surgical, counseling, or referral services relating to the human reproductive system, including services relating to pregnancy or the termination of a pregnancy.
Reproductive Health Services Patient, Provider, or Assistant	PC §423.1(g) – A person or entity, including, but not limited to employees, staff, volunteers, and third party vendors, that is or was involved in obtaining, seeking to obtain, providing, seeking to provide, or assisting or seeking to assist another person, at that other person's request, to obtain or provide services in a reproductive health services facility, or a person or entity that is or was involved in owning or operating or seeking to own or operate, a reproductive health services facility.
Reproductive Health Services Facility	PC §423.1(h) – Includes a hospital, clinic, physician's office, or other facility that provides or seeks to provide reproductive health services and includes the building or structure in which the facility is located.
Residential Picketing Ordinance	Local laws designed to protect individuals, including reproductive health care providers, from targeted demonstrations and to prevent harassment and intimidation outside their homes.
Violence	PC §423.1(a) – An offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another.

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Guidelines

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1 Anti-Reproductive Rights Crimes

Anti-reproductive rights crimes are defined as crimes committed partly or wholly because the victim is a reproductive health services patient, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity, or any class of persons or entities from becoming or remaining a reproductive health services patient, provider, or assistant. [PC §13776 (a)]

The California Freedom of Access to Clinic and Church Entrances Act (FACE Act)

The FACE Act penalizes any person who physically obstructs, uses force or threat of force, or intentionally records without consent, any person, with the specific intent to intimidate that person from becoming or remaining a reproductive health services patient, provider, or assistant. (PC §423.2)

Regarding the security of reproductive health care clinics, the FACE Act can be violated in at least four ways. These are the required elements to prove a person violated the FACE Act:

A. By force, threat of force, or physical obstruction that is a crime of violence [PC §423.2(a) First Violation Misd.], Subsequent violations possible Felony.

   1. Intentionally injured, intimidated, or interfered with clinic patients, providers, or assistants or attempted to do so; and

   2. Committed this act:

      a. Because that person or entity is a reproductive health services patient, provider, or assistant; or

      b. To intimidate a person or entity, or a class of persons or entities, from becoming or remaining a reproductive health services patient, provider, or assistant.

B. By nonviolent physical obstruction [PC §423.2(c) First Violation Misd., Subsequent violations possible Felony..]

   1. Intentionally injured, intimidated, or interfered with, clinic patients, providers, or assistants, or attempted to do so; and

   2. Committed this act:

      a. Because that person or entity is a reproductive health services patient, provider, or assistant; or

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b. To intimidate a person or entity, or a class of persons or entities from, becoming or remaining a reproductive health services patient, provider, or assistant.

Example: A group of subjects enters a clinic lobby or property who are not patients of the facility and cause a disturbance therefore, intimidating staff and patients, but upon contact with law enforcement agree to leave the property. In this case, an arrest for PC §423.2(c) would be appropriate.

C. Intentionally damaged or destroyed property [PC §423.2(e) First Violation Misd., Subsequent violations possible Felony..]

1. Of a person, entity, or facility, or attempted to do so; and

2. Committed this act because the person, entity, or facility is a reproductive health services patient, provider, assistant, or facility.

D. Intentionally videotaped, filmed, photographed, or recorded by electronic means (PC §423.2 (g) First Violation Misd., Subsequent violations possible Felony.]

1. Within 100 feet of the entrance to, or within a reproductive health services facility;

2. A reproductive health services patient, provider, or assistant without that person's consent;

3. With the specific intent to intimidate the person from becoming or remaining a reproductive health services patient, provider, or assistant; and

4. Thereby caused the person to be intimidated.

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Crimes Relating to Reproductive Health Services Facility

Prohibition on Posting Personal Information with the Intent to Incite Others to Commit a Crime of Violence or a Threat of Violence (Gov. Code §6218.01 Misd.):

1. Posting on the internet or social media the personal information or image of a reproductive healthcare services patient, provider, or assistant, or other individuals residing at the same home address; and

2. Committing this act with the intent that another person imminently uses that information to commit a crime involving violence or a threat of violence against such person.

Reproductive Health Services Facility Obstruction (PC §602.11 Misd.): To intentionally prevent an individual from entering or exiting a healthcare facility by physically detaining the individual or physically obstructing the individual's passage.

Explosive Devices at a Healthcare Facility or Educational Event (PC §11413 Felony): To explode, ignite, or attempt to explode or ignite any destructive device or any explosive, or commit arson, in or about any health facility or place at which a lecture, film, or private meeting that educates about abortion practices is being held with the intent to terrorize someone else or with reckless disregard of terrorizing someone else.

Crimes Against Reproductive Healthcare Providers and Patients

Vandalism (PC §594 Felony or Misd.): Damaging, destroying, or defacing real or personal property. Damages from multiple incidents—even if there are multiple victims—can be aggregated to charge the offense as a felony if the incidents of vandalism were not "separate and distinct."

Trespass [PC §602(o) Misd.]: Refusing or failing to leave private property, not open to the general public upon being asked to leave by the owner or a peace officer.

Unlawful Assembly (PC §407 Misd.): When two or more persons assemble to do an unlawful act, or do a lawful act in a violent, boisterous, or tumultuous manner. The intent to act in an unlawful manner may be formed either before or during the assembly.

Remaining at an Unlawful Assembly After a Warning to Disperse (PC §409 Misd.): Staying at an unlawful assembly after being warned to disperse.

Refusing to Disperse Upon Lawful Command [PC §416(a) Misd.]: Two or more persons that assemble to disturb the peace, or commit any unlawful act, and do not disperse on being commanded so to do by an officer.

Reporting/Sending False "Bombs" (PC §148.1 Felony or Misd.): To report to the occupant of a building that a bomb or explosive has been or will be placed in any public or private place, knowing the report is false. Even a statement about a bomb that is "not seriously made or understood" can be a basis for a violation of this statute.

Stalking (PC §646.9 Felony or Misd.): A person who willfully and repeatedly follows or harasses another person and makes a credible threat—verbally, in writing, or by electronic communication with the intent to place them in reasonable fear for their safety, or the safety of their family.

Criminal Threats (PC §422 Felony or Misd.): Threatening, verbally, in writing, or by means of an electronic communication device, another person with death or great bodily injury with the intent that it be taken seriously, even if the perpetrator does not actually intend to carry it out.

Interference with the Exercise of Civil Rights (PC §422.6 Misd.): Certain factual scenarios involving anti-abortion actors could satisfy the elements of a hate crime offense. There must

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be evidence that the victim's perceived gender was a motivating factor for the crime. An example could be a perpetrator screaming sexist epithets.

Hate Crime Enhancements (PC §422.75 Felony, PC §422.7 Misd.): If a person commits a crime and was motivated in part by the fact of that the victim's perceived gender was a woman, they are eligible for a sentence enhancement.

Obscene or Threatening Telephone Call or Electronic Contacts [PC §653 m(a) Misd.]: Making a telephone call or electronic contact, with the intent to annoy or harass, and using obscene language or uttering a threat to inflict injury to the person, their property, or their family member. The statute applies to calls, emails, text messages, and postings on social media.

Annoying Telephone Calls or Electronic Contacts [PC §653m(b) Misd.]: Making repeated telephone calls or electronic contacts with the intent to annoy or harass.

Electronic Harassment [PC §653.2(a) Misd.]: Electronic publication of another person's personal identifying information, their image, or a harassing message, with the intent to place them in fear of their safety or the safety of their family. The statute applies to postings on social media.

Online Impersonation (PC §528.5 Misd.): Credibly impersonating another person on a website or other electronic means for the purpose of harming, intimidating, threatening, or defrauding them. Each separate use of a victim's identifying information constitutes a new crime.

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2 Law Enforcement Responsibilities

Prohibited Activities

Individuals in states with restrictive abortion laws may try to have law enforcement in California arrest, extradite, obtain, or share information about individuals for abortion-related activities that are legal here.

Examples of such activities may include procuring, providing, or obtaining a prescription for mifepristone or misoprostol (abortion pills) and the taking of such medication; the use of the internet, or web-based or phone-based apps to procure, provide, or obtain such medication or a surgical abortion; self-managed abortion, or providing or obtaining in-clinic or self-managed abortion without medical or other justification (as defined by the demanding state).

In making their requests, they may not disclose the fact that their request is about abortion-related activity by characterizing it as, for example, child endangerment, child abuse, drug abuse, concealing a death, or murder.

Arrests and Information Sharing

1. Officers are prohibited from arresting or participating in the arrest of someone for performing, obtaining, or helping someone obtain a legal abortion in California. [PC §13778.2, subd.(a)]

Note: this requirement also applies to out of state warrants.

2. Officers are prohibited from cooperating with or providing information to any individual, agency, or department from another state about a legal abortion in California. Sharing such information with federal law enforcement agencies is also not permitted, unless required by federal law. [PC §13778.2, subd.(b)]

3. Officers may not arrest individuals based on their actions or omissions with respect to their pregnancy or actual, potential, or alleged pregnancy outcome, including miscarriage, stillbirth, or abortion, or perinatal death due to causes that occurred in utero, nor a person who aids or assists a pregnant person in exercising their rights. [Health & Safety Code §123467, subds (a)-(b).]

4. Prison staff shall not disclose identifying medical information related to an incarcerated person's right to seek and obtain an abortion if the information is being requested based on another state's laws or foreign penal civil action that interfere with a person's reproductive rights. [PC §3408(r).]

Search Warrants, Wiretaps, Pen Registers, and Trap and Trace Devices

Officers shall not seek a search warrant, wiretap, pen register, or trap and trace device, that pertain to an investigation into a "prohibited violation" [PC §629.52, subd. (e), 638.52, subd. (m), 1524, subd. (h)] A "prohibited violation" is defined as any violation of law that creates liability for either providing, facilitating, or obtaining an abortion that is lawful under California law, or intending or attempting to provide, facilitate, or obtain an abortion that is lawful under California law. [PC §629.51, subds. 5(A)-(B), 638.50, subd.(d).]

Note: Law enforcement may still obtain a search warrant in the investigation of a sex trafficking case, for example, where a victim is forced to have an abortion against her will. This would be a form of reproductive coercion and is not lawful in California.

Out of State Warrants

1. Officers are prohibited from arresting or participating in the arrest of someone for performing, obtaining, or helping someone obtain a legal abortion in California. [PC §13778.2, subd.(a)]

   Governor Newsom issued Executive Order N-12-22 that ensures California will not extradite individuals who provide reproductive healthcare to out-of-state patients here, or other persons in California who assist out-of-state patients in seeking reproductive healthcare in California.

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Examples of activity that may involve the provision of reproductive healthcare services can include:

- Procuring, providing, or obtaining a prescription for mifepristone or misoprostol and the taking of such medication;
- The use of the internet or web or phone-based apps to procure such medication; and
- Providing or obtaining in-clinic or surgical abortion without medical or other justification (as defined by the demanding state).

The out-of-state warrant may list crimes such as child endangerment, child abuse, drug use, or murder. Officers are encouraged to further investigate the underlying facts to ensure they are not violating this statutory prohibition and Order.

2. If an arresting agency files a verified complaint under PC §1551 regarding the extradition of an individual taken into custody on the basis of an out-of-state warrant, the filing agency must, **within 24 hours, electronically transmit to the Attorney General's office a complete copy of the verified complaint**, the out-of-state indictment, information, complaint or judgment, out-of-state warrant, and the affidavit upon which the out-of-state warrant was issued. [PC §1551(b)]. These materials should be sent to *Extradition@doj.ca.gov*.

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Law Enforcement Reporting Requirements

The Reproductive Rights Law Enforcement (RRLE) Act [PC §13777 (a)(2)(A)-(C)] requires law enforcement agencies to provide to the Department of Justice the total number of:

1. Anti-reproductive-rights crime-related calls for assistance made to local law enforcement agencies; and,
2. Arrests for anti-reproductive rights crimes, by category (PC §423.2).

As of June 30, 2022, law enforcement agencies are required to report Anti-Reproductive Rights Crimes to the Attorney General monthly, through either the California Incident Based Reporting System (CIBRS) or BCIA 8370 and 8371 forms (Appendix 2).

In addition, law enforcement agencies are required to develop, adopt, and implement written policies and standards for officers' responses to anti-reproductive rights calls by January 1, 2023 (PC §13778.1).

3 Training

Consistent with existing policy, law enforcement agencies should train officers on the following:

- Local, state, and federal laws (i.e., Freedom of Access to Clinics Act) regarding anti-reproductive-rights crimes, First Amendment rights, and reproductive rights of patients (Appendix 1) List of relevant statutes).
- Mandatory compliance with the reporting of anti-reproductive-rights crimes to the Department of Justice (Appendix 2).
- Department policies and procedures regarding related crimes.
- Requirement to restrict sharing any information about legal abortions in California with law enforcement from other states or federal agencies.
- The need to examine any out-of-state arrest warrant to determine if it relates to an abortion that is legal in California, prior to taking any person into custody or accepting bail based on an out-of-state warrant. Law enforcement agencies should be aware that there is no obligation that they make an arrest based on an out-of-state warrant and contact the California Attorney General's Office if they have any questions regarding an out-of-state warrant.

  Note: The warrant may not clearly state that the offense is related to an abortion. It could appear as an offense such as child endangerment, child abuse, or murder.
- Use caution when applying for authorization from a magistrate to intercept electronic communications or wires, to install trap and trace devices, or for warrants on behalf of other states to ensure they are not seeking information related to abortions that are legal under California law.

Consistent with existing policy, dispatchers should be trained in the following:

- Pertinent local, state, and federal laws regarding anti-reproductive-rights crimes.
- Specific response protocol, if applicable.

4 Collaboration and Communication

Consistent with existing policy, the following strategies should be considered to most efficiently handle anti-reproductive-rights crimes:

- Communicate regularly with reproductive healthcare service providers.

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- Consider mutually beneficial activities such as security assessments, active shooter training, or other non-event emergency related activities with reproductive healthcare service providers.
- Offer guidance and appropriate trespassing enforcement authorization forms to reproductive healthcare facilities and personnel.
- Designate a liaison at the supervisor level to lead all communications with the reproductive healthcare service providers.
- Establish a collaborative relationship with organizations that monitor anti-abortion activities and crimes.
- Exchange of information among law enforcement agencies concerning anti-reproductive rights trends occurring at events in nearby jurisdictions or on social media.
- Establish collaborative arrangements among law enforcement agencies, legal liaisons, judges, local prosecutors, U.S. Attorneys, and jails.
- Regular communication with business owners, property owners, and residents in areas affected by anti-reproductive rights related conflicts regarding community perspectives, concerns, and suspicious persons or activities.

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5 Event and/or Protest Planning

Agencies should review their existing policy regarding civil disturbances and/or demonstrations when preparing for a scheduled or unscheduled event at a reproductive healthcare service facility. Reproductive health facilities staff may be a valuable resource regarding anticipated activities and information, including prior events and patterns.

6 Event and/or Protest Guidelines

Following a situational assessment for an event, law enforcement agencies should assign officers as primary contacts to both the event organizers and the reproductive healthcare service facility, consistent with existing policy, to ensure their issues and needs are fully addressed.

Different officers should be assigned to the reproductive healthcare service provider, pro-reproductive rights demonstrators, anti-reproductive rights demonstrators, and, if applicable, to legitimately interested parties (e.g., media, business owners, or residents) in order to:

- Outline mutually acceptable behavior.
- Discuss and distribute relevant laws with consultation by respective agency legal advisors.
- Establish the currency and validity of court orders and/or injunctions.

Officers responding to an event or protest should check with the reproductive healthcare service facility to see if an event response kit has been prepared. A kit may include relevant items such as injunctions and contact information for the service provider manager or owner.

7 Boundaries

When handling events or protests, law enforcement officers should clearly mark injunction or law enforcement zones according to any valid court order, local ordinance, statute, or permit, consistent with existing policy. Law enforcement should be familiar with any ordinances, court orders, or injunctions prohibiting willfully and knowingly approaching any person seeking to enter such a facility within a specified distance of the entrance of a reproductive healthcare facility. Law enforcement should also mark a 100-foot boundary line from the clinic, consistent with PC §423.2, subdivision (g) concerning videotaping, filming (livestreaming), photographing, or recording with the specific intent to intimidate.

8 Arrest Procedures

When handling events at reproductive health service facilities, law enforcement officers should conduct arrests consistent with existing policy.

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Appendices

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Appendix 1

Statutory Laws Pertaining to Anti-Reproductive-Rights Crimes

PART A: State Laws

California Penal Code:

§ 13776(a)	Anti-Reproductive Rights Crimes Defined
§ 423	California Freedom of Access to Clinic and Church Entrances (FACE) Act
§ 13775-8	Reproductive Rights Law Enforcement (RRLE) Act

Additional Crimes Related to Anti-Reproductive Rights Investigations:

§ 148.1	Reporting/sending false "bombs"
§ 407	Unlawful assembly
§ 409	Remaining at an unlawful assembly after a warning to disperse
§ 416	Refusing to disperse upon lawful command
§ 422	Criminal threats with death or great bodily injury serious intent
§ 528.5	Online impersonation for purpose of harming, intimidating, threatening or defrauding them
§ 594.4	Vandalism; structure; noxious or caustic chemicals or substances
§ 602(o)	Trespass; refusing to leave private property upon being asked by the owner or police officer to leave.
§ 602.11	Obstructing passage to or from healthcare facilities, places of worship or schools
§ 646.9	Stalking; repeatedly follows or harasses and makes a credible threat to place them or their family in fear for their safety
§ 653m(a)	Obscene or threatening telephone call or electronic contact
§ 653m(b)	Annoying telephone calls or electronic contacts
§ 653.2(a)	Electronic harassment; electronic publication of another person's identifying information, image, or harassing message with intent to cause fear
§ 11413	Terrorism; use of destructive device or explosive or commission of arson in certain places

California Civil Code:

§ 3427–3427.4	Commercial blockade at a healthcare facility

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California Government Code:

§ 6215–6215.5	Address confidentiality for reproductive healthcare service providers, employees, volunteers, and patients
§ 6218.01	Prohibition on posting personal information with the intent to incite others to commit a crime of violence or a threat of violence

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Appendix 1

Statutory Laws Pertaining to Anti-Reproductive-Rights Crimes

PART B: **Federal Laws**

United States Code:

§248, Freedom of Access to Clinic Entrances (FACE) Act of 1994

This federal law imposes criminal and civil penalties on anyone who uses "force, threat of force, or physical obstruction" to prevent a person from providing or receiving reproductive health services. Every federal appellate court has upheld the Federal FACE Act.

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PART C: **Constitutional and Related Case Laws**

United States Constitution – First Amendment:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Case Law:

The US Supreme Court ruled 6-3 that the First Amendment right to free speech was not violated by a Colorado law limiting protest, education, distribution of literature, or counseling within eight feet of a person entering a healthcare facility ("buffer zone").

Hill v. Colorado, 530 U.S. 703, U.S. Supreme Court, June 28, 2000.

PART D: **Local Laws**

The following are examples of local ordinances. Please verify your local laws.

Bubble and Buffer Zone Ordinances:

Los Angeles – Municipal Code, ch. V, art. 6.1

Napa – Municipal Code tit. 12, ch. 12.72

Oakland – Municipal Code tit. 8, ch. 8.521

Sacramento – County Code §9.110.030; City Code §12.96.020

San Diego – Municipal Code §52.1001

San Francisco – Police Code art. 43, §4304

San Jose – Municipal Code §10.08.030

Santa Barbara – Municipal Code §9.99

Residential Picketing Ordinances:

Davis, California Davis Municipal Code §35.06

Glendale, California Glendale Municipal Code §9.20.080

Huntington Beach, California Huntington Beach Municipal Code §9.20.030

Irvine, California Irvine Municipal Code §414.104, 414.107 (2002)

Los Angeles, California Los Angeles Municipal Code, ch. 5, art. 6.1, §56.45(e) (5th ed., 1997)

Monrovia, California Code of Ordinances, tit. 9, ch. 9.20

Riverside, California Riverside Municipal Code §8.54.010, 9.54.030-9.54.050 (1999)

San Diego, California San Diego County Code §311.103

San Jose, California San Jose Municipal Code §10.09.010

Santa Ana, California Santa Ana Municipal Code §10110

Solana Beach, California Solana Beach Municipal Code §7.38.010-7.38.020

Tustin, California Tustin Municipal Code §§6510-6520

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Appendix 2

Reporting Procedures for Anti-Reproductive-Rights Crimes

This section includes the following ARRC reporting materials:

Appendix 2-A **Data Collection Worksheet**

Appendix 2-B **Data Collection Worksheet (BCIA 8371) Instructions**

Appendix 2-C **Monthly Report – Summary Worksheet**

Appendix 2-D **Face Act – Quick Reference**

Appendix 2-E **Face Act – Field Guide**

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STATE OF CALIFORNIA
BCIA 8371
(Orig. 5/02; Rev. 3/09)

DEPARTMENT OF JUSTICE
PAGE 1 of 2

ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC) DATA COLLECTION WORKSHEET

Print Form Reset Form

ADMINISTRATION

Preparer's Name		Telephone Number	
Agency		NCIC Number	Date

INCIDENT INFORMATION

Occurrence Date	Time	Crime Case Number	Total Number of Individual Victims	Total Number of Property Victims

ARRC Offenses(s)

	Statute (Code Section)	Literal	Level (M/F)	Number of Victims/Property
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

Location Type (*check one*)

- ☐ Public Health Facility
- ☐ Private Health Facility
- ☐ Commercial/Office Building
- ☐ Government/Public Building
- ☐ Parking Lot/Garage
- ☐ Residence/Home/Driveway
- ☐ Religious Facility
- ☐ School/College
- ☐ Other _____

If Weapon Involved, Check Type (*up to 3*)

- ☐ Firearm (type unknown)
- ☐ Handgun
- ☐ Rifle
- ☐ Shotgun
- ☐ Other Firearm (machine gun, bazooka, etc.)
- ☐ Knife/Cutting Instrument (ax, ice pick, screwdriver, switchblade, etc.)
- ☐ Blunt Object (club, hammer, etc.)
- ☐ Motor Vehicle (when used as a weapon)
- ☐ Personal Weapons (hands, fists, feet, etc.)
- ☐ Poison
- ☐ Explosives
- ☐ Fire/Incendiary Device
- ☐ Drugs/Narcotics
- ☐ Asphyxiation (by drowning, strangulation, suffocation, gas, etc.)
- ☐ Unknown
- ☐ Other _____

VICTIM INFORMATION

	Race	Sex	Date of Birth	Victim Type	Victim Of (*refer to statute list above*)
V1		☐ M ☐ F			☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10
V2		☐ M ☐ F			☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10
V3		☐ M ☐ F			☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10
V4		☐ M ☐ F			☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10
V5		☐ M ☐ F			☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10

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STATE OF CALIFORNIA
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ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC) DATA COLLECTION WORKSHEET

PROPERTY

Property Type	Type of Loss or Damage	Quantity	Value
	☐ None ☐ Burned ☐ Destroyed/Damaged/Vandalized ☐ Stolen		
Property Description or Property Category Code			
Property Type	Type of Loss or Damage	Quantity	Value
	☐ None ☐ Burned ☐ Destroyed/Damaged/Vandalized ☐ Stolen		
Property Description or Property Category Code			
Property Type	Type of Loss or Damage	Quantity	Value
	☐ None ☐ Burned ☐ Destroyed/Damaged/Vandalized ☐ Stolen		
Property Description or Property Category Code			

SUSPECT INFORMATION

	Race	Sex	Date of Birth or Age
S1		☐ M ☐ F ☐ Unknown	
S2		☐ M ☐ F ☐ Unknown	
S3		☐ M ☐ F ☐ Unknown	
S4		☐ M ☐ F ☐ Unknown	
S5		☐ M ☐ F ☐ Unknown	

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LEGEND

RACE/ETHNICITY CODES

A - Other Asian
B - Black
C - Chinese
D - Cambodian
F - Filipino
G - Guamanian
H - Hispanic
I - American Indian
J - Japanese
K - Korean
L - Laotian
O - Other
P - Pacific Islander
S - Samoan
U - Hawaiian
V - Vietnamese
W - White
Z - Asian Indian
X - Unknown

VICTIM TYPE CODES

IC - Individual Client
IE - Individual Employee
IO - Individual Other

PROPERTY TYPE CODES

B - Business
G - Government
H - Health Facility
OE - Other Entity
R - Religious Organization

PROPERTY CATEGORY CODES

1 - Automobiles
2 - Bicycles
3 - Buses
4 - Clothes/Furs
5 - Computer Hardware/Software
6 - Office-type Equipment
7 - Other Motor Vehicles
8 - Personal Items Other Than Clothing (Purses/Handbags/Wallets)
9 - Radios/TVs/VCRs/DVRs
10 - Structures - Single Occupancy Dwellings
11 - Structures - Other Dwellings
12 - Structures - Other Commercial/Business
13 - Structures - Public/Community
14 - Structures - Other
15 - Other

ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC)
Data Collection Worksheet (BCIA 8371) Instructions

Requirement:
The Data Collection Worksheet (BCIA 8371) should be completed and submitted only if there are ARRCs to report for your agency.

NOTE: It is the purpose of this legislation to collect data on **any** crime committed partly or wholly because the victim is a reproductive health services client, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity, or any class of persons or entities from becoming or remaining a reproductive health services client, provider, or assistant.

Frequency:
At the end of the month, enter the total number of ARRCs reported to your agency on the Summary Worksheet (BCIA 8370) and attach a completed Data Collection Worksheet (BCIA 8371) for each ARRC. If there are no ARRCs to report, submit only the Summary Worksheet (BCIA 8370).

Submit these forms by the 10th working day for the preceding month (for example, July data should be submitted by the 10th working day in August).

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ADMINISTRATION:

Preparer's Name
Enter the name of the person who prepared the form and whom should be contacted regarding questions.

Telephone Number
Enter the area code and telephone number of the person to be contacted if questions arise.

Agency
Enter the name of your agency.

NCIC Number
Enter your agency's ORI/NCIC number. Agencies should abbreviate the nine-character NCIC code by using the fourth through seventh character of the NCIC code. For example, if your NCIC number is "CA0570100," report "5701" only.

Date
Enter the date prepared.

INCIDENT INFORMATION:

Occurrence Date
Enter the month, day, and year of occurrence.

Time
If known, enter the time of occurrence in military 24-hour time.

ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC)
Data Collection Worksheet (BCIA 8371) Instructions

Crime Case Number
Enter the number assigned by your agency used to identify each report uniquely, e.g., the Originating Agency Case Number.

Total Number of Individual Victims
Enter the total number of individual victims involved in the incident.

Example: The suspect assaulted an employee at a reproductive health services facility. The suspect also broke the window of the reproductive health services facility. Report "1" victim (the employee) in the "Total Number of Individual Victims" box.

Total Number of Property Victims
Enter the total number of property victims involved in the incident.

Example: Referring to the example above, report "1" property victim (the reproductive health services facility) in the "Total Number of Property Victims" box.

Statute (Code Section) Attach additional sheets of paper if needed.
Enter all ARRC offenses involved (up to 10) in the ARRC incident. If there are more than 10 ARRC offenses involved in an incident, enter the 10 most serious offenses. Record each statute code only once even though there may have been more than one victim per offense. Report the exact statute (Penal Code, Health and Safety Code, etc.), section number, and appropriate subsection.

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Literal
Enter a short description of the statutory code section.

Level
Enter the level of the code section involved ("M" for misdemeanor or "F" for felony).

Number of Victims/Property
Enter the number of victims for each offense which were perpetrated against him/her during the incident.

Example: During a protest an unruly participant refuses requests to leave the grounds of a health facility. The participant also shoves two clients walking into a reproductive health services facility and then breaks a window of the building. The participant is arrested for 423.2 (A) PC, 423.2 (E) PC, and 602.1(A) PC. Enter 423.2 (A) PC, 423.2 (E) PC, and 602.1 (A) PC in the Statute Code Section fields.

ARRC Offense(s) Statute (Code Section)	Literal	Level (M/F)	Number of Victims/Prop
1. 423.2(A) PC	violence/etc: reproductive health client	M	2
2. 423.2(E) PC	intentionally damage property:repro health svs	M	1
3. 602.1(A) PC	trespass:obstruct/etc. business operations/etc.	M	1

ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC)
Data Collection Worksheet (BCIA 8371) Instructions

Location Type
Select a location type to show where the ARRC offense took place. If the location does not fit into one of the categories listed, select "other' and enter the location.

If Weapon Involved
Choose up to three types of weapons/force used by the suspect. If the weapon does not fit into one of the categories listed, select "other' and enter the weapon.

VICTIM INFORMATION: *Attach additional sheets of paper if needed.*

Race
Enter the victim's race using the race/ethnicity codes provided in the legend.

Sex
Enter the victim's sex.

Date of Birth
Enter the victim's date of birth (mm/dd/yyyy).

Victim Type
Enter the appropriate victim type code:

IC=Individual Client (reproductive health services client)

IE=Individual Employee (reproductive health services employee)

IO=Individual Other (individual not fitting the above specifically listed individuals)

Victim Of
For each victim, select the boxes of the offenses (numbered in the statute code section) which were perpetrated against them during the incident.

PROPERTY: *Attach additional sheets of paper if needed.*

Property Type
Enter the appropriate property type code:

- B Business
- G Government
- H Health Facility (includes hospital, physician's office, abortion clinic, family planning clinic, etc.)
- OE Other Entity (represents acts directed at entities which do not fit in any of the other categories)
- R Religious Organization (or building associated with a specific religious group)

Type of Loss or Damage
Select the type of loss or damage to the property. For each type of loss or damage, up to 10 property descriptions or property categories (see legend) can be reported.

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ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC)
Data Collection Worksheet (BCIA 8371) Instructions

Quantity
Report how many properties were burned, stolen, destroyed, etc., as a result of the incident.

Value
Report the dollar value of the property, which was burned, stolen, destroyed, etc., as a result of the incident. Up to 10 values can be entered to match the up to 10 property descriptions. If more than 10 types of property are involved, the values of the nine most valuable properties are to be reported; then, the total value of the remaining properties which were coded "other" are to be combined and reported as one total.

Property Description or Property Category Code
For each type of property loss, up to 10 property descriptions or property category codes (see legend) can be reported. If more than 10 types of property are involved, the nine most valuable specifically listed types of property are to be reported and the remaining types of property are to be combined and reported as "other."

SUSPECT INFORMATION: *Attach additional sheets of paper if needed.*

Race
Enter the suspect's race using the race/ethnicity codes given in the legend. If the suspect information is unknown, enter "X" (unknown).

Sex
Enter the suspect's sex. If the suspect information is unknown, select "unknown."

Date of Birth or Age
Enter the suspect's date of birth or approximate age. If unknown, leave blank.

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STATE OF CALIFORNIA DEPART,EMT OF JUSTICE

MONTHLY REPORT OF ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC) SUMMARY WORKSHEET

BCIA 8370 (rev. 11/06)

AGENCY	
NCIC NUMBER	REPORTING MONTH/YEAR
☐ THERE WERE _____ ARRCs REPORTED TO THIS DEPARTMENT FOR THIS MONTH (Attach Data Collection Worksheets) ☐ THERE WERE NO ARRCs REPORTED TO THIS DEPARTMENT FOR THIS MONTH	
PREPARER'S NAME	TELEPHONE NUMBER
SUBMIT THIS SUMMARY SHEET WITH THE ARRC DATA COLLECTION WORKSHEET(S), IF ANY, TO: State of California Department of Justice CRIMINAL JUSTICE STATISTICS CENTER P.O. Box 903427 Sacramento, CA 94203-4270 **ATTN: Anti-Reproductive-Rights Crimes**	

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Purpose:
It is the intent of the Department of Justice to:

- Collect data on all crimes relating to violations of the Reproductive Rights Law Enforcement Act.
- Collect data on the threatened commission of anti-reproductive-rights crimes and persons suspected of committing these crimes or making these threats.
- Distinguish between crimes of violence and non-violence.

INSTRUCTIONS FOR COMPLETION:

SUBMIT ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC) AS DEFINED IN PENAL CODE SECTION 13776 (A). SEE REVERSE SIDE OF THIS FORM FOR PENAL CODE STATUTES TO BE USED WHEN COMPLETING THIS FORM.

NOTE: *It is the purpose of this legislation to collect data on any crime committed partly or wholly because the victim is a reproductive health services client, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity, or any class of persons or entities from becoming or remaining a reproductive health services client, provider, or assistant.*

Requirement:
This form should be submitted monthly whether or not an ARRC occurred.

Frequency:
Submit monthly, by the 10th working day for the preceding month (for example, July data should be submitted by the 10th working day in August).

Reporting # of ARRCs:
If there are ARRCs to be reported by your agency, check the first box and enter the total number of ARRCs for the reporting month. Attach Data Collection Worksheets for each ARRC reported.

If there were no ARRCs to report, check the second box and submit the Summary Worksheet only.

The following Penal Code Sections are to be used when completing this form and the Data Collection Worksheet (BCIA 8371):

Section 423.1 PC (Definitions)

The following definitions apply for the purposes of this title:

(a) "Crime of violence" means an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another.

(b) "Interfere with" means to restrict a person's freedom of movement.

(c) "Intimidate" means to place a person in reasonable apprehension of bodily harm to herself or himself or to another.

(d) "Nonviolent" means conduct that would not constitute a crime of violence.

(e) "Physical obstruction" means rendering ingress to or egress from a reproductive health services facility or to or from a place of religious worship impassable to another person, or rendering passage to or from a reproductive health services facility or a place of religious worship unreasonably difficult or hazardous to another person.

(f) "Reproductive health services" means reproductive health services provided in a hospital, clinic, physician's office, or other facility and includes medical, surgical, counseling, or referral services relating to the human reproductive system, including services relating to pregnancy or the termination of a pregnancy.

(g) "Reproductive health services client, provider, or assistant" means a person or entity that is or was involved in obtaining, seeking to obtain, providing, seeking to provide, or assisting or seeking to assist another person, at that other person's request, to obtain or provide any services in a reproductive health services facility, or a person or entity that is or was involved in owning or operating or seeking to own or operate, a reproductive health services facility.

(h) "Reproductive health services facility" includes a hospital, clinic, physician's office, or other facility that provides or seeks to provide reproductive health services and includes the building or structure in which the facility is located.

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Section 423.2 PC (Elements of Offense)

Every person who, except a parent or guardian acting towards his or her minor child or ward, commits any of the following acts shall be subject to the punishment specified in Section 423.3.

(a) By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant....

(c) By nonviolent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant....

(e) Intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services client, provider, assistant, or facility....

Section 13776 PC (Definitions)

(a) "Anti-reproductive rights crime" means a crime committed partly or wholly because the victim is a reproductive health services client, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity, or any class of persons or entities from becoming or remaining a reproductive health services client, provider, or assistant. "Anti-reproductive rights crime" includes, but is not limited to, a violation of subsection (a) or (c) of Section 423.2.

Things to Consider Asking or Noting in Report During Investigation

- Who was harmed? - Repro. Health Services Provider, Patient, Assistant
- How were they harmed? - Injured, Intimidated, Interference
- What property was damaged or destroyed (of facility or person)?
- What is the Distance/Proximity to Reproductive Health Services Facility?
- What was the Distance/Proximity to the Victim when incident/threat/photo/etc. occurred? (Think "buffer zone")
- Establish Knowledge/Intent of Suspect (specific intent crime):
  - Signage at Facility?
  - Signage Suspect is holding says?
  - Reason suspect there today?
  - Suspect lives? (Local or out of town)
  - Suspect known to provider? (i.e. Repeat Offender)
  - Specific Statement/Threat said to victim?
  - Intimidation: was the victim intimidated? How?

F.A.C.E. ACT (P.C. 423.2)

P.C. 423.2(a) - Violent Obstruction - the use or attempted use, or threat of use of physical force against person or property

P.C. 423.2(c) - Nonviolent physical obstruction

BOTH Violent Obstruction and Nonviolent Obstruction look for:

- Intentionally injured, intimidated, or interfered with clinic patients, providers, or assistants
  - Because that person or entity is a reproductive patient, provider, or assistant **OR** to intimidate a person or entity, or a class ofperson or entities from becoming or remaining a reproductive health services patient, provider, or assistant

P.C. 423.2(e) -Intentionally damaged or destroyed property

P.C. 423.2(g) -Intentionally videotaped/filmed/photographed/recorded

- Within 100 feet of entrance
- Taken of a patient, provider, or assistant, without consent
- To intimidate & person was intimidated
- **Intimidate defined (P.C. 423.l(c))** - to place person in reasonable apprehension of bodily harm to self or another.

P.C. 423.2(h) - Intentionally disclosed or distributed a videotape/film/photo/recording

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FIELD GUIDE: Anti-Reproductive-Rights Crimes & FACE Act

1. OVERVIEW

The California FACE Act (PC §423.2) criminalizes actions intended to intimidate or obstruct access to reproductive healthcare facilities. This field guide provides officers with a concise summary of violations.

2. FACE ACT VIOLATIONS (PC §423.2)

- Force/threats of force against patients or providers
- Nonviolent physical obstruction (e.g., blocking entrances)
- Intentional property damage (clinic or provider-related)
- Recording within 100 feet of a facility with intent to intimidate

3. QUICK FIELD CHECKLIST

- [ ] Within 100 ft of facility?
- [ ] Intent to intimidate?
- [ ] Recording without consent?
- [ ] Blocking access?
- [ ] Property damage?
- [ ] Fear or disruption caused?

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4. RELATED PENAL CODE VIOLATIONS

- PC §594 – Vandalism
- PC §602(o) – Trespass
- PC §407 – Unlawful Assembly
- PC §653m – Threatening Communications
- PC §422 – Criminal Threats
- PC §11413 – Explosives at Health Facilities

5. OFFICER RESTRICTIONS – DO NOT:

- Arrest anyone for legal abortion-related activity in CA (PC §13778.2) – Per Penal Code §13778.2, California will not cooperate with out-of-state investigations or prosecutions for reproductive healthcare services that are lawful in California.
- Share info about legal abortions with out-of-state/federal agencies – AB 2091 and SB 107 limit disclosure of reproductive health information, especially when related to legal care within California.
- Seek warrants for legal abortion activity in California (PC §1524(h), §629.52(e)) – Penal Code §§1524(h) and 629.52(e) prohibit such warrants for reproductive care legal under California law.

- Arrest based on out-of-state warrants for legal reproductive care – California law prohibits cooperation with other states' efforts to criminalize legal reproductive care provided or received in California.

6. REPORTING REQUIREMENTS

- Report all anti-reproductive-rights crimes monthly to DOJ (CIBRS or BCIA 8370/8371)
- Include calls for service, arrests, and types of conduct (intimidation, threats, damage)

REMINDER: Always verify facts in out-of-state warrants before any arrest or detention.

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AGENDA ITEM REPORT

Title: REPORT ON THE HUMAN TRAFFICKING GUIDELINES UPDATE

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Management Counseling and Projects Bureau	
RESEARCHED BY Raymund Nanadiego		**REVIEWED BY**
REPORT DATE 07/16/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/12/2025
PURPOSE		**FINANCIAL IMPACT** No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

BACKGROUND:

The previous version of the Human Trafficking Guidelines was published in 2014. Assembly Bill 2020 (Bonta, 2024) was passed as the "Survivors of Human Trafficking Support Act" and added the following sections into the Welfare and Institutions Code:

23020: By no later than December 1, 2026, each law enforcement agency shall establish and maintain a written policy regarding interactions with survivors of human trafficking based on the guidelines developed by the commission pursuant to Section 23024.

23022:
(a) A policy established pursuant to this chapter shall, without limitation, include all of the following:

- (1) A requirement that an officer contacting a survivor of human trafficking inform them that they have the right to have an advocate present during any interviews with law enforcement and other subsequent examinations and proceedings.
- (2) A requirement that the officer explain the benefits of being represented by an advocate, including, without limitation, confidentiality and evidentiary privilege, emotional support, assistance in accessing resources, and assistance with understanding their legal rights.
- (3) A requirement that, if the survivor requests an advocate, the officer contact the rape crisis center or

another appropriate organization, such as an immigrant services organization, and arrange for an advocate to be present for any further interviews or examinations.
- (4) A requirement that an officer obtain a waiver in writing if a survivor refuses an advocate, and inform them that they may revoke their waiver at any time and request an advocate.
- (5) A requirement that the officer provide referrals to organizations that provide services to survivors of human trafficking, including, but not limited to, immigrant services organizations.
- (6) A requirement that a law enforcement agency, in collaboration with community-based organizations, establish a process for referrals of human trafficking victims to the county social services department.
- (7) A requirement that a law enforcement agency work with community-based organizations to provide referrals to services that are consistent with a survivor's culture, sexual orientation, and gender identity.

(b) Each law enforcement agency shall also create a standardized written waiver of advocacy or may use the waiver developed by the commission pursuant to Section 23024.

23024:
(a) By no later than June 1, 2026, the Commission on Peace Officer Standards and Training shall develop and promulgate minimum guidelines for law enforcement personnel interactions with survivors of human trafficking. A law enforcement agency shall use these guidelines as a resource in creating the policy required under Section 23020 to establish procedures for law enforcement interactions with survivors of human trafficking.
(b) The guidelines shall, without limitation, meet the requirements of a policy described in Section 23022.
(c)
- (1) In developing the guidelines, the commission shall collaborate with appropriate groups and individuals having an interest and expertise in human trafficking. This shall include, but is not limited to, all of the following:
    - (A) Community-based organizations providing services to survivors of human trafficking.
    - (B) Organizations with experience supporting survivors of labor trafficking, including, but not limited to, immigrant legal service providers.
    - (C) Human trafficking victim service organizations, as defined in subdivision (d) of Section 1038.2 of the Evidence Code, and domestic violence victim service organizations, as defined in subdivision (b) of Section 1037.1 of the Evidence Code, and rape crisis centers, as used in Section 13837 of the

Penal Code.

- (2) When collaborating with organizations pursuant to paragraph (1), the commission shall prioritize organizations that have been providing services for at least five years.

(d) The commission shall also develop and promulgate a standardized written waiver of advocacy, as described in Section 23022.

ANALYSIS:

Plans to update the Human Trafficking Guidelines began in December 2023. AB 2020 was introduced in January 2024 and chaptered in September 2024. Two workshops were held on November 2024 and February 2025 with a diverse group of subject matter experts to review and update the guidelines. The following seventeen (17) subject matter experts had experience in investigating and assisting survivors of sex trafficking and/or labor trafficking:

- Alia Azariah, Director of Aftercare/Survivor Leader (Safe House Project)
- Sawan Vaden, Director (Community Against Sexual Harm)
- Ashley Faison, Founder/Survivor Leader (Diamond Collective)
- Martha Parker, Agent (Federal Bureau of Investigations)
- Jason Collins, Detective (Sacramento Police Department)
- Martin Ziebarth, Deputy (El Dorado County Sheriffs Office)
- Megan Eschleman, Staff Services Manager II - Investigative Services Violent Crime Information Center (CA Department of Justice)
- Kyle Baker, Sergeant (Pittsburg Police Department)
- Courtney Martin, Assistant District Attorney (Sacramento District Attorney's Office)
- Braden Marks, Detective (Irvine Police Department)
- Cheryl Mackey, Department Chair/Professor/JD (Chabot College)
- Ryan Cantrell, Lieutenant (Hayward Police Department)
- Jeffrey Walker, Sergeant (Los Angeles County Sheriff's Department)
- Cassandra Helmuth, Deputy District Attorney (San Bernardino County District Attorney's Office)
- Arnold Lui, Inspector (Contra Costa County District Attorney's Office)
- Tiffany Susz, Supervising Deputy Attorney General (CA Office of the Attorney General)

The updated guidelines were split into two major sections: sex

trafficking and labor trafficking. The sex trafficking section includes the following subsections:

- laws
- victimology
- addressing the demand (i.e. sex buyers and exploiters)
- evidence
- resources (i.e. victim resources and investigative resources)

The labor trafficking section includes the following subsections:

- victimology
- scope of the problem
- industries where labor trafficking occurs
- labor trafficking tactics
- victim resources
- evidence

Pursuant to Welfare and Institutions Code 23022(b), a waiver of survivor advocacy was developed and added to the updated guidelines.

RECOMMENDATION: This report is presented for information only. No action is required.

ATTACHMENT(S):
Human Trafficking Guidelines 2025 FINAL.pdf

2025

POST Guidelines on
Law Enforcement Response to

HUMAN TRAFFICKING

CA COMMISSION ON POST

WWW.POST.CA.GOV

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FOREWORD

Human trafficking is one of the most horrific crimes committed in our society today. It involves the recruitment, abduction, transport, harboring, transfer, sale, or receipt of persons, within national or across international borders, through force, coercion, fraud, or deception. It places persons in situations of slavery or slave-like conditions, forced labor or services, such as forced prostitution or sexual services, domestic servitude, bonded sweatshop labor and other debt bondage. In other words, human beings are being bought and sold, sometimes repeatedly, for profit.

Human traffickers prey on the most vulnerable and disadvantaged members of society. They often lure victims by promising legitimate jobs to support their families. Instead, victims are devastated to learn they have been sold or trapped into a form of slavery. The nature of human trafficking makes it critical for law enforcement to understand the dynamics, indicators, and manifestations of its occurrence. Responding officers need the training and sensitivity necessary to provide the support that victims need to regain their lives.

The California Trafficking Victims Protection Act was enacted in late 2005 by statute (*Penal Code (PC) §13519.14*) and required the Commission to prepare guidelines for law enforcement response to human trafficking. POST encourages the sharing of this information with all law enforcement personnel who may serve as liaisons between human trafficking victims and the criminal justice system. The POST training video Human Trafficking (2020) is available on the POST Learning Portal.

The Commission appreciates the contributions of the Human Trafficking subject matter experts for their assistance in providing this information. Questions or comments concerning this document should be directed to the Management Counseling and Projects Bureau.

Manuel Alvarez Jr.
Executive Director
Commission on Peace Officer Standards and Training

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SEX TRAFFICKING OVERVIEW

LAWS

Human trafficking investigations may involve investigation into other crimes, including production, possession, and distribution of child sexual abuse material (CSAM), sexual assault, molestation, assault, property crimes, illegal possession and use of weapons, fraud, code violations, etc.

It is important for California Peace Officers to understand the laws associated with human trafficking and any related crimes. The purpose of this section is to highlight those areas of law and provide brief descriptions. For the complete text, officers should consult the California Penal Code.

Penal Code section ("PC") 236.1 (a) & (b) - Human Trafficking

A person who deprives or violates the personal liberty of another with the intent to obtain forced labor or services, is guilty of human trafficking. (PC 236.1(a))

A person who deprives or violates the personal liberty of another with the intent to effect or maintain a violation of Penal Code section 266 (Procurement), 266h (Pimping), 266i (Pandering), 266j (Procurement of child), 267 (Abduction of minor for prostitution), 311.1 (Sale or distribution of obscene matter depicting person under age of 18 years engaging in sexual conduct), 311.2 (Production, distribution, or exhibition of obscene matter), 311.3 (Sexual exploitation of child), 311.4 (Employment of minor in sale or distribution of obscene matter or production of pornography), 311.5 (Advertising or promotion of matter represented to be obscene), 311.6 (Obscene live conduct), or 518 (Extortion) is guilty of human trafficking. (PC 236.1(b))

PC 236.1(c) – Causing a Minor to Engage in a Commercial Sex Act

A person who causes, induces, or persuades, or attempts to cause, induce, or persuade, a person who is a minor at the time of commission of the offense to engage in a commercial sex act, with the intent to effect or maintain a violation of Penal Code section 266 (Procurement), 266h (Pimping), 266i (Pandering), 266j (Procurement of child), 267 (Abduction of minor for prostitution), 311.1 (Sale or distribution of obscene matter depicting person under age of 18 years engaging in sexual conduct), 311.2 (Production, distribution, or exhibition of obscene matter), 311.3 (Sexual exploitation of child), 311.4 (Employment of minor in sale or distribution of obscene matter or production of pornography), 311.5 (Advertising or promotion of matter represented to be obscene), 311.6 (Obscene live conduct), or 518 (Extortion) is guilty of human trafficking.

PC 266h – Pimping

Any person who, knowing another person is a prostitute, lives or derives support or maintenance in whole or in part from the earnings or proceeds of the person's prostitution, or from money loaned or advanced to or charged against that person by any keeper or manager or inmate of a house or other place where prostitution is practiced or allowed, or

who solicits or receives compensation for soliciting for the person, is guilty of pimping, a felony. (PC 266h(a))

Any person who, knowing another person is a prostitute, lives or derives support or maintenance in whole or in part from the earnings or proceeds of the person's prostitution, or from money loaned or advanced to or charged against that person by any keeper or manager or inmate of a house or other place where prostitution is practiced or allowed, or who solicits or receives compensation for soliciting for the person, when the prostitute is a minor, is guilty of pimping a minor, a felony. (PC 266h(b))

PC 266i – Pandering

Any person who does any of the following is guilty of pandering, a felony, and shall be punishable by imprisonment in the state prison for three, four, or six years:

(1) Procures another person for the purpose of prostitution.

(2) By promises, threats, violence, or by any device or scheme, causes, induces, persuades, or encourages another person to become a prostitute.

(3) Procures for another person a place as an inmate in a house of prostitution or as an inmate of any place in which prostitution is encouraged or allowed within this state.

(4) By promises, threats, violence, or by any device or scheme, causes, induces, persuades, or encourages an inmate of a house of prostitution, or any other place in which prostitution is encouraged or allowed, to remain therein as an inmate.

(5) By fraud or artifice, or by duress of person or goods, or by abuse of any position of confidence or authority, procures another person for the purpose of prostitution, or to enter any place in which prostitution is encouraged or allowed within this state, or to come into this state or leave this state for the purpose of prostitution.

(6) Receives or gives, or agrees to receive or give, any money or thing of value for procuring, or attempting to procure, another person for the purpose of prostitution, or to come into this state or leave this state for the purpose of prostitution. (PC 266i(a))

Any person who does any of the acts described above with another person who is a minor is guilty of pandering, a felony. (PC 266i(b))

PC 647(b) - Agreeing to an Act of Prostitution

A person who commits any of the following acts is guilty of disorderly conduct, a misdemeanor:

(1) An individual who solicits, or who agrees to engage in, or who engages in, an act of prostitution with the intent to receive compensation, money, or anything of value from another person. An individual agrees to engage in an act of prostitution when, with specific intent to so engage, the individual manifests an acceptance of an offer or solicitation by another person to so engage, regardless of whether the offer or solicitation was made by a person who also possessed the specific intent to engage in an act of prostitution.

(2) An individual who solicits, or who agrees to engage in, or who engages in, an act of prostitution with another person who is 18 years of age or older in exchange for the individual providing compensation, money, or anything of value to the other person. An individual agrees to engage in an act of prostitution when, with specific intent to so engage, the individual manifests an acceptance of an offer or solicitation by another person who is 18 years of age or older to so engage, regardless of whether the offer or solicitation was made by a person who also possessed the specific intent to engage in an act of prostitution.

(3) An individual who solicits, or who agrees to engage in, or who engages in, an act of prostitution with another person who is a minor in exchange for the individual providing compensation, money, or anything of value to the minor. An individual agrees to engage in an act of prostitution when, with specific intent to so engage, the individual manifests an acceptance of an offer or solicitation by someone who is a minor to so engage, regardless of whether the offer or solicitation was made by a minor who also possessed the specific intent to engage in an act of prostitution.

(4) A manifestation of acceptance of an offer or solicitation to engage in an act of prostitution does not constitute a violation of this subdivision unless some act, in addition to the manifestation of acceptance, is done within this state in furtherance of the commission of the act of prostitution by the person manifesting an acceptance of an offer or solicitation to engage in that act. As used in this subdivision, “prostitution” includes any lewd act between persons for money or other consideration.

(5) Notwithstanding paragraphs (1) to (3), inclusive, this subdivision does not apply to a child under 18 years of age who is alleged to have engaged in conduct to receive money or other consideration that would, if committed by an adult, violate this subdivision. A commercially exploited child under this paragraph may be adjudged a dependent child of the court pursuant to paragraph (2) of subdivision (b) of Section 300 of the Welfare and Institutions Code and may be taken into temporary custody pursuant to subdivision (a) of Section 305 of the Welfare and Institutions Code, if the conditions allowing temporary custody without warrant are met.

Related

PC 236.1(c)(2) - use of force, fear, fraud, coercion

PC 236.4(b) - infliction of great bodily injury during trafficking

PC 647(a) - Lewd Conduct in Public

PC 653.25 – Unlawful to Loiter to Purchase Commercial Sex

W&I 300/305 - Dependent Child/ Detention of Minor Human Trafficking Victim

Title 18 United States Code 1591- Sex Trafficking of Children or by Force, Fraud, Coercion

Title 18 Untied States Code 1594 - Attempt/ Conspiracy/ Forfeiture to Commit Sex Trafficking

Title 18 United States Code 2421- Mann Act (Interstate Transportation for the Purpose of Illegal Sexual Activity).

Agency Requirements

Welfare and Institutions Code section ("W&I") 23020

By no later than December 1, 2026, each law enforcement agency shall establish and maintain a written policy regarding interactions with survivors of human trafficking based on the guidelines developed by the Commission pursuant to Section 23024.

W&I 23022 - Agency Policy Requirements

(a) A policy established pursuant to this chapter shall, without limitation, include all of the following:

(1) A requirement that an officer contacting a survivor of human trafficking inform them that they have the right to have an advocate present during any interviews with law enforcement and other subsequent examinations and proceedings.

(2) A requirement that the officer explain the benefits of being represented by an advocate, including, without limitation, confidentiality and evidentiary privilege, emotional support, assistance in accessing resources, and assistance with understanding their legal rights.

(3) A requirement that, if the survivor requests an advocate, the officer contact the rape crisis center or another appropriate organization, such as an immigrant services organization, and arrange for an advocate to be present for any further interviews or examinations.

(4) A requirement that an officer obtain a waiver in writing if a survivor refuses an advocate, and inform them that they may revoke their waiver at any time and request an advocate.

(5) A requirement that the officer provide referrals to organizations that provide services to survivors of human trafficking, including, but not limited to, immigrant services organizations.

(6) A requirement that a law enforcement agency, in collaboration with community-based organizations, establish a process for referrals of human trafficking victims to the county social services department.

(7) A requirement that a law enforcement agency work with community-based organizations to provide referrals to services that are consistent with a survivor's culture, sexual orientation, and gender identity.

(b) Each law enforcement agency shall also create a standardized written waiver of advocacy or may use the waiver developed by the commission pursuant to Section 23024.

Penal Code Mandates for Law Enforcement

California law has several mandates related to human trafficking. This includes the following sections:

PC 236.2 – Law enforcement officials must conduct due diligence to identify any victims of human trafficking when they are investigating prostitution, domestic violence, or sexual assault.

PC 236.21 – Law enforcement officials must advise a potential victim of their right to have an advocate or support person present during an investigative interview. This does not apply in an initial investigation to determine whether a crime has been committed and the identity of the suspects.

PC 13519.14 – Every law enforcement officer who is assigned field or investigative duties must attend training about human trafficking.

PC 293 – Right to confidentiality

Common Types of Sex Trafficking include, but are not limited to:

- Internet Based
- Street Based
- Massage Parlors
- Residential Brothels

VICTIMOLOGY

Vulnerabilities

There are certain vulnerabilities which may make it more likely for someone to become trafficked based on their situation, profile or background. Traffickers usually focus on those easiest to exploit, which tends to be people with fewer resources or existing vulnerabilities. Not all vulnerabilities listed below are present in every victim, and the presence or absence of any vulnerability is not necessarily proof of human trafficking. Vulnerabilities associated with trafficking victims may include, but are not limited to, the following:

Personal History and Trauma

- Victim of previous abuse (physical, sexual or emotional)
- History of domestic violence
- Trauma history (neglect, loss, witness to violence)
- Foster care involvement
- Prior involvement in justice system

Economic and Social Factors

- Poverty*
- Homelessness
- Economic dependance
- Lack of education*
- Unaccompanied youth*
- Survival sex
- Language barriers*

Family and Support Structure

- Lack of familial support
- Isolation
- Peer influence

Mental and Physical health

- Mental health issues including, but not limited to depression, anxiety and post-traumatic stress disorder.
- Substance abuse issues (victim and/or loved ones)
- Learning disabilities
- Physical or intellectual disabilities

Identity and Discrimination

- LGBTQ+ identity

- Sexual orientation
- Immigration status*
- Cultural beliefs*

Risky Associations and Environments

- Gang affiliation
- Online presence (social media, gaming, chatrooms)

Self-Perception and Awareness

- Low self-esteem
- Limited awareness of risks

**Vulnerabilities likely to be seen with transnational/migrant trafficking victims*

Victim Indicators

Recognizing key indicators of human trafficking is the first step in identifying and assisting victims. Not all indicators listed below are present in every human trafficking situation, and the presence or absence of any of the indicators is not necessarily proof of human trafficking. Indicators associated with trafficking victims can include, but are not limited to, the following:

General

- Frequently changes locations
- Unable/unwilling to leave home or place of work
- Restricted or controlled communication/transportation
- Frequent online advertisements/activities
- Signs and/or history of domestic violence
- Atypical dependance on another person to perform basic life skills or make everyday decisions
- Signs of additional criminal activity and association with individuals involved in criminal activity
- Sexual activity and/or knowledge that may not be age appropriate
- Unusual foot traffic (often male) observed by neighbors, however occupants rarely seen
- Power dynamic (such as socioeconomic, age differential - victim is observed with an individual in a power position that does not align with a typical relationship context)

Physical

- Visible injuries
- Tattoos/markings indicative of ownership (commercial or otherwise)
- Signs of malnutrition, dehydration and/or poor dental hygiene

- Limited clothing and/or possessions
- Signs of substance abuse
- Lacks medical care– e.g. experiences medical issues, such as with reproductive health, sexually transmitted infections, etc.

Psychological/Mental Health

- Trauma bonding
- Post-traumatic stress
- Defensive and/or denial
- Dependence on others
- Uncooperative
- Aggressive
- Submissive
- Anxious
- Fearful
- Perceived independence and empowerment influenced by the trafficker

Financial/Legal

- Limited/no access to money (someone else in control of victim's finances/assets)
- Existing debt issues
- Unexplained excessive amounts of money and/or expensive possessions
- Someone else has possession of victim's legal and/or travel documents
- One attorney claims to represent multiple victims detained at different locations
- Victim forced to sign contract

Victim Challenges

- Distrust of law enforcement
- Fear of retribution
- Unaware of rights
- Do not consider themselves victims
- Emotional connection with trafficker
- Substance abuse
- Transitory nature
- Lack of support system
- May not possess reasonable or accurate concept of time or details
- No stable housing

Victim Interview

Victim interviews can be one of the toughest aspects of a human trafficking investigation. The peace officer must understand the nuances of interviewing a victim of human trafficking. The victim may have been conditioned by their exploiter not to cooperate with the peace officer. The victim may distrust law enforcement in general or fear repercussions if they speak with the peace officer. The peace officer must not take offense to a victim who is not being cooperative. Employ a trauma-informed, victim-centered approach. Be a human being, not a robot.

Building trust and rapport early with the victim are key components to a proper interview. Showing sincerity in the desire to help them goes a long way. One of the biggest contributors to that anxiety is the fear of getting arrested for prostitution. Be open with how the process is going to play out and address some of their concerns to alleviate the victim's anxiety. Always consider having a victim advocate ready who can assist with providing resources to the victim.

Welfare and Institutions Code section 23022(b) requires each law enforcement agency to create a standardized written waiver of advocacy or use the waiver developed by the Commission on POST (see Appendix A). Refer to Welfare and Institutions Code section 23022 for agency policy requirements.

Approach:

The victim-centered approach seeks to minimize re-traumatization associated with involvement in the criminal justice process by providing the support of victim service providers, empowering survivors as engaged participants in the process, and providing survivors an opportunity to play a role in seeing their traffickers brought to justice.

A trauma-informed approach includes an understanding of the physical, social, and emotional impact of trauma on the individual, as well as on the professionals who help them.

Source *https://www.state.gov/wp-content/uploads/2019/02/Engaging-Survivors-of-Human-Trafficking.pdf*

Recommendations for Initial Contact

- Introduce yourself (first name generally).
- Don't display an intention of getting the victim in trouble for prostitution. Rather, the desire should be to help.
- Demonstrate you have zero judgement of their situation.
- Work at the victim's comfort level. Do not pressure them to give you information.
- You may have to ask questions to clarify points or terminology.
- If possible, answer the victim's questions. Explain that you may not be able to answer all questions at this time due to the investigation.
- Explain that you will be honest and upfront.
- Explain confidentiality rights, the right to have an advocate or support person be present, and the benefits of being represented by an advocate.

- If the victim requests an advocate, arrange for an advocate to be present for further interviews and/or examinations.
- Obtain a waiver in writing if a victim refuses an advocate.
- Provide referrals to organizations that provide services to survivors of human trafficking, including, but not limited to immigrant services organizations.
- Notify victims about victim assistance programs.
    - *https://victims.ca.gov*
- If possible, offer the person the opportunity to choose between a male or female screener, if both are trained and available to provide screenings.

Interview Best Practices:

- Conduct the interview in a safe space.
- Arrange for basic necessities to be met.
- Use a victim-centered and trauma informed approach.
- Be aware of your own body language, such as avoiding crossing your arms.
- Remain at eye level.
- Meet the victim where they are at overall. Force deprives victims of autonomy and the right to self-determination. Do not require participation.
- Only make reasonable commitments to maintain victim cooperation and build rapport. Law enforcement officials, victim service providers, and government agencies should avoid making promises and commitments they cannot keep. In particular, they should not promise services to gain a survivor's cooperation.
- Minimize the amount of interviews when possible to avoid conflicting statements and re-traumatization.
- When engaging with survivors, do not push them to recount their personal story unnecessarily. Obtain permission before sharing the details of a survivor's story and provide context for how the information will be used. Only obtain information necessary to the case or to make relevant referrals.
- Avoid criticizing or condemning the exploiter. A trafficking victim may experience distress and come to the defense of the trafficker.

Source *https://www.state.gov/wp-content/uploads/2019/02/Engaging-Survivors-of-Human-Trafficking.pdf*

Interview Content

Each interview should be treated as unique, and the details will likely be case-specific. However, there are certain basic details every case will need:

- Method of Commercial Sexual Exploitation ("CSE") (street, internet, massage parlor, etc.)

- Location(s) where CSE occurred
  - Determining jurisdiction is very important to the DA filing a case. Confer with the DA on the laws regarding jurisdiction and how to tie the crime to the area
    - ▶ Proximity to victim's residence
    - ▶ Any other cities/states they may have worked
  - Motels? Airbnb?
- Method of communication between the victim and the suspect
  - Text messages, 3rd party apps (TextNow, WhatsApp, etc...), social media
  - Who communicated with sex buyers
  - Ask the victim for consent to look at the messages in their phone
  - Digital forensic investigators may be able to download the cell phone while the interview is being conducted so the victim can leave with their phone and avoid confiscation.
  - If they communicate through social media, the profile names of all of the accounts for the victim and suspect will be important to the investigation.
- Method of money exchange between the victim and the suspect
  - Third party money exchange applications, such as CashApp, have become a popular method of payment between sex buyers and sex workers. Be sure to get all CashApp, Venmo, etc. with account names.
- Information related to prostitution advertisements
  - Websites
  - Phone numbers
  - "Work name"
  - Email addresses
- Identification of the suspect
- Time frame of the CSE
- Questions concerning violence and deprivation of liberty.
  - For example, a simple question to ask is, "Did you feel free to leave?" If the answer is no, then ask them why they did not feel free to leave and what would happen to them if they tried. Note any level of fear.
  - Try to make a connection between the violence and the commercial sex.
- Details of other crimes (use of a gun, other sex crimes, physical assaults, great bodily injury, etc…).

Establish the elements of those crimes including time frame and jurisdiction. These other crimes can be charged separately or as enhancements and significantly increase penalties in the case.

ADDRESSING DEMAND

Addressing demand is important as it fuels human trafficking by making it profitable. Agencies are encouraged to conduct undercover operations in an effort to reduce the demand for commercial sex. These operations can be resource intensive but may have a significant impact.

A part of the commercial sex industry includes the payment of individuals in key positions who can provide sex buyers with contact to the sex trafficker including hotel and convention workers, cab drivers, and others.

- Incall Operations
  - Primarily conducted out of hotel/motels
  - Create advertisements on prostitution advertising websites
- Street Operations
  - Undercover officers posing as sex workers in an area known for street prostitution
- Crime Prevention Through Environmental Design (CPTED) and Community Involvement

Sex Buyers

Sex buyers are a driving force in the cycle of human trafficking. Without the demand for purchasing sex, there would be no need to sell sex.

Listed below are common attributes of buyers that law enforcement may come into contact with:

- Primarily males
- Purchase sex online, on the street, at massage parlors, brothels, strip clubs, cantinas, or karaoke bars
- Denies knowledge of the victim having been trafficked or knowledge that the victim was underage, due to advertisements indicating the victim is an adult (Mistake of age is not a defense. Suspects may be guilty regardless of whether they know the victim is a minor)
- Men who purchase sex tend to view prostitution as consenting sex and are less likely to accurately evaluate the emotional state of the women in prostitution
- Fulfilling needs from simple sexual desire to fetishes to deviant acts
- Can be violent by committing rape, physical force, or murder
- Susceptible to being robbed and assaulted while soliciting prostitution
- Exploiters can pose as sex buyers in an attempt to recruit victims
- May prefer to have a variety of sex partners, and non-relational or noncommitted sexual partners (regardless of marital status)

- More likely to report they feared rejection by women
- More likely to endorse rape myths, such as the belief that prostitution reduces the likelihood of rape
- Likely to report that they would force a woman to have sex or rape them if they could get away with it and had engaged in more sexually aggressive behavior
- Less likely to accurately evaluate the emotional state of the women in prostitution
- May attest that women are lured, tricked, or trafficked into prostitution
- May attest that they knew that minors were available for purchase
- Typically believe that prostituted women were intrinsically different from other women

Approach

Understand the mindset of a sex buyer to better identify patterns of behavior that drive human trafficking. This knowledge helps law enforcement in interviewing and interrogating buyers by anticipating their justifications and rationalizations and providing critical insights into their actions. This understanding also aids in developing prevention strategies, as it reveals how demand fuels exploitation. Utilize suspect interview techniques to develop probable cause or consent to conduct a search.

Several challenges present themselves when investigating sex buyers. A victim of sex trafficking is not likely to come forward and accuse the buyer directly and often is not able to identify the buyer after the fact. On the other hand, victims of trafficking may seek law enforcement assistance to take action against buyers who have victimized them through rape, robbery, sexual assault, etc. The victim may be more likely to disclose victimization by a buyer than to disclose victimization by an exploiter.

It is not necessary to show that a sex act occurred. It is sufficient to show merely that the defendant attempted to cause, induce, or persuade the minor to engage in a commercial sex act.

Source: *https://casomb.org/pdf/SEX_TRAFFICKERS_AND_BUYERS_2020_1_71.pdf*

Exploiters

Exploiters use manipulation to control their victims. They are typically skilled at identifying and exploiting the victim's vulnerabilities to gain control. Their primary motivations often include financial gain, power, control, and status.

Types of Exploiters

Listed below are common types of exploiters with whom victims may come into contact:

- Gangs
- Romantic partners
- Family members
- Clergy

- Pimps
- Employer
- Agent or manager
- Adult industry providers

Exploiter Control Tactics

It is the goal of an exploiter to use a variety of tactics and techniques in order to gain compliance from a victim, exert control, and create an overall atmosphere of dependency and loyalty to the exploiter. This can lead a victim to not view themselves as being victimized, create trauma bonds, and make it difficult for law enforcement to gain a victim's trust. Listed below are common ways exploiters will use to control their victims:

- Trust building
- Violence, including sexual assault
- Isolation
- Branding (tattoos)
- Elevating and glamorizing the lifestyle
- Create a false sense of "worldview"
- Control personal liberties such as movement
- Providing basic needs such as clothing, food, shelter
- Gift giving
- Threats, fear, intimidation, coercion
- Create dependency
- Shame
- Leveraging family against the victim
- Location tracking
- Sells a dream of fortune and fame
- Draws on victim's need of love and affection
- Creating substance dependency
- Grooming
- Affirmations of worth
- Normalization of abuse and exploitation
- Threats of legal consequences
- Impregnating the victim
- Cycling between reward and abuse (leads to trauma bond)
- Minimizing current exploitation compared to past abuse, neglect, or exploitation

Suspect Interview

The suspect interview is a vital, yet challenging part of any commercial sex crime investigation. As with any interview, the investigator should consider the need to provide a *Miranda* or *Beheler* admonishment.[1]

The investigator should enter the interview with a plan to cover specific topics relevant to the investigation. These could include:

- The nature of the relationship between suspect and victim
- Confirming ownership of phones/phone numbers/social media/other electronic evidence
- Possession of the victim's personal items (clothing, personal identifying documents, financial documents and cards, etc.)
- Corroborating non-incriminating facts related to the evidence of the victim's statement
- Knowledge of the victim's prostitution
- The manner in which the suspect profited from the victim (cash, electronic money transfer, housing, food, narcotics, clothing, etc.)
- The manner in which the suspect facilitated or encouraged the victim's prostitution (transportation, housing, phone, management of online advertising, etc.)
- Knowledge of age (if applicable)
- Use of force, coercion, fraud, etc.
- Confrontation with evidence
- Exculpatory evidence or witness statements

The tone of the interview is important. Investigators often experience more success when they open the interview in a friendly and casual tone to encourage conversation and build rapport. Truthful admissions by the suspect are useful, but untruthful statements by the suspect may also become relevant to show consciousness of guilt.

The *Beheler* admonishment is given by police to a person who is not in custody. When issuing a *Beheler* admonishment, the peace officer must explicitly tell the person they are not under arrest, the person is free to leave at any time, and does not have to answer any questions. (California v. Beheler 463 U.S.1121 (1983))

Officers should audio and video record all interviews.

1 The Miranda admonishment is given by police to a person who is in custody and being interrogated. It informs the person of the constitutional right to remain silent, the right to an attorney, the right to have an attorney, and that anything the person may say could be used against the person in court. (Miranda v. Arizona 384 U.S. 436 (1966))

EVIDENCE

Collecting evidence is particularly important in human trafficking cases in order to corroborate the victims' statements. Thorough investigation may even prove certain crimes without participation from a victim. Some evidence may include:

- **Victim and Witness Statements**: Statements from victims and witnesses who can provide details about their experiences, recruitment, and exploitation. These statements can help provide direction to the investigation.
- **Physical Evidence**: There are many types of physical evidence that can be collected during a Human Trafficking investigation and officers should always be diligent in collecting evidence. Properly photograph and document the crime scene(s) and evidence collected. While a single piece of evidence on its own may not appear to have much value, it could lead to a successful prosecution when combined with other evidence. Generally, the scope of the searches for evidence should not be limited to a single location or item. Below are some examples of evidence:
    - Clothing or personal items of victims
    - Items that indicate physical restraint or confinement devices (i.e., CCTV systems, handcuffs, zip-ties...etc.)
    - Medical records showing signs of abuse, malnutrition, or physical injuries.
    - Maintaining and possession of ID/personal documents, cell phones…etc.
    - Condoms
    - Lubricants
    - Sex Toys
    - Drugs (payment method or potential sedation method)
    - Pay / Owe sheets / Client Journals / Directory
    - Cell Phones, Laptops
    - Tools of the crime (Lingerie, multiple outfits, luggage)
- Digital Evidence: In contemporary Human Trafficking investigations, most of the evidence will be in the electronic/digital format and should be collected as a standard practice. Digital evidence can provide many sources of evidentiary value, such as connections between victims, suspects, and witnesses.
    - Communication records such as text messages, emails, and social media conversations between traffickers, buyers and victims
    - Computer and smartphone data, including browsing history, email accounts, chat rooms, and saved media files
    - Advertisements for commercial sex
    - GPS and location data showing movement patterns.
    - Flash Drives, CD's, Hard Drives
    - UC text / phone call conversations
    - Call Detail Records (CDR) and location data from cell phones
    - LPR and toll recording camera data/video
    - Social Media Checks (victim and suspect)

- Forms of Payment: Evidence related to forms of payment can identify peer to peer transactions related to Human Trafficking subculture (i.e., trafficker, victim, etc.). Payment information can also provide evidence of control over a victim.
    - CashApp , Venmo, Apple Pay, PayPal, Zelle
    - PrePaid Debit Cards
    - US Currency
    - Documenting other forms of payment (i.e., drugs, hotel rooms, etc.)
- Financial Records:
    - Bank statements, money transfers, or other financial documents indicating payment for illicit services or unexplained income.
    - Evidence of payment for travel, housing, or services related to trafficking operations.
- Employment Records: (Brothel/Massage Parlors)
    - Work contracts or agreements used to coerce victims.
    - Payroll and timesheet data reflecting unusual or exploitative work conditions.
- Transportation Records: Transportation records are key in providing evidence linking a victim to the trafficker. These records also provide historical patterns of travel of a victim and/or suspect.
    - Identifying source of transportation (trafficker, buyer, etc.)
    - Flight, bus, or train tickets indicating travel patterns linked to trafficking.
    - Uber/Lyft and other travel apps.
- Witness statements from Uber/Lyft drivers.
    - Vehicle registration and rental records showing vehicles used for transport.
    - Border crossing records.
- Photos and Videos:
    - Images or videos of victims used in advertisements or evidence of exploitation.
    - Surveillance footage from relevant locations (hotels, airports, businesses, pole cameras, drone footage, or other sites linked to the investigation).
- Property Records: Property records provide historical records of where a trafficker operates and can identify other suspects. Property records can also provide a link between the trafficker and victim.
    - Lease agreements and ownership documents for properties where victims were housed or exploited.
    - Hotel and motel check-in records.
- Forensic Evidence:
    - DNA samples linking traffickers to victims or specific locations.
    - Analysis of forensic data from electronic devices.
- Victim Physical Identifying Factors: It is important to document injuries, tattoos, or

branding of victims. Sometimes tattoos/brandings can indicate “ownership” between a victim and suspect.

  - Tattoos/Branding
  - Injuries/bruising (to include locations of injuries)
  - Burns / Scars
  - Document the demeanor of victim. Document and photograph the overall appearance of the victim (i.e., hygiene, whether the victim is dressed appropriate for the conditions)

- Identification Documents:
  - Confiscated or forged IDs, passports, or immigration documents.
  - Notate and photograph identification/ documents and where they were recovered
- Audio Recordings:
  - Phone calls or voice recordings capturing conversations related to trafficking operations.
  - Jail Calls
  - Voicemails
- Behavioral Evidence:
  - Observations of traffickers’ actions or behavior patterns that indicate control, coercion, or manipulation of victims.
  - Observations and nomenclature of target locations and foot traffic in and out.

RESOURCES

Providing comprehensive resources, whether for victims, law enforcement, or support organizations, fosters cooperation, enhances trust, and leads to more effective outcomes by ensuring that all parties have the tools and support needed to engage fully and constructively in the process.

Victim Resources

Law enforcement agencies may be required to work in collaboration with community-based organizations and provide referrals to services that are consistent with a survivor's culture, sexual orientation, and gender identity. Connecting victims with appropriate resources may foster greater cooperation, reduce the risk of re-victimization, and support their long-term recovery by building trust and providing the stability needed in the investigative and justice processes.

- Victim Advocates/Services
- Community-Based Organizations offering services to victims of Human Trafficking https://ovc.ojp.gov/directory-crime-victim-services
- Federal Law Enforcement websites
- State DOJ Website
- State programs such as Safe at Home https://www.sos.ca.gov/registries/safe-home
- Legal Resources (International Victims)
- National Human Trafficking Hotline (888-3737-888)
- National Center for Missing and Exploited Children (800-THE-LOST)
- District Attorney's Office
- Shelters and Housing Resources
- Interpreter services
- Rape Crisis Centers
- Immigrant Services Organizations, including legal service providers
- ·County Social Services Departments
- Adult and Child Protective Services

Investigative Resources

Investigative resources are crucial for officers in human trafficking investigations as they provide specialized tools and information that enhance the effectiveness of these complex cases. Below are some of the resource types available to officers:

- Federal Law Enforcement Partners
- Human Trafficking Taskforces/Teams
- WSIN/LA Clear
- National Center for Missing and Exploited Children
- Federal/State/Local training for Human Trafficking Investigations

- National Law Enforcement Associations – Training
- Electronic Forensic Examination Tools
- Search.org (Law Enforcement Search Engine)
- Crimestoppers
- Critical Reach Flyers
- California Human Trafficking Investigators and Prosecutors Association (CALTIPA)

LABOR TRAFFICKING OVERVIEW

VICTIMOLOGY

Labor trafficking victims are typically characterized by a combination of social, economic, psychological, and environmental factors that make them vulnerable to exploitation. Traffickers exploit these vulnerabilities by using deception, coercion, and manipulation to force victims into labor under abusive and inhumane conditions. Understanding these characteristics is key to preventing labor trafficking, identifying victims, and providing appropriate support and services to those who have been trafficked.

Labor trafficking victims often share common characteristics, although each case can vary. Below are some of the most commonly seen traits among labor trafficking victims:

Victim Vulnerabilities

- **Socioeconomic Factors:**
  - Impoverished backgrounds or from countries with limited economic opportunities
  - Financial instability
  - Unemployment - looking for better job prospects
  - Lack of education or skills
  - Debt
- **Immigration Status:**
  - Undocumented migrants (lack of proper document)
  - Unaccompanied Youth
  - Legal status issues
  - Language and cultural barriers
- **Isolation and Lack of Support Networks:**
  - Geographical and social isolation
  - Separation from family and support systems
  - Fearful of law enforcement or distrust of authorities
  - Lack of understanding of local laws
  - Ethnic Minority
  - Indigenous
  - Disabled

Victim Indicators

- **Psychological:**
  - Fear and Anxiety
  - Withdrawn
  - Loss of agency
  - Reluctance to talk about situation
  - Lack of trust

- **Physical Indicators:**
  - Poor health and hygiene
  - Appear malnourished
  - Exhibit signs of physical abuse such as bruises, burns or scars
  - Appear fatigued or sleep deprived
- Social and Behavioral Indicators:
  - Reluctance to speak to outsiders particularly law enforcement or social service workers
  - Inconsistent stories or provides information that seems false or scripted
  - No personal belongings
  - Limited communication with others
  - Missing school due to work*
- Work Conditions:
  - Excessive work hours
  - Poor or hazardous work conditions
  - Low or no wages
  - Worksite is isolated or difficult to access
  - Unusual work setting
  - Age-Inappropriate responsibilities*

**These indicators are particularly relevant for minor victims.*

Cultural and Language Considerations:

Cultural considerations are vital in labor trafficking investigations. Victims of labor trafficking often come from marginalized or immigrant communities where language barriers, cultural stigmas, and distrust of law enforcement may prevent victims from seeking help. When officers interact effectively and sensitively with victims from diverse backgrounds, identifying cultural nuances, such as understanding family dynamics or religious beliefs, the officer can establish trust and communicate in a way that respects the victim's background.

By using cultural sensitivity practices, officers can develop cooperation, gather reliable information, and create a safer environment that encourages reporting and assistance for victims. Asking about and understanding the victim's cultural practices and preferences can aid in the initial interview.

Other considerations:

- Within any given culture, the differences between individuals may be more pronounced than their similarities due to distinct cultural affiliations and identities.
- Understand that labor trafficking not only involves foreign nationals and may involve U.S. citizens.

When a victim of human trafficking is Limited-English Proficient ("LEP"), their isolation can be greater because of language barriers between the victim and people they might ask for

help. This contributes to their continued bondage, along with past life experiences, which may color their expectations of immigrant life and their perception of how the situation may change once captivity ends.

In trafficking cases, consider that a victim's companion may be connected to the case and may not ensure a victim's best interest. A neutral interpreter may help investigators communicate completely and confidentially.

Translation devices or software can be inaccurate or incomplete. It is highly encouraged to utilize investigators who speak the language of the victim to conduct interviews for efficiency.

Investigative Tactics

Investigating labor trafficking may involve similar strategies as investigating sex trafficking. Below are some additional considerations that may be pertinent in a labor trafficking investigation:

- Identify all players and their respective relationships
- Conduct pertinent background information checks:
  - Business records and licenses
  - Financial Crimes Enforcement Network (FINCIN) information
  - Check licenses/permits through relevant government authorities
  - Conduct a license check through California Massage Therapy Council if the business is determined to be an Illicit Massage Business ("IMB").
  - Check property records through county government
  - Obtain border crossing records
  - Obtain flight manifest information through TSA or airlines (if available)
- Identify and contact other victims, if possible
- Have the victim identify all of the locations of occurrence
- Contact former employees and other people close to the suspect(s)
- Consider utilizing a forensic accountant or other financial analyst

Consider that victims may be forced to commit crimes at the behest of the trafficker. This could include selling narcotics, engagement in property and theft crimes, participating in force, fraud, or coercion toward other victims, and other illegal activities.

Labor trafficking cases often come to law enforcement's attention significantly after the trafficking occurred. These cases will take particular patience as investigators search for evidence of events that took place months or years before.

Victim Interview

Similar to interviews with sex trafficking victims, interviews with labor trafficking victims can be equally challenging, if not more so. In addition to the fear of repercussion from the trafficker, fear of deportation, and distrust of law enforcement, there are also often challenges with language barriers and cultural differences.

Approach:

A victim-centered and trauma-informed approach should be adopted to minimize re-traumatization and foster trust. This includes understanding the psychological, social, and emotional impacts of trauma on victims and ensuring that they feel safe and supported throughout the process. Victims of labor trafficking may have negative perceptions of law enforcement from their home countries.

Initial Contact

- Be prepared to have a translator available, if possible. Do not utilize translators associated with possible suspect(s) and/or location.
- Before conducting the interview, consult with an advocate to gain insight into culturally appropriate responses and considerations to be mindful of during the conversation.
- Introduce yourself (first name generally).
- Do not immediately ask about immigration or legal status; instead, build rapport and let these details surface naturally.
- Clarify you have no intention of getting the victim in trouble for immigration consequences.
- Collaborate with organizations who specialize in immigration issues and can meet culturally specific needs.
- Demonstrate you have zero judgment or bias of their situation.
- Work at the victim's comfort level. Investigators should not pressure the victim for information.
- Explain confidentiality rights.
- If the victim requests an advocate, arrange for advocate to be present for further interviews and/or examinations.
- Obtain a waiver in writing if a victim refuses an advocate
- Notify victims about victim assistance programs
    - *https://victims.ca.gov*

Interview Best Practices:

- Conduct the interview in a safe space.
- Arrange for basic necessities to be met and allow breaks as needed.
- Use a victim-centered and trauma informed approach.
- Be aware of your body language such as crossing your arms.
- Remain at eye level.
- Meet the victim where they are. Force deprives victims of autonomy and the right to self-determination. Investigators should not require participation.
- Law enforcement officials, victim service providers, and government agencies should avoid making promises and commitments they cannot keep. In particular, they should not promise services to gain a survivor's cooperation.
- Minimize the amount of interviews, when possible, to avoid conflicting statements and re-traumatization.

- If possible, the interpreter should not be associated with the victim, trafficker, or any aspect of the case.
- Reflect neutrality on the trafficker. Use the victim's own terms for people involved (e.g., "employer" or specific names).
- Take the time to explain the investigative and prosecutorial process

Interview Content

Each interview should be treated as unique with many details being case-specific. However, there are certain basic details every case will need:

- Victim biographical data
- Initial recruitment to job
- Communication methods
- Working conditions
- Living conditions
- Expectations vs. Reality as to job responsibilities, promises made
- Identifying documents/passport
- Wages
- Debts and fees questions
- Access to medical care or other necessities
- Questions concerning deprivation of liberty
    - Restriction on movement
    - Does anyone force or monitor their work?
    - For example, a simple question to ask is, "What would happen if you left the job?" Ask why the victim did not feel free to leave and what would happen if the victim tried. Really get the victim to articulate their fears concerning this.
- Questions concerning violence and threats, both direct and indirect
    - Threats to report to immigration authorities
- Monitored or restricted communication with friends and family
- Details of other crimes (use of a gun, sex crimes, physical assaults, great bodily injury, etc.…).

SCOPE OF THE PROBLEM

Human trafficking is one of the oldest and most heinous global crimes. It undermines the rule of law, compromises national and economic security, and harms the well-being of individuals and communities everywhere. It is a crime of exploitation, a predicate offense for money laundering, and is often closely associated with both violent and financial crimes. With millions of victims worldwide at any given time, human traffickers prey on people of all ages, backgrounds, and nationalities. Traffickers profit at the expense of their victims by compelling them to perform labor or to engage in commercial sex in every region of the United States and around the world.

Differences Between Smuggling and Human Trafficking

Human smuggling involves bringing noncitizens into the United States by deliberately evading immigration laws. It also involves unlawfully transporting and harboring noncitizens who are already unlawfully present in the United States. The relationship is a mutual agreement between parties that ends at the destination when fees are paid. The transaction is made for the smuggling service and the person is free to leave upon payment of the fee. In contrast, in a human trafficking situation, the victim does not feel they are free to leave and/or remain in the control of the trafficker. Additionally, in human trafficking, a debt can be incurred by the victim, and the victim is forced or coerced into some type of service, such as labor or sex.

Labor Trafficking Indicators

Recognizing key indicators of labor trafficking is the first step in identifying and assisting victims. Not all indicators listed below are present in every trafficking situation, and the presence or absence of any of the indicators is not necessarily proof of trafficking. Indicators associated with labor trafficking victims can include, but are not limited to, the following:

General

- Victims live on or near their work premises
- Victims have restricted or controlled communication/transportation
- Driven to and from work by employer
- Victims may not be free to leave
- Victims are frequently relocated by traffickers to live/work
- Lack of access to medical care/hygiene
- There is a high number of occupants for the living space
- Victims have a lack of private space and personal possessions
- Victims have limited knowledge about how to function or navigate in a community
- Victims may have limited or no access to phones/digital communication
- Victims have access to only one spokesperson, or third party who insists on interpreting
- Malnourished
- Rehearsed victim statements

Financial/Legal

- Lack of identification/financial records
- May not have control of identification/financial/travel/legal documents
- Existing debt issues
- Victim was forced to sign a contract
- One attorney claims to represent multiple victims detained at different locations
- Low or no wages

Victim Challenges

- Fear/distrust of law enforcement
- Immigration status concerns
- Language/cultural barriers
- Lack of knowledge surrounding rights/laws
- Lack of alternate living arrangements
- Concern of separation from family/loved ones
- Lack of environmental familiarity

INDUSTRIES WHERE LABOR TRAFFICKING OCCURS

Labor trafficking can occur in many industries, particularly those where workers are vulnerable to exploitation, often due to low pay, poor working conditions, or a lack of labor protections. Here are some industries where labor trafficking is commonly found:

- Agriculture and Farming
- Construction
- Domestic Work
- Hospitality and Tourism
- Manufacturing
- Sex Industry
- Fishing and Seafood Industry
- Textile and Apparel
- Mining and Quarrying
- Retail and Distribution (including door to door and street vendors)
- Food Processing and Packing
- Artisanal and Handicraft Production
- Healthcare Facilities and Medical Services
- Transportation and Shipping
- Criminal Enterprises (narcotics, theft, fraud)

LABOR TRAFFICKING TACTICS

It is the goal of a trafficker to use a variety of tactics and techniques in order to gain compliance from a victim, exert control, and create an overall atmosphere of dependency. Prior experience in their country of origin may make it difficult for law enforcement to gain a victim's trust. Listed below are common ways traffickers will use to control their victims:

- Use of threats or violence
- Isolation of victims
- Control personal liberties such as movement
- Providing basic needs such as clothing, food, shelter
- Threats, fear, intimidation, coercion
- Create dependency
- Leverage family against the victim
- False promises of assistance with immigration and/or financial compensation
- Location tracking
- Normalization of abuse and exploitation
- Threats of legal consequences
- Minimize current exploitation compared to past abuse, neglect, or exploitation
- Traffickers may regularly utilize a local point of contact in the targeted community to recruit
- Use of security measures intended to keep victims confined, such as barbed wire, bars on windows, self-contained camps, use of security personnel
- Activities of victims are closely monitored

Suspect Interview

The suspect interview is a vital, yet challenging part of any labor trafficking investigation. As with any interview, the investigator should consider the need to provide a Miranda or Beheler admonishment.

The investigator should enter the interview with a plan to cover specific topics relevant to the investigation. These could include:

- The nature of the relationship between suspect and victim
- Confirming ownership of phones/phone numbers/social media/other electronic evidence
- Possession of the victim's personal items (clothing, personal identifying documents, financial documents and cards, etc...)
- Corroborating non-incriminating facts related to the evidence of the victim's statement
- Knowledge of the victim's work duties
- Manner in which the suspect profited from the victim's labor
- Manner in which the suspect recruited the victim
- Role of the suspect within the work system

- Role of the victim within the work system
- Identification of co-conspirators
- Knowledge of age (if applicable)
- Use of force, coercion, fraud, etc...
- Confrontation with evidence
- Exculpatory evidence or witness statements
- How were the victim(s) paid? Who paid them?
- Were the victims allowed breaks?
- Who controlled the victim's work hours and schedules?
- Ask about suspect's financial institutions and business records
- Ask the suspect about the victim's living conditions if lodging is provided by the employer

The tone of the interview is important. Investigators often experience more success when they open the interview in a friendly and casual tone to encourage conversation and build rapport. Truthful admissions by the suspect are useful, but untruthful statements by the suspect may also become relevant evidence to show consciousness of guilt.

Officers should record audio and video of all interviews. The following are victim resources:

- Victim Advocacy
- Legal Assistance
- Financial Assistance
- Food, Shelter, and Housing
- Medical and Dental Care
- Counseling and Support Groups
- Substance Abuse Treatment
- Immigration Services
- Interpretation and Translation Services
- Employment and Training Services

Agencies should consider contacting an Office for Victims of Crime (OVC) funded service provider to learn more about available services and assistance (https://ovc.ojp.gov/program/human-trafficking/map).

T Non-immigrant Status (T-Visa):

T non-immigrant status is a temporary immigration benefit. It enables certain victims of trafficking (labor and sex) to remain in the United States for an initial period of up to 4 years by being granted a T-Visa. T-Visa holders will be required to comply with any reasonable request for assistance from law enforcement in the detection, investigation, or prosecution of human trafficking. T non-immigrant status is also available to certain eligible family members of trafficking victims. T non-immigrants are eligible for employment authorization and certain federal and state benefits and services. T-Visa holders may be eligible to apply for a Green Card if they meet certain requirements, such as maintaining continuous physical presence in the United States.

Officers should never suggest any immigration status programs/benefits to human trafficking victims as a tool to gain cooperation.

For further information refer to the United States Department of Citizenship and Immigrations Services: *Victims of Human Trafficking: T Nonimmigrant Status | USCIS*

USCIS Office Locator: *Field Offices | USCIS*

California Resources:

CA Governor's Office of Emergency Services
https://www.caloes.ca.gov/category/grant-announcements-category/human-trafficking-programs/

The California Victim Compensation Board (CalVCB)
https://victims.ca.gov/victims

California Department of Social Services Office of Refugee Services
https://www.cdss.ca.gov/refugee-services

Federal Resources:

U.S. Attorneys' Offices
https://www.justice.gov/usao/us-attorneys-listing

U.S. Department of State Office to Monitor and Combat Trafficking in Persons
https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/office-to-monitor-and-combat-trafficking-in-persons

U.S. Department of Homeland Security
https://www.dhs.gov/blue-campaign

Immigration and Customs Enforcement
https://www.ice.gov/features/human-trafficking

U.S. Department of Justice, Civil Rights Division, Human Trafficking Prosecution Unit
https://www.justice.gov/crt/human-trafficking-prosecution-unit-htpu

Federal Bureau of Investigation
https://www.fbi.gov/investigate/civil-rights/human-trafficking

Bureau of Justice Assistance, Anti-Trafficking Task Force Initiative
https://bja.ojp.gov/program/anti-human-trafficking-task-force-initiative/overview

U.S. Department of Health & Human Services, Administration of Children and Families Office on Trafficking in Persons
https://www.acf.hhs.gov/otip

U.S. Department of Labor, Office of the Assistant Secretary for Policy
https://www.dol.gov/agencies/oasp/resources/trafficking

U.S. Department of Defense – Combatting Trafficking in Persons
https://ctip.defense.gov

EVIDENCE

Collecting evidence is particularly important in labor trafficking cases in order to corroborate the victims' statements. Thorough investigation may even prove certain crimes without participation from a victim. There are many types of physical evidence that can be collected during the investigation. Consider conferring with other agencies such as the Department of Labor, Department of Insurance, code enforcement, fire inspectors, and health inspectors to identify other violations and relevant evidence to collect based on the location. Some evidence may include:

- **Victim and Witness Statements**: Statements from victims and witnesses who can provide details about their experiences, recruitment, and exploitation. These statements can help provide direction to the investigation.
- **Physical Evidence**: Keep in mind that physical evidence may disappear quickly once the trafficker is aware of the investigation. Be sure to properly photograph and document the crime scene(s) prior to the physical search and evidence collection. While a single piece of evidence on its own may not appear to have much value, when taken in totality with other evidence the importance may increase. Generally, the scope of the search for evidence should not be limited to one location or item. Be aware that sometimes the lack of documentation is possible evidence, such as no employee records for the victim(s).

  Below are some examples of physical evidence:

  - Clothing or personal items of victims
  - Bedding, kitchen items, luggage, other items indicating that the victims live onsite
  - Items that indicate physical restraint or confinement devices (i.e., CCTV systems, doors locked from outside, or in violation of local ordinance)
  - Medical records showing signs of abuse, malnutrition, or physical injuries
  - Indication of control or possession of victim/s' ID, personal documents, passport, cell phones, etc.
  - Employee handbook or other written instructions for the victim to follow
  - Pay / Owe sheets / Client Journals / Directory
  - Existence of "employee store"
  - If applicable, items which indicate commercial sexual activity such as condoms, lubricant, plastic wrap, tissues, lingerie

- **Digital Evidence**: Digital evidence can provide many sources of evidentiary value, such as connections between victims, suspects, recruiters, and witnesses. Further examples are as follows:
  - Communication records such as text messages, emails, and social media conversations between traffickers, recruiters and victims.
  - Computer and smartphone data, including browsing history, email accounts, chat rooms, and saved media files.
  - If applicable, advertisements and forum posts for commercial sex on escort websites.

- GPS and location data showing movement patterns.
- Flash Drives, CD's, Hard Drives, other removable media.
- Video surveillance footage from the site.
- Job Advertisements.
- Call Detail Records (CDR) and location data from cell phones.
- LPR and toll recording camera data/video.

- Forms of Payment: Evidence related to forms of payment can identify peer-to-peer transactions related to HT subculture (i.e., trafficker, victim, etc.). Payment information can also provide evidence of control over a victim. Further examples are as follows:
  - CashApp, Venmo, Apple Pay, PayPal, Zelle
  - PrePaid Debit Cards
  - US or foreign currency
- Financial and Business Records:
  - Personnel files, Worker's Compensation records, contracts, associated businesses, etc.
  - Payroll and timesheet data reflecting unusual or exploitative work conditions.
  - Bank statements, money transfers, or other financial documents indicating payment for illicit services or unexplained income.
  - Evidence of payment for travel, housing, or services related to trafficking operations.
- Transportation Records: Transportation records are key in providing evidence linking a victim to the trafficker. These records also provide historical patterns of travel of a victim and/or suspect. Examples are as follows:
  - Identifying the source of transportation (trafficker, recruiter, etc.)
  - Flight, bus, or train tickets, luggage tags, other paperwork indicating travel
  - Passport stamps, visas, border crossing records
  - Vehicle registration and rental records showing vehicles used for transport
- Photos and Videos:
  - Images or videos of victims used in advertisements or evidence of exploitation.
  - Surveillance footage from relevant locations (hotels, airports, businesses, or other sites linked to the investigation, pole cameras, drone footage).
- Property Records: Property records provide historical data of where a trafficker operates and can identify other suspects. Property records can also provide a linkage between the trafficker and victim. Examples are as follows:
  - Lease agreements and ownership documents for properties where victims were housed or exploited.
  - Indication of other businesses or sites where victim/s may work or reside.
  - Indication of storage units.
  - Tax records and/or county assessor data.
  - Utility bills, including water, electric, etc., or lack thereof.

- Victim Physical Identifying Factors: In a labor trafficking setting, victim(s) may experience injuries as a result of their work, possibly due to unsafe working conditions, or from the trafficker. It is important to document injuries or medical conditions of victims. Examples are as follows:
    - Injuries/bruising (to include locations of injuries)
    - Burns/Scars
    - Document the demeanor of victim.
    - Document and photograph the overall appearance of the victim (i.e., hygiene, dressed appropriate for the conditions/type of work)
- Audio Recordings:
    - Phone calls or voice recordings capturing conversations related to trafficking operations.
    - Jail Calls
    - Voicemails

AGENDA ITEM REPORT

Title: REPORT ON OFFICE OF PUBLIC AFFAIRS VIDEO PROJECT

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Executive Office	
RESEARCHED BY Katie Strickland and Meagan Poulos		**REVIEWED BY**
REPORT DATE 06/30/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/13/2025
PURPOSE		**FINANCIAL IMPACT** No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: This report is regarding an update to the Office of Public Affairs video project. It is for informational purposes only.

BACKGROUND: At the June 2, 2021, Commission Meeting, POST staff were directed to conduct a presentation on the content in the Regular Basic Course (RBC) which covers the overall history of policing in the United States.

At the September 2, 2021, Commission Meeting, POST staff presented a summary of the content related to the history of policing in several Learning Domains. At the conclusion of the presentation, several Commissioners commented on the importance of providing RBC recruits/cadets instruction on the history of policing. Several Commissioners also commented on the complexity of the topics, on proper delivery methods, and they suggested videos be used to assist with the training. In addition to the curriculum updates to the Training and Testing Specifications and Student Workbooks for Learning Domain 3 - Principled Policing in the Community, two videos were created on the topic of History of Policing to be used to further support the training in the basic courses. In the first video, Retired Sacramento Police Chief Daniel Han interviewed retired Sacramento Police Department Officers Felicia Allen and Flossie Crump. Felicia and Flossie were trailblazers as the first two women patrol officers in the Sacramento region. The video highlights their firsthand experiences of overcoming challenges of racism, sexism, and becoming officers with the Sacramento Police Department while memorializing their lasting legacy. The second video features Lieutenant Martha Hernandez of

the San Diego County Sheriff's Department. This video focuses on her childhood as an immigrant from Mexico and the challenges she faced with racism and learning English. Against all odds, Lt. Hernandez persevered and became a deputy and a role model to others despite the challenges she faced.

With the success of the first two videos, POST staff were directed to continue the series. During the 2023-2024 fiscal year, POST staff executed a contract with a video production company to develop, film, and edit two additional videos covering the topic of history of policing. In an effort to reach a wider audience and gather diverse stories, POST staff distributed a survey to the field. In this survey, staff asked respondents to provide a brief narrative about their law enforcement backstories (i.e., how law enforcement affected them or why they chose a career in law enforcement). Staff pre-interviewed several potential subjects, and with the video production company, selected Assistant Chief Blake Chow, Los Angeles Police Department (LAPD) and Sergeant Mikayla Connell, San Francisco Police Department (SFPD) for the project. The first video highlights LAPD Assistant Chief Blake Chow, who was the department's first Chinese American Assistant Chief who was hired by LAPD in 1990, right before the Los Angeles riots began. In the video he shares his experience on how far LAPD has come since the riots, the community relationships that have been mended over time, and his legacy with the department through his son, Officer Andrew Chow. The second video features SFPD Sergeant Mikayla Connell, who is SFPD's first openly transgender officer, and decided to become an officer mid-career. She shares her journey on how she became an officer, the challenges she overcame along the way, and the pride she has for her department and career. Both videos were shown at the September 2024 Commission meeting and made publicly available on POST's YouTube channel, as well as POST's other social media platforms. To this date, both videos combined have more than **10,000 views**.

ANALYSIS:

POST executed a new contract for the 2024-2025 fiscal year to continue the series. The new contract included a video for Command College recruitment, and two videos originally planned under the *History of Policing* title. However, as production progressed, POST staff recognized that the series has taken on a more personal and human-centered focus by highlighting the many faces of law enforcement. These videos shine a light on the compassion, dedication, and resilience found throughout the profession, and aim to share the positive, often untold stories of those who serve in public safety. To better align with this direction, the series has been renamed to *Humanity of Policing*.

For the next round of videos in the *Humanity of Policing* series, POST set out to highlight two very different, but equally vital, aspects of public safety: the critical role of a public safety dispatcher and the unique challenges and responsibilities faced by rural county agencies.

Dispatch Video: POST staff developed and distributed a statewide survey to public safety dispatchers. Following pre-interviews with several candidates, Dawn Barnett, a Public Safety Dispatch Supervisor with the California Highway Patrol in Susanville was selected to participate. Dawn is a survivor of a traumatic domestic violence incident, an experience that ultimately inspired her to become a dispatcher. Her powerful story highlights the resilience and compassion that dispatchers bring to their role, especially when supporting individuals in a crisis. By sharing her journey, the video aims to shed light on the critical role dispatchers play and the meaningful life experiences that inspire their passion for serving their communities.

Rural County Agency Video: In rural law enforcement, deputies often have to do it all. This video highlights the difference between rural and urban policing, showcasing the many hats rural deputies must wear to meet the needs of their community. To guide the focus of the video, POST staff pre-interviewed two Commissioners, who are Sheriffs of rural counties. Ultimately, the Nevada County Sheriff's Office was selected to be featured. In the video, several deputies, search and rescue volunteers, and Sheriff Moon share what it means to serve in a rural county. With limited resources and vast, remote terrain, Nevada County Sheriff deputies are trained to adapt to a wide range of duties, sometimes performing multiple roles within a single shift. From search and rescue to coroner duties to being community problem-solvers, this video captures the heart of rural policing: resourcefulness, resilience, and a deep sense of duty to the people they serve.

Both videos will be shown during the September 9, 2025, Commission meeting, and will be made publicly available via POST's YouTube channel following the meeting. Additionally, POST staff plan to continue this series and are working on a new contract for several more videos to be executed in the 2025/2026 fiscal year.

RECOMMENDATION: This report is presented for information only. No action is required.

AGENDA ITEM REPORT

Title: REPORT ON INSTRUCTOR CONDUCT REGULATIONS

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Training Program Services Bureau	
RESEARCHED BY Andrew Mendonsa	**REVIEWED BY** Kenya Smith	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/18/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

Update and discussion of proposed addition to new regulations to address course complaints and instructor conduct.

BACKGROUND:

In November 2024, staff presented to the Commission a proposal to examine the need for formally adopting regulations governing instructor conduct. The Commission concurred with this recommendation and directed staff to develop a potential framework for addressing both course-related complaints and instances of substandard instructor conduct or performance.

Since that time, staff has engaged in regular consultations with internal stakeholders to assess the anticipated impacts of an instructor conduct regulation and to formulate recommended regulatory provisions and procedures for addressing deficiencies in conduct or performance.

ANALYSIS:

Staff has undertaken a review of the legal, regulatory, policy, and procedural considerations associated with the adoption of standards for instructor conduct and the processes for addressing complaints within POST-certified courses. In the course of this review, staff has also identified potential implications arising from existing statutes and Commission regulations, including Commission Regulations 1004, 1052, and 1059, as well as Government Code section 7286(b)(18).

This report is submitted to the Commission as an update on the progress and activities undertaken to date.

RECOMMENDATION: This report is presented for information only. No action is required.

AGENDA ITEM REPORT

Title: REPORT ON DISCUSSION REGARDING COMMISSION REGULATION 1005 - PEACE OFFICER MINIMUM TRAINING REQUIREMENTS

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Legal Affairs Bureau	
RESEARCHED BY William T. Darden	**REVIEWED BY**	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/22/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: Should the Commission amend Regulation 1005 to modify training requirements for certain peace officers?

BACKGROUND: The Commission has considered the topic of updating Regulation 1005 on several occasions. In addition, two meetings have been held with various interested groups that included Commissioners Gordon and Braziel on this topic, together with the related topics of increasing the number of hours for the Penal Code 832 training course.

Discussions of the Commission in past meetings have included topics such as whether POST participating agencies should be allowed to permit employment of support officers, such as park rangers, with less than the full Regular Basic Course (RBC) as long as those personnel are under the ultimate control and supervision of the POST participating agency. One concern with this idea is that it might permit such limited function officers more authority than the authority possessed by Level II Reserves, despite the limited function officer potentially having less training that a Level II Reserve. Some have expressed support for the idea that any/all peace officers, except those with purely investigative duties, should be required to have the full RBC.

The discussions at the workshops demonstrated that strong support exists for requiring the RBC for any position that requires the performance of general law enforcement duties. Those discussions also considered modifying the PC 832

course by generally increasing the content of the course for all levels of peace officer training, including the lowest level introductory course, and a much higher level of training for limited peace officers that is nevertheless less than the full RBC. However, it also became clear in the course of these discussions that determining what content to eliminate from the RBC in order to train limited function officers was not an easy task.

With this background, Chief Counsel Darden undertook the task of attempting to review each classification of peace officer set forth in Chapter 4.5 of the Penal Code (the Chapter of the Penal Code that enumerates every recognized classification of peace officer in California) and determining what level of training appears to be appropriate in consideration of that officer's duties.

ANALYSIS:

This draft begins with the basic proposition that peace officers should not be appointed into positions requiring the exercise of authority for which they have not been fully trained. As the draft explains, while the Commission does not currently have regulatory authority over every peace officer in California, the new regulation, if adopted, should be considered a best practice for all peace officers, whether they are subject to the Commission's jurisdiction or not. The draft explains that all law enforcement agencies should carefully consider whether to permit a law enforcement officer to carry a firearm if the officer has not completed either the full RBC, or, in the case of officers with solely investigative authority, the SIBC.

With this in mind, the draft regulation endeavors to address those officers who should be required to complete the RBC, the SIBC, or the PC 832 training. Within each category, those officers granted peace officer authority are, section by section, placed within either the RBC, SIBC, or PC 832 requirement.

Most of the officers placed within the RBC requirement should not be controversial. However, some may require more scrutiny, in light of prior discussions of the Commission, to determine whether the placement is, in the Commission's view, proper. By way of example, this draft regulation places peace officer park rangers appointed pursuant to Penal Code section 830.31(b) within the RBC category because such officers have the primary duty of "protection of the park and the preservation of the peace therein" which is the equivalent of performance of general law enforcement duties requiring the RBC under existing POST regulations. The same is true for harbor or port police regularly employed and paid by a city, county or district pursuant to Penal Code section 830.33 because such officers have a primary duty of "enforcement of the law in or about" the

properties they patrol, or "when performing necessary duties with respect to patrons, employees and properties" or the port or harbor. One provision the Commission may wish to carefully consider is one requiring the RBC for every peace officer not otherwise covered by the provisions of Regulation 1005 if the officer is permitted to carry a firearm on or off duty.

Similarly, most of the officers placed in the SIBC provision are likely not controversial, as they are mostly officers engaged in primarily investigative functions that do not handle general patrol functions. A few positions that are not primarily investigative have been preliminarily placed in this category as well, such as marshals and deputy marshals, the Attorney General, and voluntary peace officer fire wardens.

The PC 832 section specifies that no peace officer should engage in general law enforcement or uniformed patrol duties based solely upon completion of the PC 832 introductory course, with the same being true for those responsible for the general prevention and detection of crime and the general enforcement of the criminal laws of the state. The few categories of peace officers permitted under this draft to exercise peace officer power with solely the introductory course training are coroners, jail deputies, and Security Officers of the DOJ and the San Francisco College of the Law.

RECOMMENDATION: This report is presented for information only. No action is required.

ATTACHMENT(S):
1005 new draft..pdf

DRAFT: FOR DISCUSSION PURPOSES (NOT FILED WITH OAL)

PROPOSED CHANGES TO COMMISSION REGULATION 1005 (Cal. Code Regs. tit. 11, § 1005)

(Minimum Standards for Training).

11 CCR § 1005

§ 1005. Minimum Standards for Training. (Refer to Commission Regulation 1007 and Commission Procedure H for Reserve Peace Officer Training Standards).

(a) Minimum Entry-Level Training Standards (Required)

Peace officers are vested with extraordinary powers by virtue of their employment. For this reason, an officer should not be permitted to exercise peace officer powers unless they first successfully complete a course of training commensurate with the degree of authority they will be permitted to exercise by virtue of their appointment.

The standards set forth in this section establish the minimum required entry-level training standards for peace officers that are subject to POST regulations, including:

- Those peace officers enumerated in Penal Code section 13510.1;
- Peace officers employed by any POST-participating agency; and
- Peace officers required by law to either complete a course of training prescribed by POST or to obtain a Basic Certificate.

To the extent any other peace officer in the state is not subject to these regulations, the Commission considers the levels of training required herein to be consistent with best practices for sworn law enforcement officers in California, and encourages all agencies to subscribe to these baseline training standards in order to best protect the public, mitigate risk, and increase effectiveness of police responses to calls for service.

In particular, all law enforcement agencies should carefully consider whether to permit any law enforcement officer to carry a firearm that has not completed the Regular Basic Course (RBC) (or, in the case of investigators, the Specialized Investigative Basic Course). Officers that have not completed the RBC may not

engage in General Law Enforcement Duties (11 Cal. Code Regs § 1001(25)) or Uniformed Patrol Duties (See 11 Cal. Code Regs § 1001(75).) Moreover, pursuant to state law, any officer responsible for the prevention and detection of crime and the general enforcement of the criminal laws of this state must obtain a basic certificate as specified by statute, in order to continue to exercise peace officer powers. (Penal Code § 832.4.) In addition to the other requirements for issuance of a Basic Certificate as specified by these regulations, this requires completion of the RBC.

(1) Regular Basic Course Requirement: Unless otherwise specified by statute or by another provision of Commission regulations, the following categories of peace officers are required to complete the RBC before being assigned duties which include the exercise of peace officer powers:

(A) The following peace officers described in Penal Code section 830.1(a):

1. A sheriff, undersheriff, or deputy sheriff, employed in that capacity, of a county. (Penal Code § 830.1(a).)

2. A chief of police of a city or chief, director, or chief executive officer of a consolidated municipal public safety agency that performs police functions. (Penal Code § 830.1(a).)

3. A police officer, employed in that capacity and appointed by the chief of police or chief, director, or chief executive of a public safety agency, of a city. (Penal Code § 830.1(a).)

4. A chief of police, or police officer of a district, including police officers of the San Diego Unified Port District Harbor Police, authorized by statute to maintain a police department. (Penal Code § 830.1(a).)

5. A port warden or port police officer of the Harbor Department of the City of Los Angeles. (Penal Code § 830.1(a))

(B) The following peace officers described in Penal Code section 830.2:

1. Any member of the Department of the California Highway Patrol including those members designated under subdivision (a) of Section 2250.1 of the Vehicle Code, provided that the primary duty of the peace officer is the enforcement of any law relating to the use or operation of vehicles upon the highways, or laws pertaining to the provision of police services for the protection of state officers, state properties, and the occupants of state properties, or both, as set forth in the Vehicle Code and Government Code. (Penal Code § 830.2(a).)

2. A member of the University of California Police Department appointed pursuant to Section 92600 of the Education Code, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Section 92600 of the Education Code. (Penal Code § 830.2(b).)

3. A member of the California State University Police Departments appointed pursuant to Section 89560 of the Education Code, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Section 89560 of the Education Code. (Penal Code § 830.2(c).)

4. Employees of the Department of Fish and Game designated by the director, provided that the primary duty of those peace officers shall be the enforcement of the law as set forth in Section 856 of the Fish and Game Code. (Penal Code § 830.2(e).)

5. Employees of the Department of Parks and Recreation designated by the director pursuant to Section 5008 of the Public Resources Code, provided that the primary duty of the

peace officer shall be the enforcement of the law as set forth in Section 5008 of the Public Resources Code. (Penal Code § 830.2(f).)

6. The Director of Forestry and Fire Protection and employees or classes of employees of the Department of Forestry and Fire Protection designated by the director pursuant to Section 4156 of the Public Resources Code, provided that the primary duty of the peace officer shall be the enforcement of the law as that duty is set forth in Section 4156 of the Public Resources Code. However, any such officer assigned solely to duties as an arson investigator may instead complete the Specialized Investigator's Basic Course. (Penal Code § 830.2(g).)

7. Marshals and police appointed by the Board of Directors of the California Exposition and State Fair pursuant to Section 3332 of the Food and Agricultural Code, provided that the primary duty of the peace officers shall be the enforcement of the law as prescribed in that section. (Penal Code § 830.2(i).)

(C) The following peace officers described in Penal Code section 830.3:

1. The chief, assistant chief, and all security and safety officers of museum security and safety of Exposition Park, as designated by the Exposition Park Manager pursuant to Section 4108 of the Food and Agricultural Code, provided that the primary duty of those peace officers shall be the enforcement of the law as that duty is set forth in Section 4108 of the Food and Agricultural Code. (Penal Code § 830.3(r).)

(D) The following peace officers described in Penal Code section 830.31:

1. A police officer of the County of Los Angeles, if the primary duty of the officer is the enforcement of the law in or about properties owned, operated, or administered by his or her employing agency or when performing necessary duties with respect to patrons, employees, and properties of his or her employing agency. (Cal. Penal Code § 830.31(a).)

2. A person designated by a local agency as a park ranger and regularly employed and paid in that capacity, if the primary duty of the officer is the protection of park and other property of the agency and the preservation of the peace therein. (Cal. Penal Code § 830.31(b).)

3. A peace officer of the Department of General Services of the City of Los Angeles who was transferred to the Los Angeles Police Department and designated by the Chief of Police of the Los Angeles Police Department, or his or her designee, if the primary duty of the officer is the enforcement of the law in or about properties owned, operated, or administered by the City of Los Angeles or when performing necessary duties with respect to patrons, employees, and properties of the City of Los Angeles. For purposes of this section, "properties" means city offices, city buildings, facilities, parks, yards, and warehouses. (Cal. Penal Code § 830.31(c)(1).)

4. A housing authority patrol officer employed by the housing authority of a city, district, county, or city and county or employed by the police department of a city and county, if the primary duty of the officer is the enforcement of the law in or about properties owned, operated, or administered by his or her employing agency or when performing necessary duties with respect to patrons, employees, and properties of his or her employing agency. (Cal. Penal Code § 830.31(d).)

(E) The following peace officers described in Penal Code section 830.32:

1. Members of a California Community College police department appointed pursuant to Section 72330 of the Education Code, if the primary duty of the police officer is the enforcement of the law as prescribed in Section 72330 of the Education Code.

2. Persons employed as members of a police department of a school district pursuant to Section 38000 of the Education Code, if the primary duty of the police officer is the enforcement of the law as prescribed in Section 38000 of the Education Code.

3. Any peace officer employed by a K-12 public school district or California Community College district who has completed training as prescribed by subdivision (f) of Section 832.3 shall be designated a school police officer.

   Every school police officer employed by a K-12 school district or California Community College district after July 1, 1999, in addition to the Regular Basic Course, shall complete a POST-certified Campus Law Enforcement Course [(Commission Regulation 1081(a)] within two years of the date of first appointment.

(F) The following peace officers described in Penal Code section 830.33:

1. A member of the San Francisco Bay Area Rapid Transit District Police Department appointed pursuant to Section 28767.5 of the Public Utilities Code, if the primary duty of the peace officer is the enforcement of the law in or about properties owned, operated, or administered by the district or when

performing necessary duties with respect to patrons, employees, and properties of the district.

2. Harbor or port police regularly employed and paid in that capacity by a county, city, or district other than peace officers authorized under Section 830.1, if the primary duty of the peace officer is the enforcement of the law in or about the properties owned, operated, or administered by the harbor or port or when performing necessary duties with respect to patrons, employees, and properties of the harbor or port.

3. Transit police officers or peace officers of a county, city, transit development board, or district, if the primary duty of the peace officer is the enforcement of the law in or about properties owned, operated, or administered by the employing agency or when performing necessary duties with respect to patrons, employees, and properties of the employing agency.

4. Any person regularly employed as an airport law enforcement officer by a city, county, or district operating the airport or by a joint powers agency, created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, operating the airport, if the primary duty of the peace officer is the enforcement of the law in or about properties owned, operated, and administered by the employing agency or when performing necessary duties with respect to patrons, employees, and properties of the employing agency.

   Every airport peace officer (Penal Code section 830.33) regularly employed and paid as such, in addition to the Regular Basic Course training requirement set forth in subsection 1005(a)(1), shall also complete a POST-certified Aviation Security Course [Commission Regulation 1081(a)], after appointment. Pursuant to Penal Code section 832.1, any

airport peace officer who has not satisfactorily completed the Aviation Security Course within the prescribed time shall not continue to have the powers of a peace officer until the officer has satisfactorily completed the course.

5. Any railroad police officer commissioned by the Governor pursuant to Section 8226 of the Public Utilities Code, if the primary duty of the peace officer is the enforcement of the law in or about properties owned, operated, or administered by the employing agency or when performing necessary duties with respect to patrons, employees, and properties of the employing agency.

(G) The following peace officers described in Penal Code Section 830.34

1. Persons designated as a security officer by a municipal utility district pursuant to Section 12820 of the Public Utilities Code, if the primary duty of the officer is the protection of the properties of the utility district and the protection of the persons thereon.

2. Persons designated as a security officer by a county water district pursuant to Section 30547 of the Water Code, if the primary duty of the officer is the protection of the properties of the county water district and the protection of the persons thereon.

3. The security director of the public utilities commission of a city and county, if the primary duty of the security director is the protection of the properties of the commission and the protection of the persons thereon.

4. Persons employed as a park ranger by a municipal water district pursuant to Section 71341.5 of the Water Code, if the primary duty of the park ranger is the protection of the

properties of the municipal water district and the protection of the persons thereon.

(H) The following peace officers described in Penal Code Section 830.36

1. The Sergeant-at-Arms of each house of the Legislature, if the primary duty of the peace officer is the enforcement of the law in or about properties owned, operated, or administered by the employing agency or when performing necessary duties with respect to patrons, employees, and properties of the employing agency.

2. Marshals of the Supreme Court and bailiffs of the courts of appeal, and coordinators of security for the judicial branch, if the primary duty of the peace officer is the enforcement of the law in or about properties owned, operated, or administered by the employing agency or when performing necessary duties with respect to patrons, employees, and properties of the employing agency.

3. Court service officer in a county of the second class and third class, if the primary duty of the peace officer is the enforcement of the law in or about properties owned, operated, or administered by the employing agency or when performing necessary duties with respect to patrons, employees, and properties of the employing agency.

(I) The following peace officers described in Penal Code Section 830.37

1. Firefighter/security guards by the Military Department, if the primary duty of the peace officer is the enforcement of the law in or about properties owned, operated, or administered by the employing agency or when performing necessary duties with respect to patrons, employees, and properties of the employing agency.

(J) Except as specified in section (a)(2) or (a)(3), any peace officer permitted to carry a firearm by his or her employing agency while on duty and/or while off duty, regardless of the Penal Code section used by the employing agency as the authority for appointment or employment.

(K) Except as specified in section (a)(2) or (a)(3), any peace officer employed by a POST participating agency.

(2) Specialized Investigator's Basic Course: Unless otherwise specified by statute or by another provision of Commission regulations, the following categories of peace officers are required to complete either the Regular Basic Course or the Specialized Investigator's Basic Course before being assigned duties which include the exercise of peace officer powers:

(A) The following peace officers described in Penal Code section 830.1(a):

1. A marshal or deputy marshal of a superior court or county;

2. An inspector or investigator employed in that capacity in the office of a district attorney. In addition to the basic course training requirement, the POST-certified District Attorney Investigator Transition Course, Commission Procedure D-14, shall be completed within 12 months from the date of appointment;

3. The Attorney General and special agents and investigators of the Department of Justice are peace officers, and those assistant chiefs, deputy chiefs, chiefs, deputy directors, and division directors designated as peace officers by the Attorney General are peace officers. The authority of these peace officers extends to any place in the state where a public offense has been committed or where there is probable cause to believe one has been committed.

(B) The following peace officers described in Penal Code section 830.2:

1. Persons employed by the Department of Alcoholic Beverage Control for the enforcement of Division 9 (commencing with Section 23000) of the Business and Professions Code and designated by the Director of Alcoholic Beverage Control, provided that the primary duty of any of these peace officers shall be the enforcement of the laws relating to alcoholic beverages, as that duty is set forth in Section 25755 of the Business and Professions Code. (Cal. Penal Code § 830.2(h).)

2. Persons employed by the Department of Cannabis Control for the enforcement of Division 10 (commencing with Section 26000) of the Business and Professions Code and designated by the Director of the Department of Cannabis Control, provided that the primary duty of any of these peace officers shall be the enforcement of the laws as that duty is set forth in Section 26015 of the Business and Professions Code. (Cal. Penal Code § 830.2(j).)

(C) The following peace officers described in Penal Code section 830.3:

1. Persons employed by the Division of Investigation of the Department of Consumer Affairs and investigators of the Dental Board of California, who are designated by the Director of Consumer Affairs, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 160 of the Business and Professions Code. (Cal. Penal Code § 830.3(a).)

2. Voluntary fire wardens designated by the Director of Forestry and Fire Protection pursuant to Section 4156 of the Public Resources Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 4156 of that code. (Cal. Penal Code § 830.3(b); 830.37(c).)

3. Employees of the Department of Motor Vehicles designated in Section 1655 of the Vehicle Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 1655 of that code. (Cal. Penal Code § 830.3(c).)

4. The chief of licensing and enforcement, supervising investigators, and investigators of the California Horse Racing Board designated by the board, if the primary duty of these peace officers is the enforcement of the Horse Racing Law (Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code), Chapter 10 (commencing with Section 330) of Title 9 of Part 1, and the federal Horseracing Integrity and Safety Act of 2020 (15 U.S.C. Sec. 3051 et seq.). (Cal. Penal Code § 830.3(d).)

5. The State Fire Marshal and assistant or deputy state fire marshals appointed pursuant to Section 13103 of the Health and Safety Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 13104 of that code. (Cal. Penal Code § 830.3(e).)

6. Inspectors of the food and drug section designated by the chief pursuant to subdivision (a) of Section 106500 of the Health and Safety Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 106500 of that code. (Cal. Penal Code § 830.3(f).)

7. All investigators of the Division of Labor Standards Enforcement designated by the Labor Commissioner, provided that the primary duty of these peace officers shall be the enforcement of the law as prescribed in Section 95 of the Labor Code. (Cal. Penal Code § 830.3(g).)

8. All investigators of the State Departments of Health Care Services, Public Health, and Social Services, the Department of Toxic Substances Control, the Office of Statewide Health Planning and Development, and the Public Employees' Retirement System, provided that the primary duty of these peace officers shall be the enforcement of the law relating to the duties of their department or office. Notwithstanding any other law, investigators of the Public Employees' Retirement System shall not carry firearms. (Cal. Penal Code § 830.3(h).)

9. Either the Deputy Commissioner, Enforcement Branch of, or the Fraud Division Chief of, the Department of Insurance and those investigators designated by the deputy or the chief, provided that the primary duty of those investigators shall be the enforcement of Section 550. (Cal. Penal Code § 830.3(i).)

10. Employees of the Department of Housing and Community Development designated under Section 18023 of the Health and Safety Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 18023 of that code. (Cal. Penal Code § 830.3(j).)

11. Investigators of the office of the Controller, provided that the primary duty of these investigators shall be the enforcement of the law relating to the duties of that office. Notwithstanding any other law, except as authorized by the Controller, the peace officers designated pursuant to this subdivision shall not carry firearms. (Cal. Penal Code § 830.3(k).)

12. Investigators of the Department of Financial Protection and Innovation designated by the Commissioner of Financial Protection and Innovation, provided that the primary duty of these investigators shall be the enforcement of the provisions

of law administered by the Department of Financial Protection and Innovation. Notwithstanding any other law, the peace officers designated pursuant to this subdivision shall not carry firearms. (Cal. Penal Code § 830.3(l).)

13. Persons employed by the Contractors' State License Board designated by the Director of Consumer Affairs pursuant to Section 7011.5 of the Business and Professions Code, provided that the primary duty of these persons shall be the enforcement of the law as that duty is set forth in Section 7011.5, and in Chapter 9 (commencing with Section 7000) of Division 3, of that code. The Director of Consumer Affairs may designate as peace officers not more than 12 persons who shall at the time of their designation be assigned to the special investigations unit of the board. Notwithstanding any other law, the persons designated pursuant to this subdivision shall not carry firearms. (Cal. Penal Code § 830.3(m).)

14. The Chief and coordinators of the Law Enforcement Branch of the Office of Emergency Services. (Cal. Penal Code § 830.3(n).)

15. Investigators of the office of the Secretary of State designated by the Secretary of State, provided that the primary duty of these peace officers shall be the enforcement of the law as prescribed in Chapter 3 (commencing with Section 8200) of Division 1 of Title 2 of, and Section 12172.5 of, the Government Code. Notwithstanding any other law, the peace officers designated pursuant to this subdivision shall not carry firearms. (Cal. Penal Code § 830.3(o).)

16. The Deputy Director for Security designated by Section 8880.38 of the Government Code, and all lottery security personnel assigned to the California State Lottery and designated by the director, provided that the primary duty of

any of those peace officers shall be the enforcement of the laws related to ensuring the integrity, honesty, and fairness of the operation and administration of the California State Lottery. (Cal. Penal Code § 830.3(p).)

17. Investigators employed by the Investigation Division of the Employment Development Department designated by the director of the department, provided that the primary duty of those peace officers shall be the enforcement of the law as that duty is set forth in Section 317 of the Unemployment Insurance Code. Notwithstanding any other law, the peace officers designated pursuant to this subdivision shall not carry firearms. (Cal. Penal Code § 830.3(q).)

18. Employees of the Franchise Tax Board designated by the board, provided that the primary duty of these peace officers shall be the enforcement of the law as set forth in Chapter 9 (commencing with Section 19701) of Part 10.2 of Division 2 of the Revenue and Taxation Code. (Cal. Penal Code § 830.3(s).)

19. Investigators of the Department of Managed Health Care designated by the Director of the Department of Managed Health Care, provided that the primary duty of these investigators shall be the enforcement of the provisions of laws administered by the Director of the Department of Managed Health Care. Notwithstanding any other law, the peace officers designated pursuant to this subdivision shall not carry firearms. . (Cal. Penal Code § 830.3(u).)

20. The Chief, Deputy Chief, supervising investigators, and investigators of the Office of Protective Services of the State Department of Developmental Services, the Office of Protective Services of the State Department of State Hospitals, and the Office of Law Enforcement Support of the California Health and Human Services Agency, provided that

the primary duty of each of those persons shall be the enforcement of the law relating to the duties of their department or office. (Cal. Penal Code § 830.3(v).)

(D) The following peace officers described in Penal Code section 830.35:

1. A welfare fraud investigator or inspector, regularly employed and paid in that capacity by a county, if the primary duty of the peace officer is the enforcement of the provisions of the Welfare and Institutions Code.

2. A child support investigator or inspector, regularly employed and paid in that capacity by a district attorney's office, if the primary duty of the peace officer is the enforcement of the provisions of the Family Code and Section 270.

(E) The following peace officers described in Penal Code section 830.37:

1. Members of an arson-investigating unit, regularly paid and employed in that capacity, of a fire department or fire protection agency of a county, city, city and county, district, or the state, if the primary duty of these peace officers is the detection and apprehension of persons who have violated any fire law or committed insurance fraud.

2. Members other than members of an arson-investigating unit, regularly paid and employed in that capacity, of a fire department or fire protection agency of a county, city, city and county, district, or the state, if the primary duty of these peace officers, when acting in that capacity, is the enforcement of laws relating to fire prevention or fire suppression.

(3) Introductory Training Course Specified in Penal Code section 832:

Penal Code section 832 provides that every person described as a peace officer in Chapter 4.5 of the Penal Code shall satisfactorily complete an introductory training course prescribed by the Commission on Peace Officer Standards and Training prior to the exercise of the powers of a peace officer and that such persons shall not have the powers of a peace officer until they satisfactorily complete the course. The fact that a person has completed an introductory course, however, does not mean that no further training is required, particularly when it comes to the exercise of the powers of a peace officer.

As specified in these regulations, any officer that has not completed the Regular Basic Course should not engage in General Law Enforcement Duties (11 Cal. Code Regs § 1001(25)) or Uniformed Patrol Duties (See 11 Cal. Code Regs § 1001(75)) based solely upon completion of an introductory course. Moreover, pursuant to state law, any officer responsible for the prevention and detection of crime and the general enforcement of the criminal laws of this state must obtain a basic certificate as specified by statute, in order to continue to exercise peace officer powers (Penal Code § 832.4) which, in addition to the other requirements for issuance of a Basic Certificate as specified by these regulations, this requires completion of the Basic Course.

(A) Every coroner or deputy coroner (as defined in Penal Code section 830.35(c)), regularly employed and paid as such, shall satisfactorily complete the Penal Code section 832 (PC 832) Arrest Course and, when applicable, the PC 832 Firearms Course, Commission Procedure D-1-7, before the exercise of peace officer powers. In addition to the PC 832 Course(s), satisfactory completion of the POST-certified Coroners' Death Investigation Course, Commission Procedure D-1-6, is also required within 12 months from date of appointment. The Coroners' Death Investigation Course requirement shall only apply to peace officer coroners hired on or after the agency enters the POST program.

(B) Every jail deputy (Penal Code section 830.1(c)) or correctional officer (Penal Code 830.55(a)(2)) shall satisfactorily meet the training requirements of the PC 832 Arrest and Firearms Course, Commission Procedure D-1-7; and within 120 days after the date of appointment, shall complete the training required by the Board of State and Community Corrections for custodial personnel pursuant to Penal Code section 6035, and the training required for custodial personnel of local detention facilities pursuant to Division 1 (commencing with Section 100) of Title 15 of the California Code of Regulations.

(C) Security officers of the Department of Justice (Penal Code § 830.4) when performing assigned duties as security officers.

(D) Security officers of the college named in Section 92200 of the Education Code. These officers shall have authority of peace officers only within the City and County of San Francisco. Notwithstanding any other law, the peace officers designated by this subdivision shall not be authorized by this subdivision to carry firearms either on or off duty.

DRAFT

AGENDA ITEM REPORT

Title: REPORT ON DECERTIFICATION (SB-2) COURSE CONTENT IN POST-CERTIFIED COURSES

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Peace Officer Standards Accountability Division	
RESEARCHED BY Bureau Chief Brian South	**REVIEWED BY**	
REPORT DATE 07/21/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/13/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: This is an update report about an ongoing project to ensure course content related to decertification of peace officers in POST-certified classes is consistent, accurate, and current.

BACKGROUND: Based on internal discussions and Commissioner comments, POST staff identified several POST-certified courses where content related to peace officer decertification (colloquially referred to as "SB2") should be included and delivered in a consistent manner. The courses that were identified include: the Internal Affairs Course, Field Training Officer Course, POST Supervisory Course and Sherman Block Supervisory Leadership Institute Course (SBSLI), and the POST Management Course.

POSAD provided one set of high-level curriculum content related to peace officer decertification and worked with relevant POST staff among multiple bureaus for inclusion in these courses. Additionally, the project also included POSAD providing specific training to course presenters/facilitators (where practical), and for POST staff to attend and observe the delivery of the updated course content.

ANALYSIS:

RECOMMENDATION: This report is presented for information only. No action is required.

AGENDA ITEM REPORT

Title: REPORT ON CERTIFICATION/DECERTIFICATION UPDATE

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Executive Office	
RESEARCHED BY	**REVIEWED BY**	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/22/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: This is a report on updates regarding the operations of the Peace Officer Standards Accountability Division and to provide operational updates and statistical data on reports and cases of serious misconduct received by POST. Formerly knows as "SB 2 Update."

BACKGROUND: On September 30, 2021, Governor Gavin Newsom signed Senate Bill 2, which outlines peace officer certification requirements in California. The investigations and the process for reviewing serious misconduct cases is now implemented within the Peace Officer Standards Accountability Division.

ANALYSIS: As the final provisions authorized under Senate Bill 2 took effect on January 1, 2023, POST staff reports out on the activities and relevant actions of the Peace Officer Standards Accountability Division and the Peace Officer Standards Accountability Advisory Board since the last Commission meeting.

RECOMMENDATION: This report is presented for information only. No action is required.

ATTACHMENT(S):

Peace_Officer_Certification_Decertification_Statistics_0925.pdf
1029_Revocation_List_September25_Commission.pdf
1029_Ineligible_List_September25_Commission.pdf

Peace Officer Standards Accountability Division

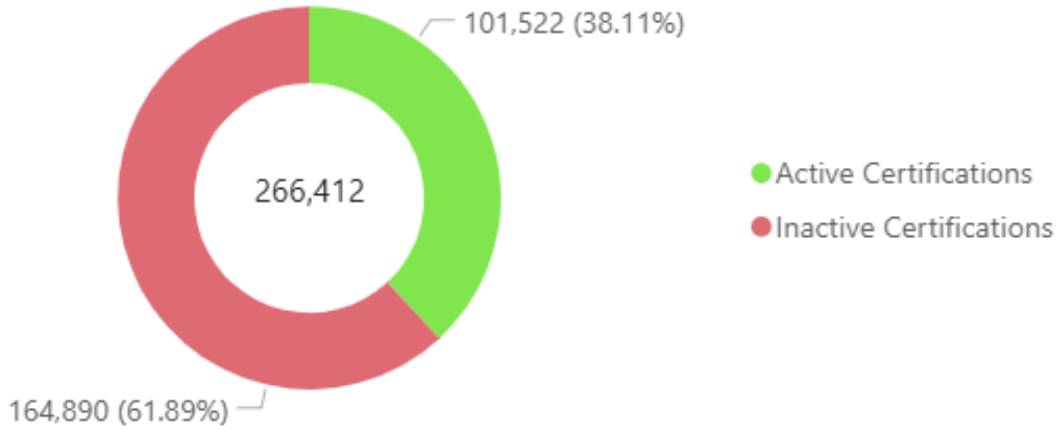
August 15, 2025

Certification Statistics

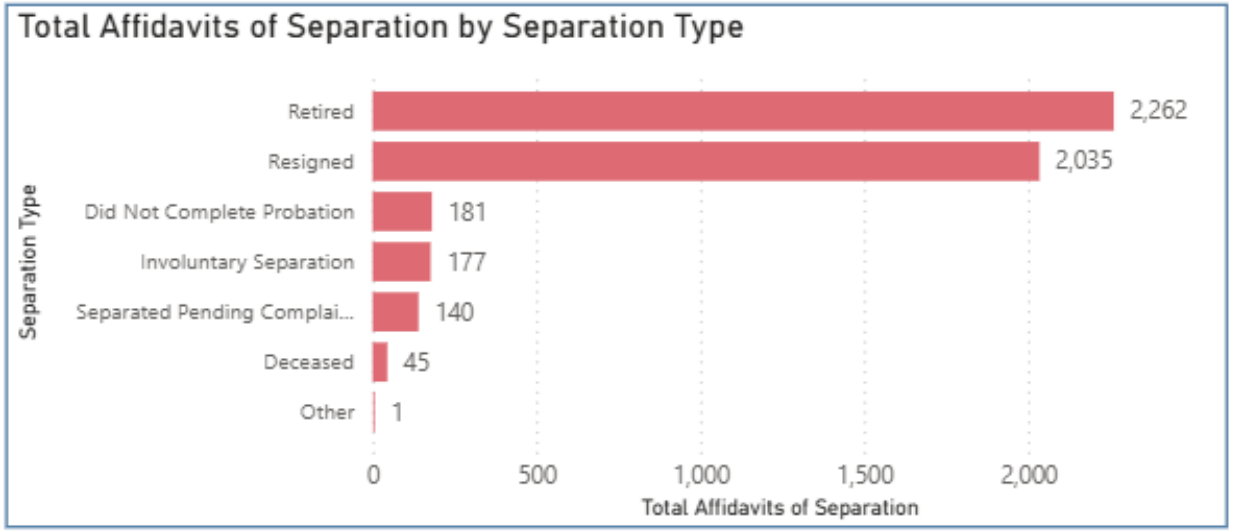
Peace Officer Certification Statistics

Report Year : 2025

Current Active and Inactive Certifications



Affidavits of Separation (AOS)



Current Full-time Peace Officers 82,595

Serious Misconduct Count 299

Total AOS 4,858

Serious Misconduct Reason	Count of Affidavits
Abuse of Power	28
Demonstrating Bias	30
Dishonesty	79
Egregious Repeated Acts	82
Failure to Cooperate with Investigation	10
Failure to Intercede	1
Law Enforcement Gang	3
Physical Abuse	41
Sexual Assault	

Basic Certificates Issued 2,640

Appointments Approved 4,865

Proof of Eligibilities Issued 3,728

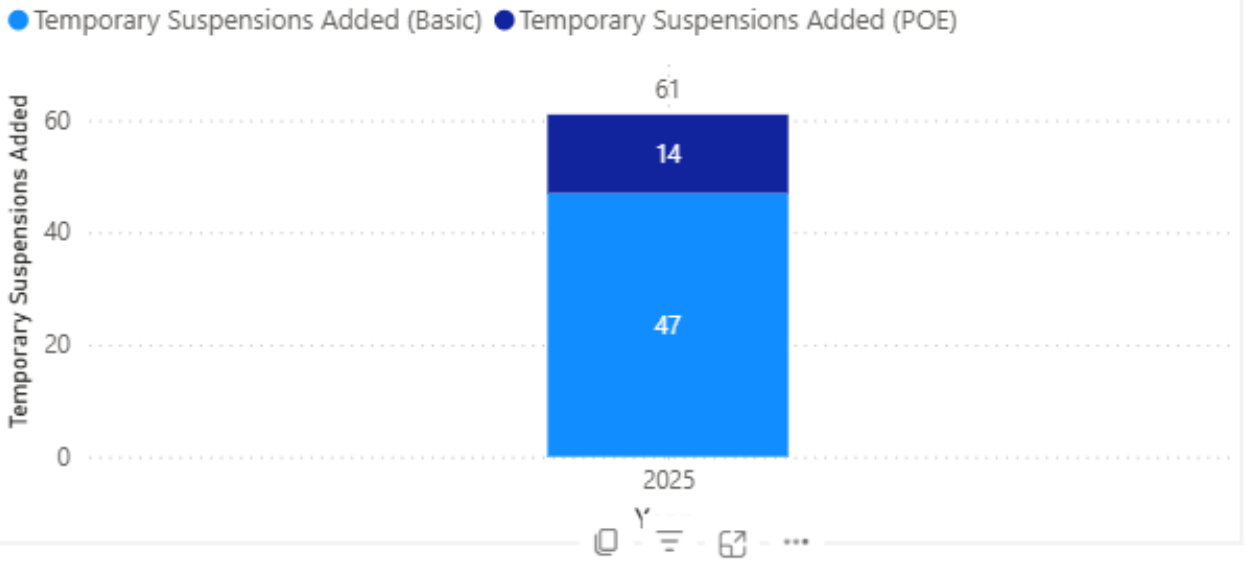
Distinct Officers with Serious Misconduct 218

Data is current as of August 15, 2025.

Peace Officer Certification Statistics

Report Year : 2025

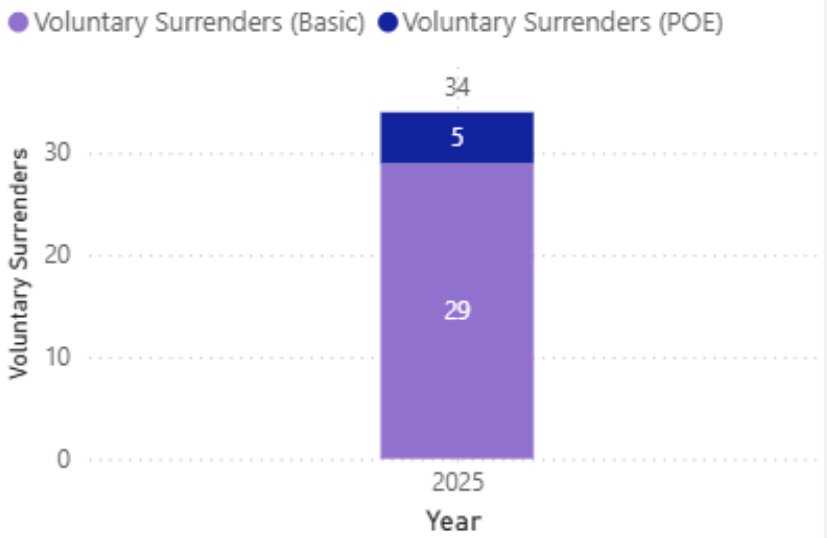
Temporary Suspensions Added by Year



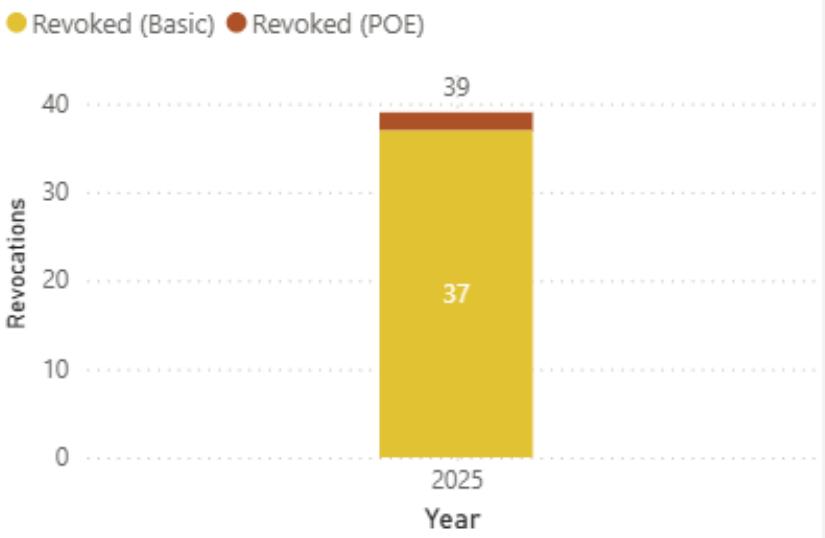
Temporary Suspensions Removed by Year



Voluntary Surrenders by Year



Revocations by Year

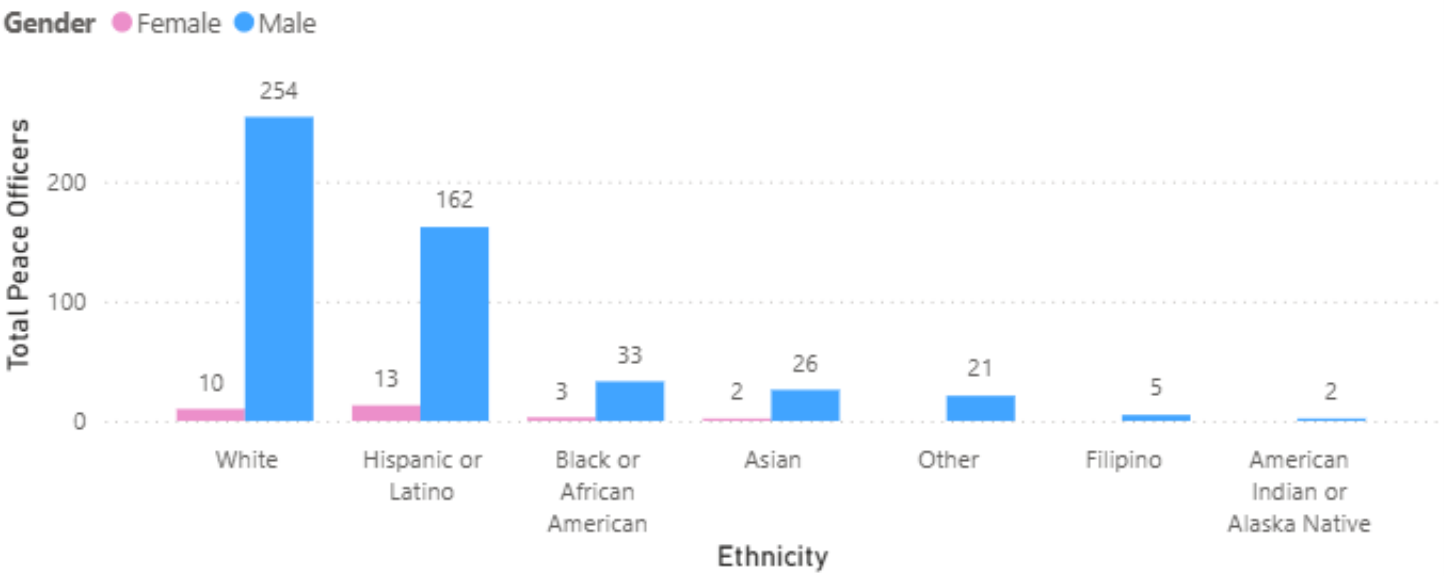


1029 Ineligibilities Added

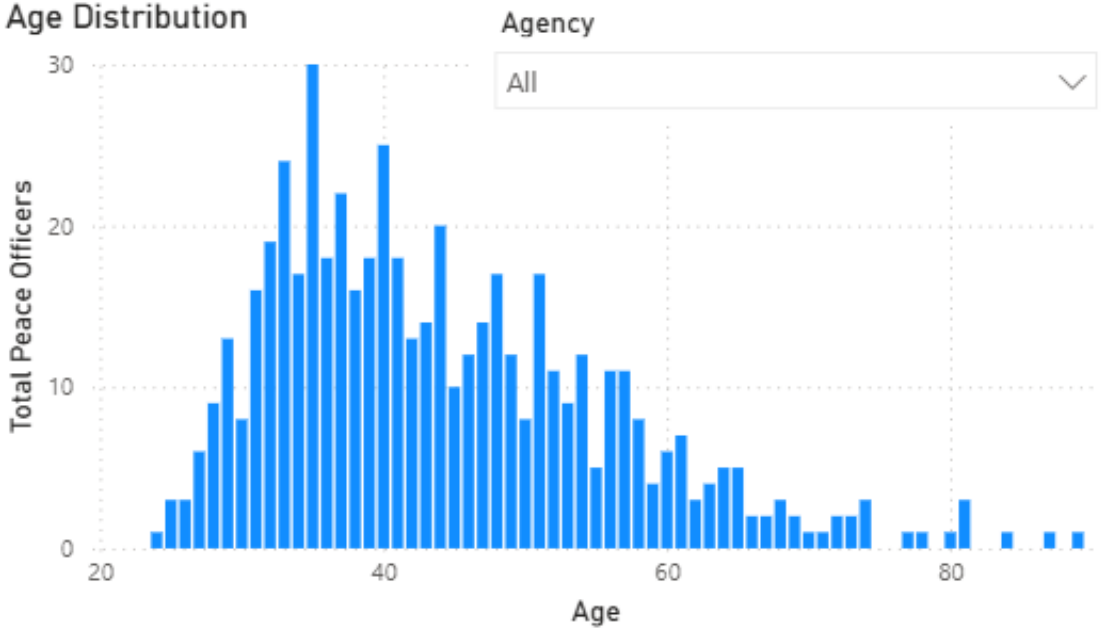
14

Peace Officer Certification Statistics

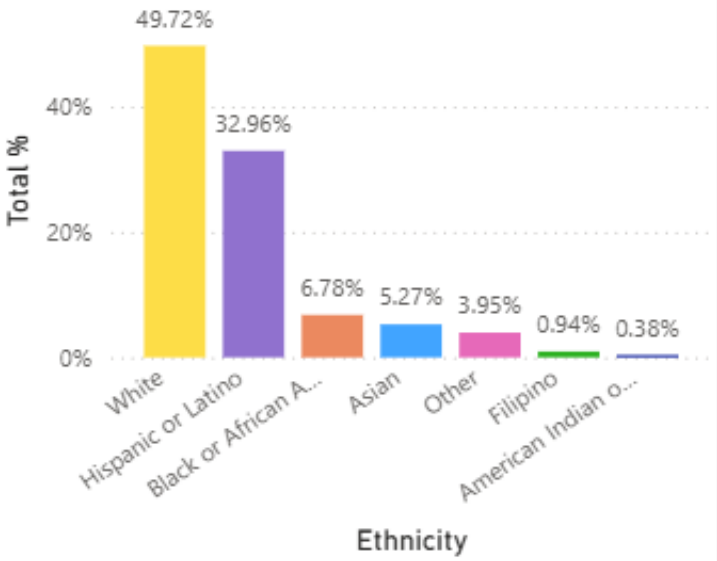
Demographics of peace officers that POST has taken action against



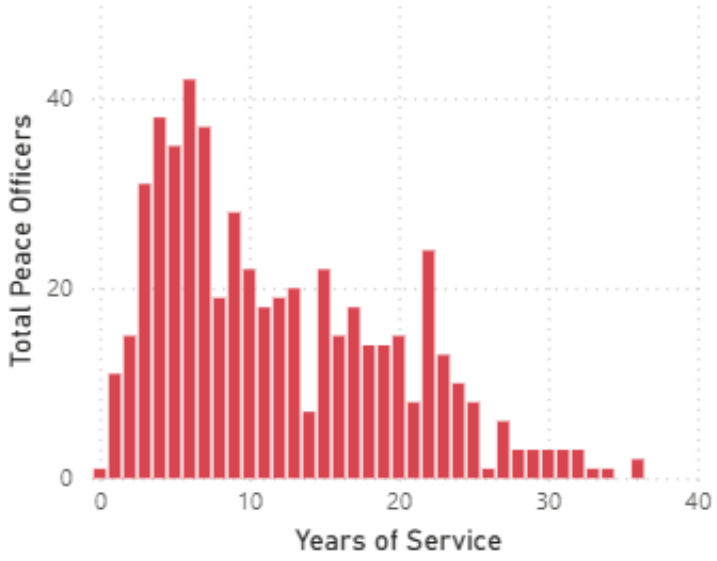
Age Distribution



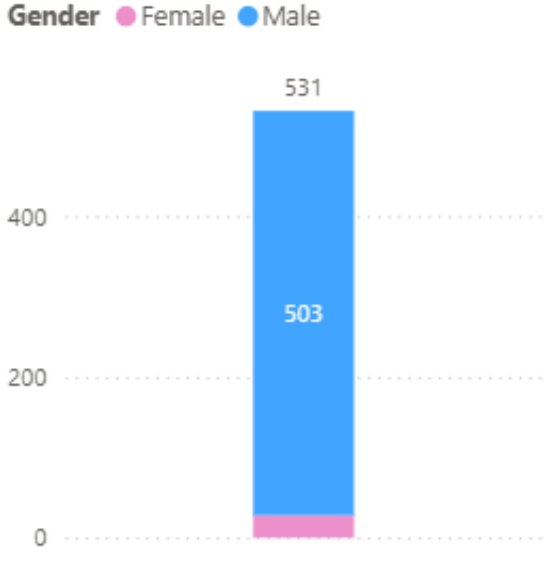
Total % by Ethnicity



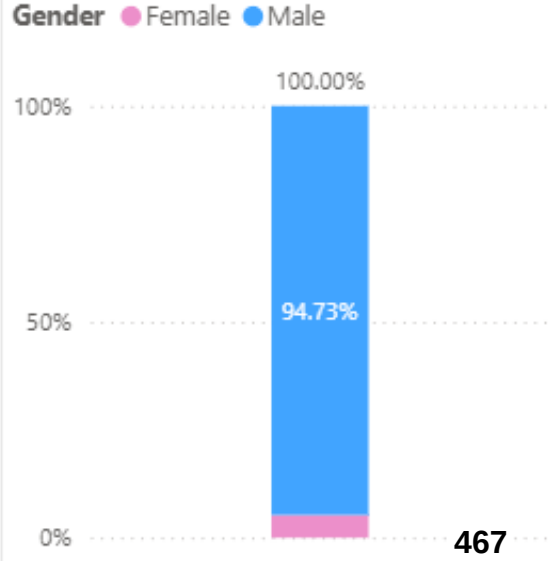
Years of Service Distribution



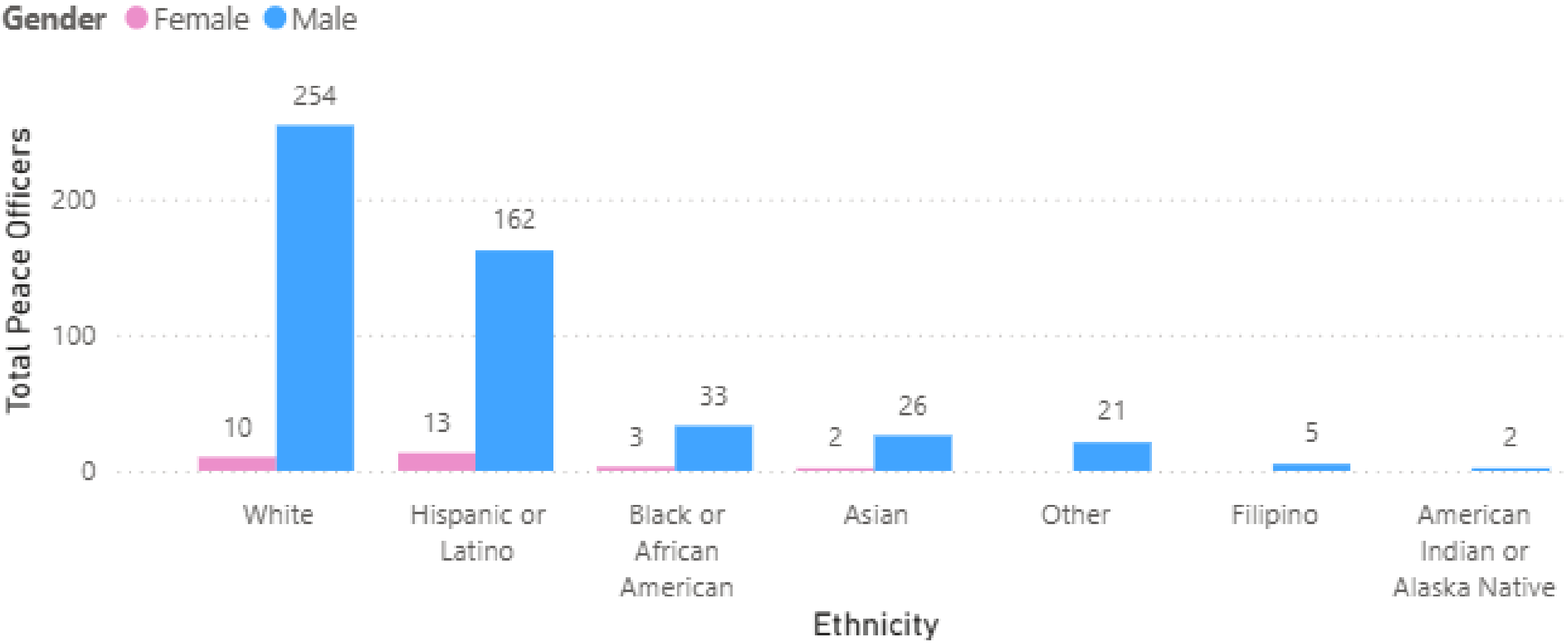
Female vs Male

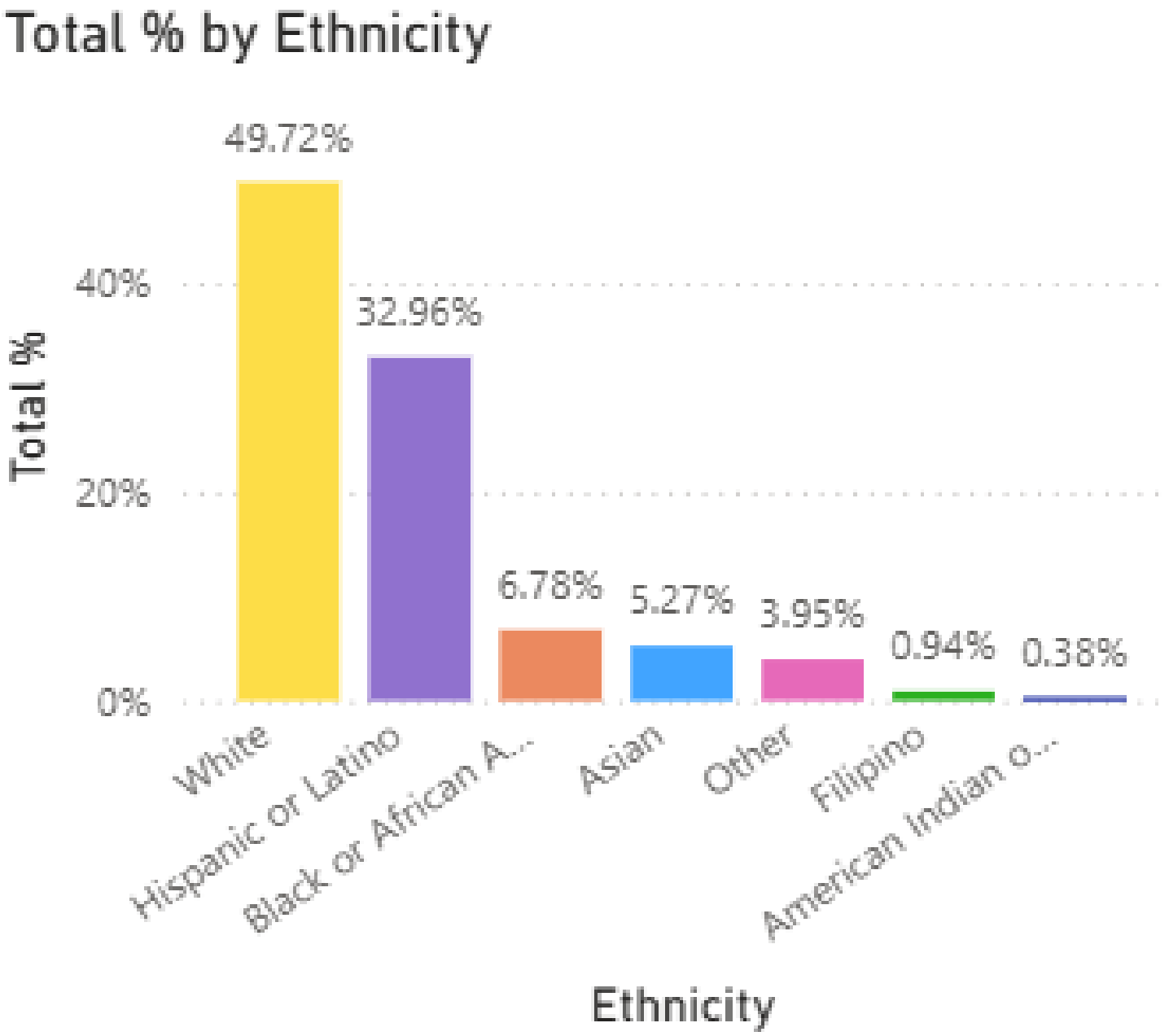


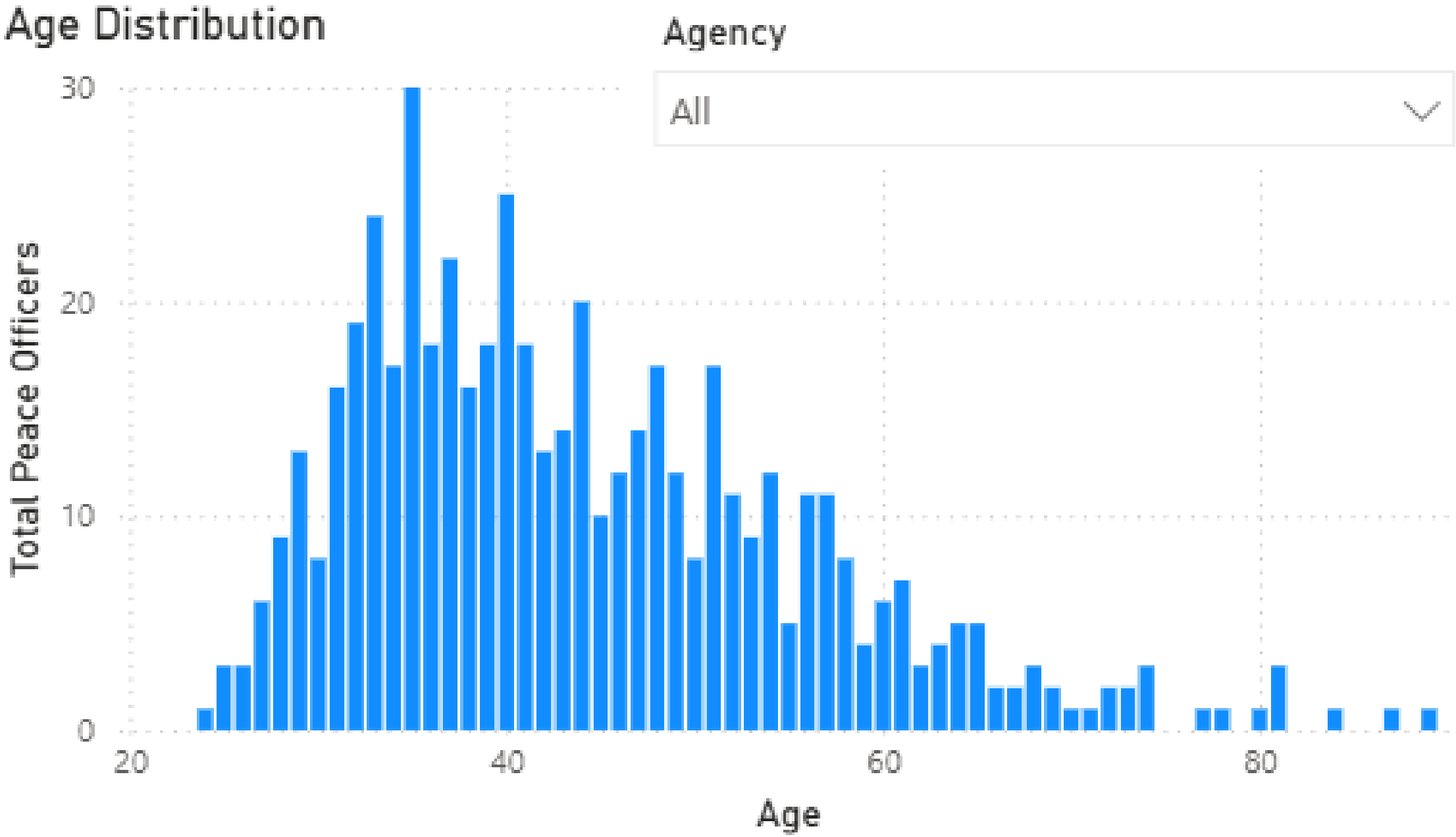
Female vs Male (%)

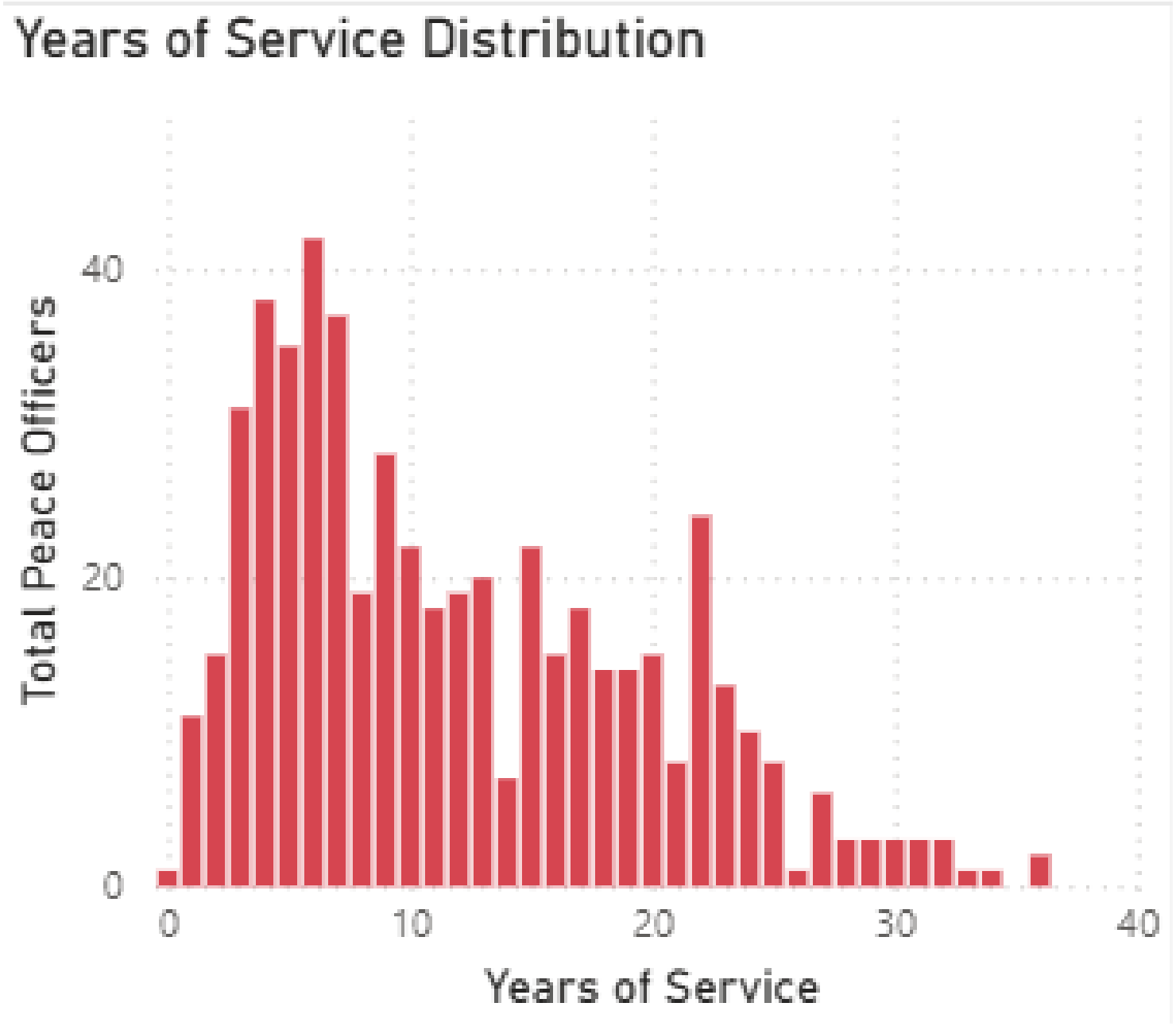


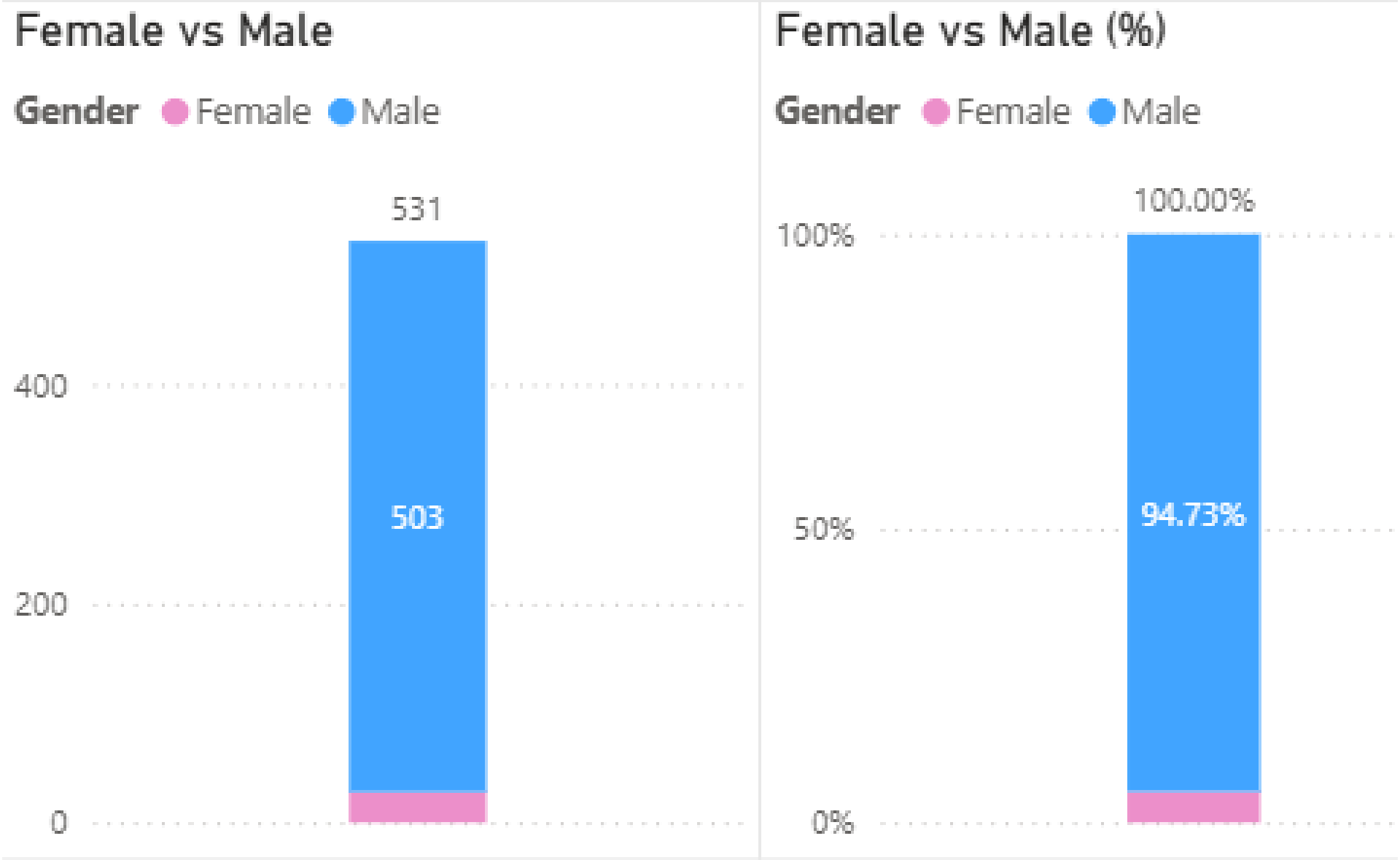
Demographics of peace officers that POST has taken action against




Total % by Ethnicity
49.72%
32.96%
6.78%
5.27%
3.95%
0.94%
0.38%
40%
20%
0%
Total %
White
Hispanic or Latino
Black or African A...
Asian
Other
Filipino
American Indian o...
Ethnicity


Age Distribution
Agency
All
Total Peace Officers
30
20
10
0
20
40
60
80
Age


Years of Service Distribution
Total Peace Officers
40
20
0
0
10
20
30
40
Years of Service


Female vs Male
Gender
Female
Male
531
503
400
200
0
Female vs Male (%)
Gender
Female
Male
100.00%
94.73%
100%
50%
0%

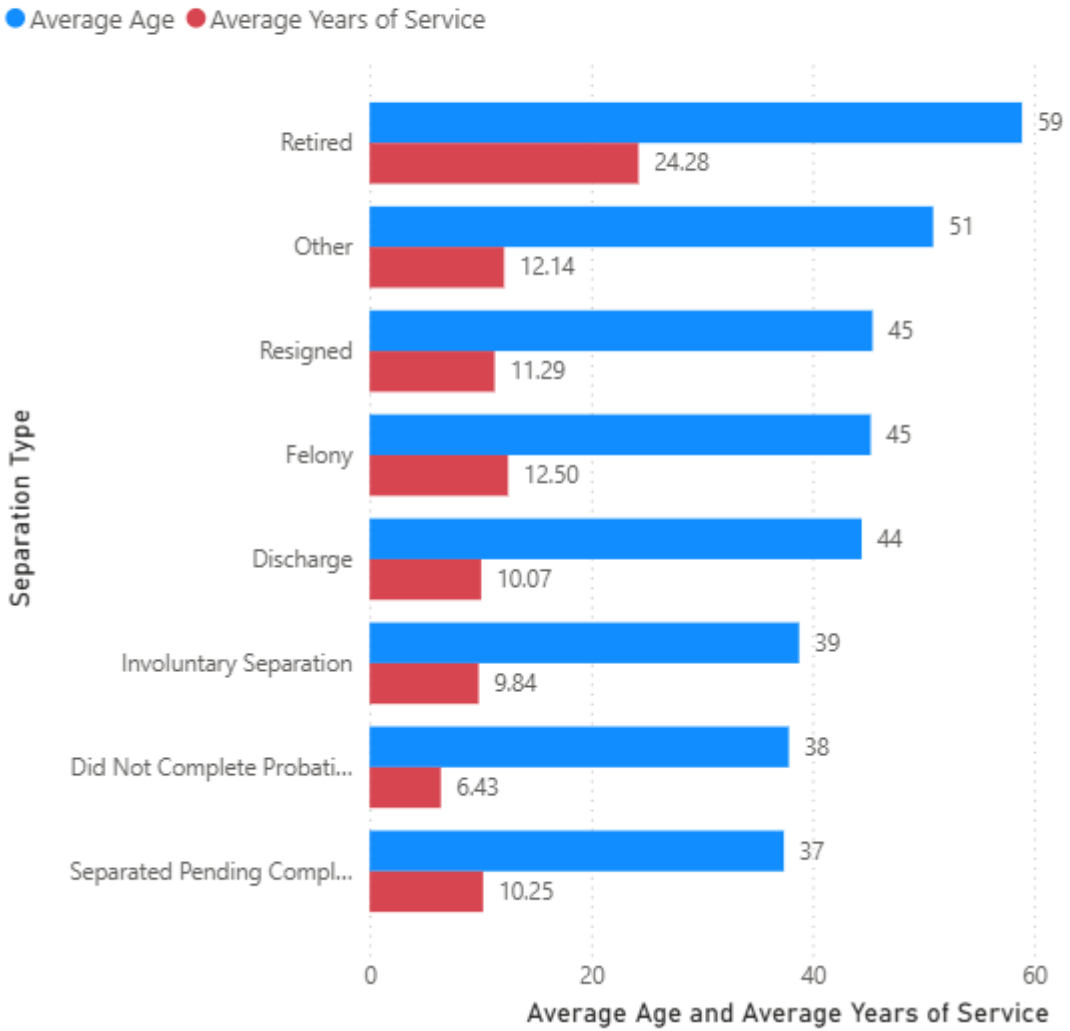
Peace Officer Certification Statistics

Demographics of peace officers that POST has taken action against

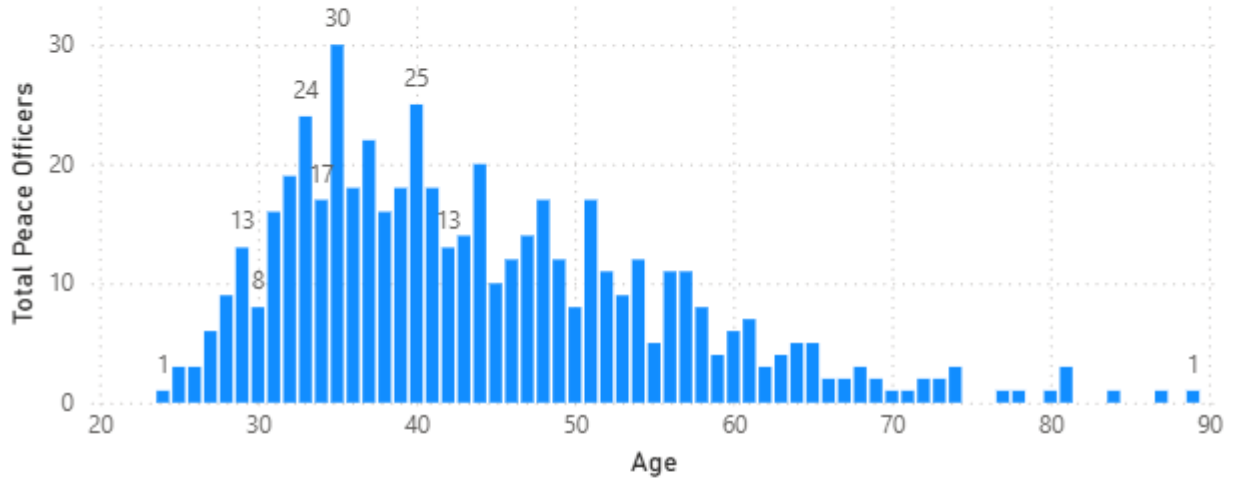
Separation Type: All

Agency: All

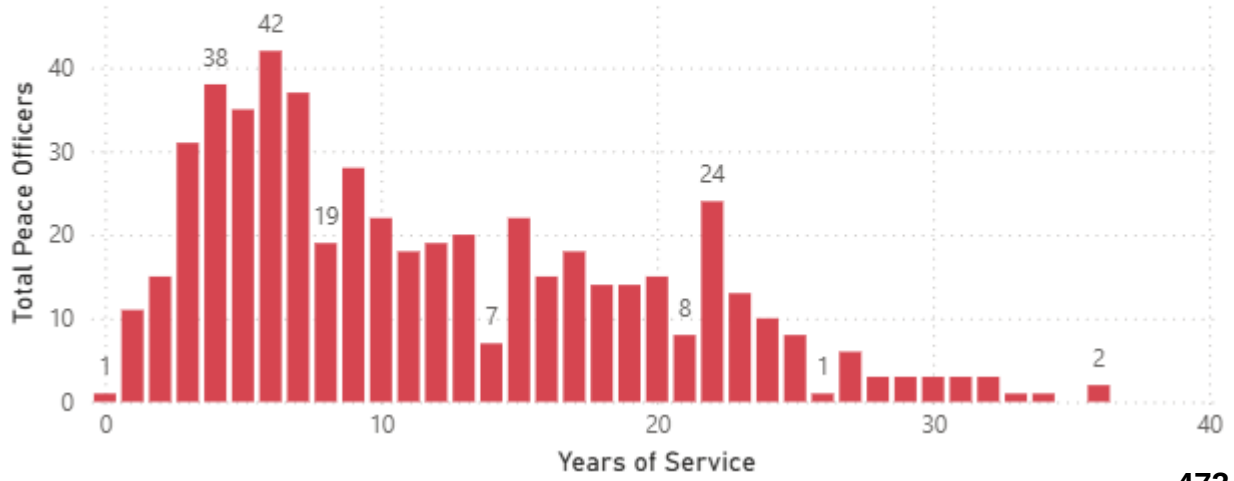
Average Age & Average Years of Service by Separation Type



Total Peace Officers by Age



Total Peace Officers by Years of Service



Peace Officer Education Statistics (Statewide)

Statewide Data | Misconduct Data

Latest Degree (Select Blank for POs w/o Degrees): All

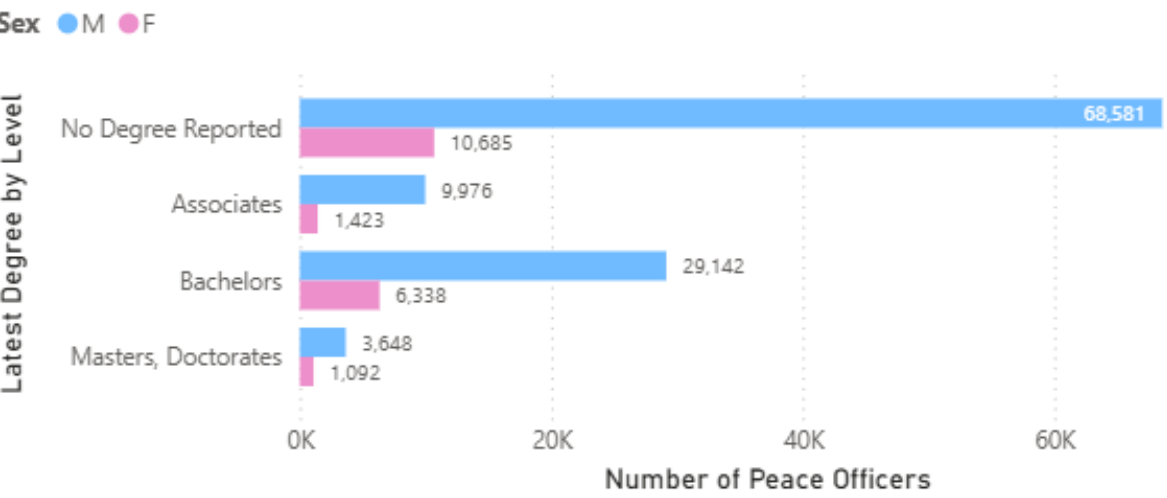
Rank: All

Sex: All

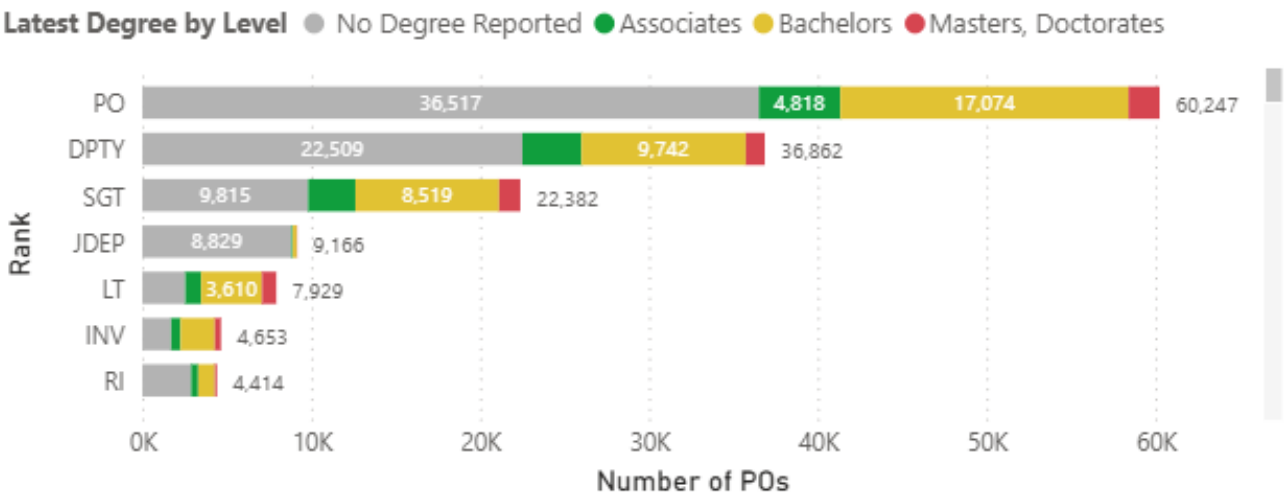
Ethncity: All

Agency: All

Number of Peace Officers by Latest Degree Earned (Statewide)



Number of POs by Rank and Latest Degree Earned (Statewide)

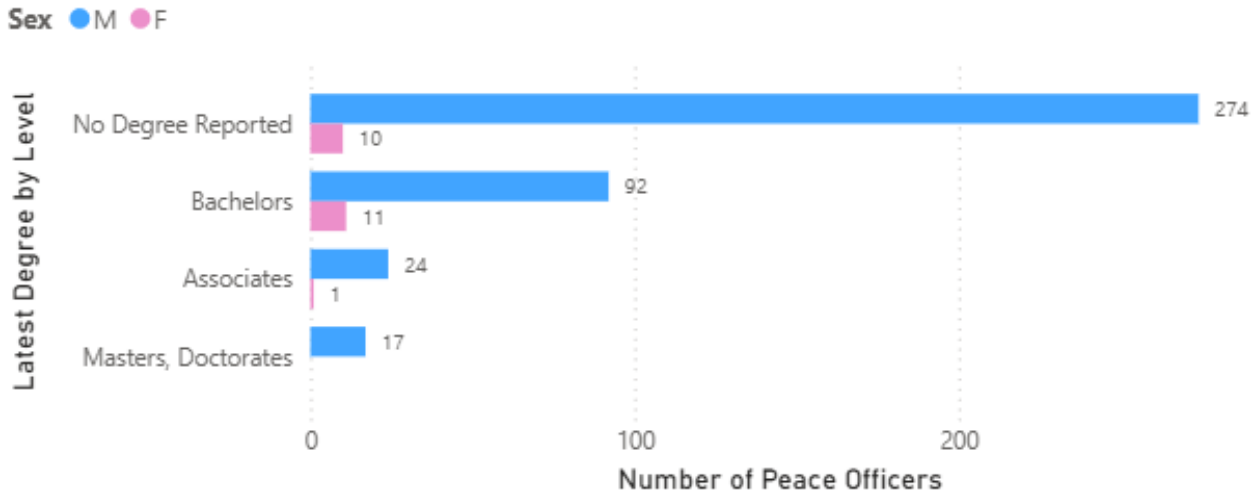


Peace Officer Education Statistics (Misconduct)

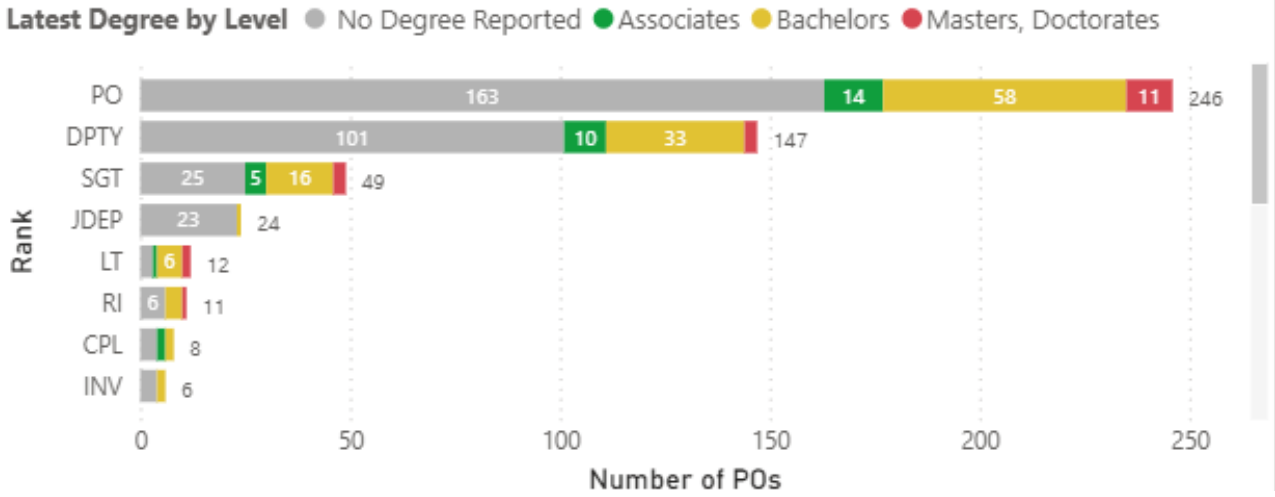
Statewide Data | Misconduct Data

Latest Degree (Select Blank for POs w/o Degree... : All
Rank : All
Sex : All
Ethnicity : All
Agency : All

Number of Peace Officers by Degrees Earned (Misconduct)



Number of POs by Rank and Latest Degree Earned (Misconduct)



Peace Officer Standards Accountability Division

Statistical Data Profile
July 2025

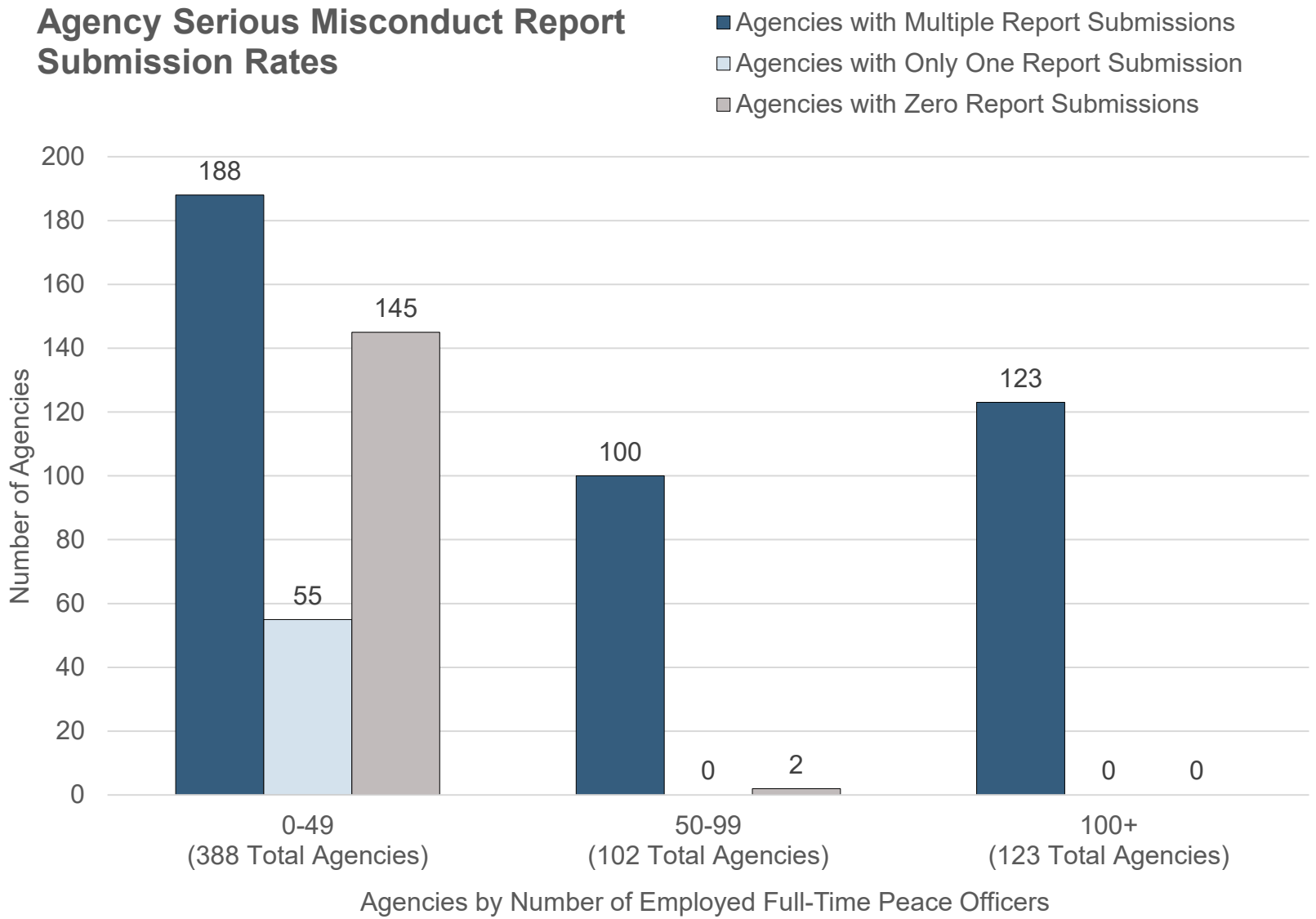
Agency participation for serious misconduct report submissions is at its highest since the implementation of SB 2.

613 agencies must report serious misconduct to POST.

Most agencies have submitted multiple serious misconduct reports to POST.

24% of agencies have not reported. Over half of these agencies employ less than 10 full-time peace officers.

Agencies with a smaller number of peace officers are statistically expected to have less serious misconduct incidents and allegations.

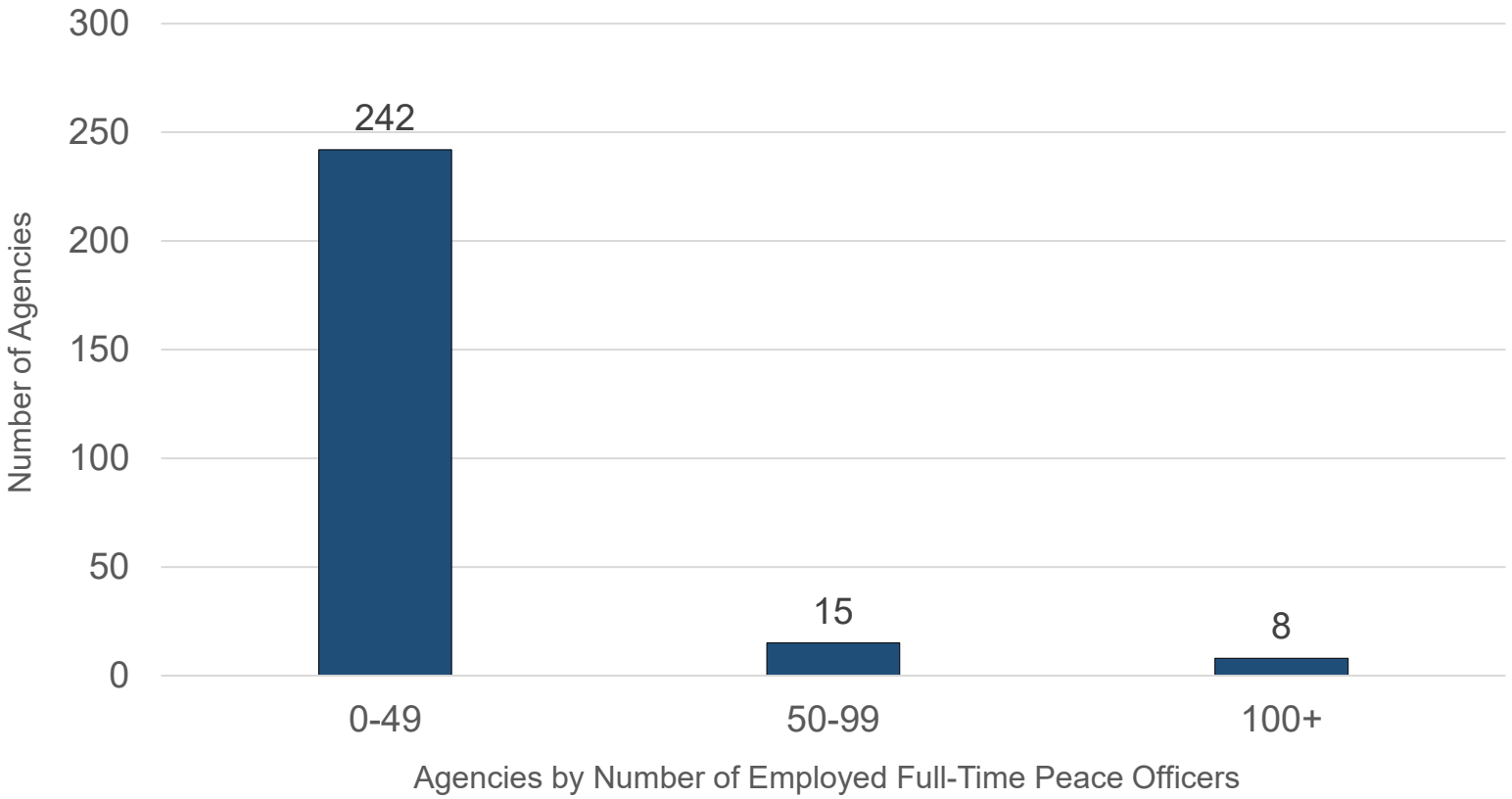


POST tracks non-reporting agencies and conducts outreach to these agencies through various methods.

POST's efforts to conduct statewide outreach to non-reporting agencies include holding virtual and in-person trainings on serious misconduct reporting, the decertification process, and serious misconduct allegations and investigations.

Annually, POST sends a letter to non-reporting agencies to confirm if they had any serious misconduct to report.

Agencies with Zero Report Submissions in January 2024



In January 2024, POST identified **265 agencies** without serious misconduct submissions.

Letters were sent POST received replies from **42 agencies**:

- 41 agencies confirmed there were no allegations to report.
- One advised of a submission pending review and approval.

In 2025, POST is still collecting responses from agencies that have not submitted a serious misconduct report.

The Division's intake of serious misconduct reports was heavily driven by the statutory retroactive reporting mandate, but numbers have since stabilized at ~2.5k reports per quarter.

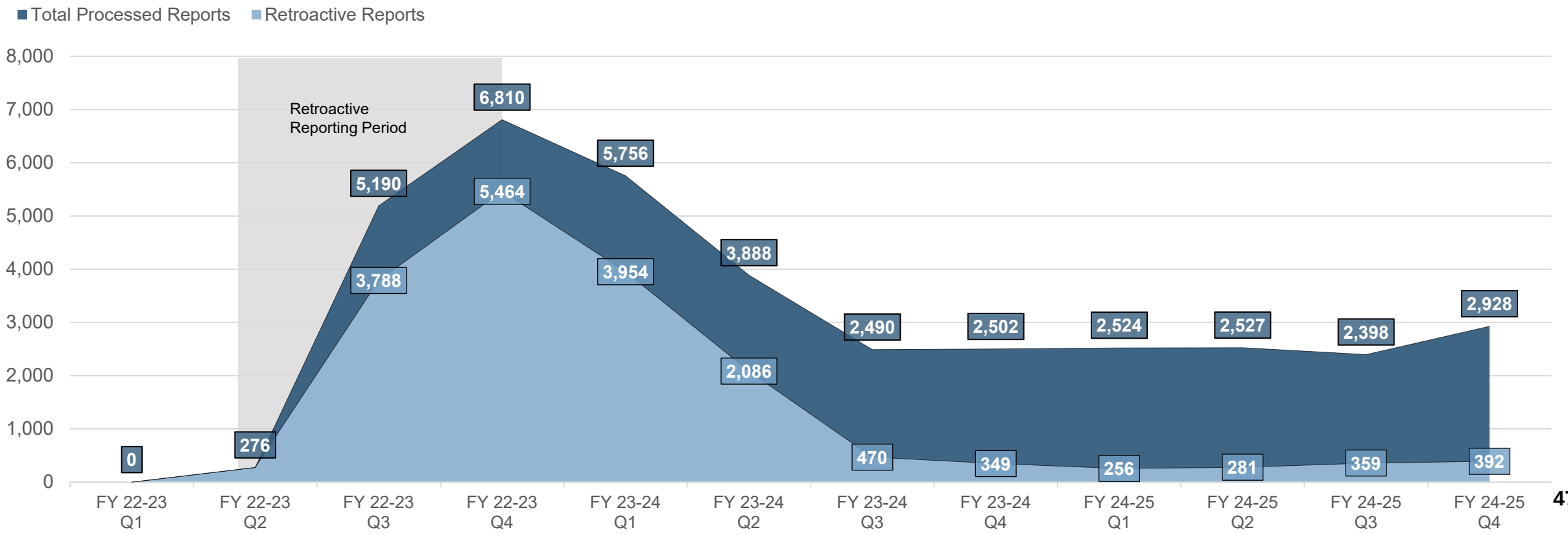
The Division processed over **37,000 Agency Misconduct reports.**

53% were received prior to the statutory retroactive reporting deadline: July 1, 2023.

Approximately half of all reports were **retroactive reports** (incident date between January 1, 2020, and January 1, 2023.)

Since the 3rd quarter of FY 23-24, the Division routinely processes approximately **2,500 reports per quarter.**

Composition of Reports Processed by the Division



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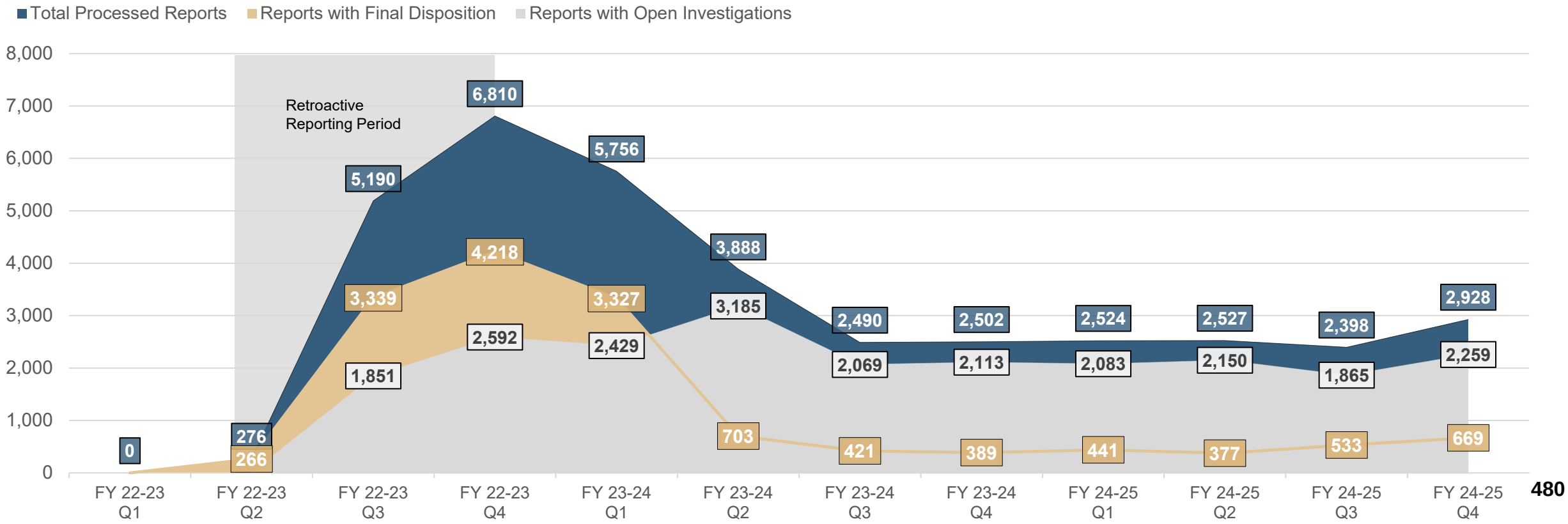
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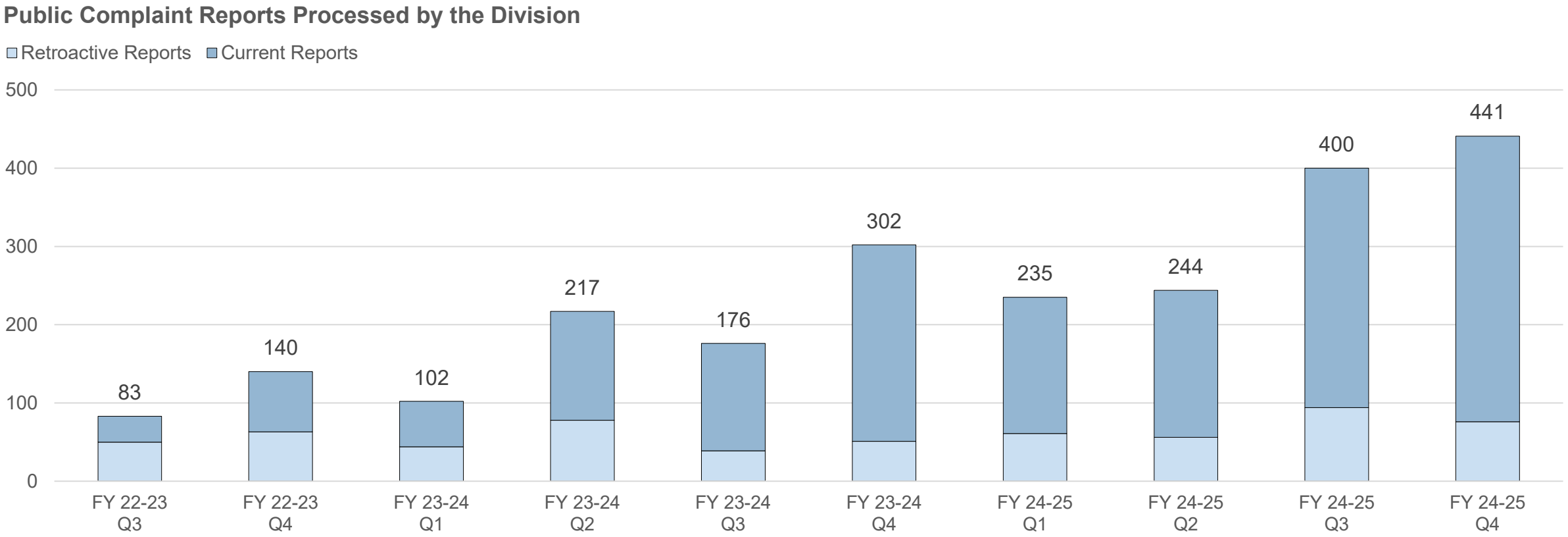
Composition of Reports Processed by the Division



Over 2,300 public complaint reports processed by the Division; increasing public awareness of POST and the decertification process has resulted in a steady increase of public complaint submissions.

POST has received complaints against **over 2,300 officers** from a pool of approximately 1,200 complainants.

Agencies have submitted 522 Agency Misconduct reports to provide findings or notify POST of its ongoing investigation into the complaint. About 300 of these reports were submitted prior to POST's receipt of the public complaint.



Total reflects the **number of officers** that received potential serious misconduct allegations rather than the actual number of public complaints submitted by members of the public; if an individual files a single complaint that contains multiple officers, POST will create a respective report for each named officer.

Overview of POST's public complaint process:

When POST receives a public complaint, it is reviewed to determine if it is against a peace officer within POST's jurisdiction.

The complaint is forwarded to the agency for its investigation; if the complaint is against an agency head or reporter in POST's records management system, it will be forwarded to the agency at the Bureau Chief's discretion. These complaints may also be investigated by POST or a third-party investigator.

Complaint reports are assigned into cases to staff to conduct outreach to ensure an agency response is received, whether it be agency findings, initiation of an investigation, or a detailed, sufficiently justified reasoning as to why the conduct within the complaint does not rise to the level of serious misconduct.

POST receives complaint from a member of the public.

The complaint is reviewed by staff to ensure the officer is jurisdictional. If a previous complaint was filed, the complaint is added to the initial complaint.



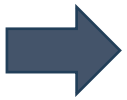
POST forwards the complaint to the agency for its response.

If the complaint is against an agency head or reporter, the complaint will only be forwarded to the agency at the Bureau Chief's discretion.



POST receives a thorough response from the agency.

POST staff continuously conduct outreach to receive an agency response. The response must be thorough and sufficient.

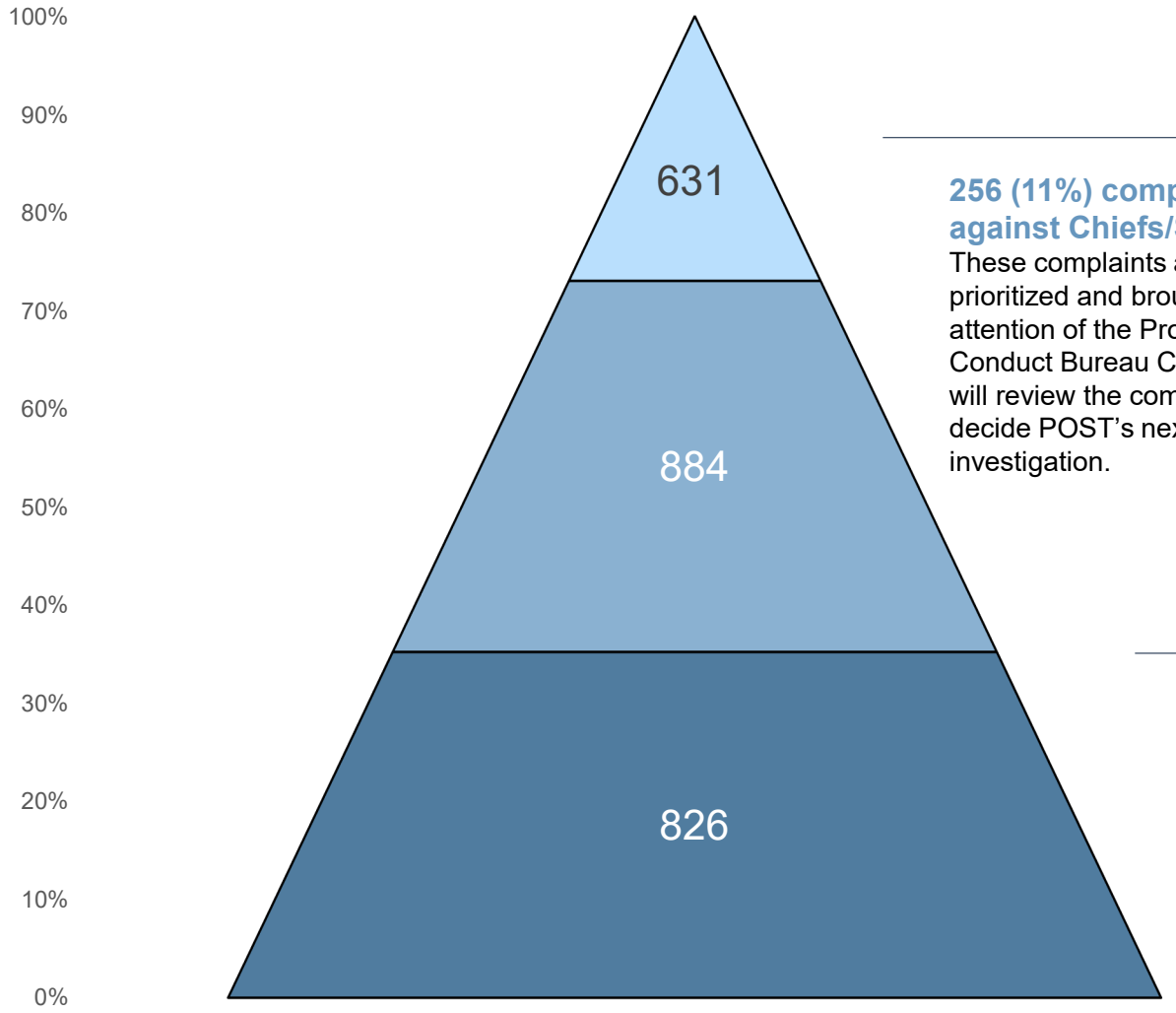


POST conducts its review of the complaint and incident.

Once sufficient documentation is obtained, POST has up to three years to complete its investigation into the public complaint.

POST is actively reviewing complaints and coordinating with agencies for documentation; 38% are undergoing review for potential serious misconduct, while 35% have been closed.

Public Complaint Composition



256 (11%) complaints are against Chiefs/Sheriffs.
These complaints are highly prioritized and brought to the attention of the Professional Conduct Bureau Chiefs, who will review the complaint and decide POST's next steps for investigation.

10 (0.4%) complaints have resulted in certification action.
These complaints have been reviewed by POST and resulted in revocation, ineligibility, or voluntary surrender of the subject officer's certification.

631 (27%) complaints require additional agency documentation.

POST communicates with agencies to receive ample documentation prior to its review.

884 (38%) complaints are undergoing POST review.

POST has received sufficient agency documentation to move forward with review. These complaints were identified for containing potential serious misconduct.

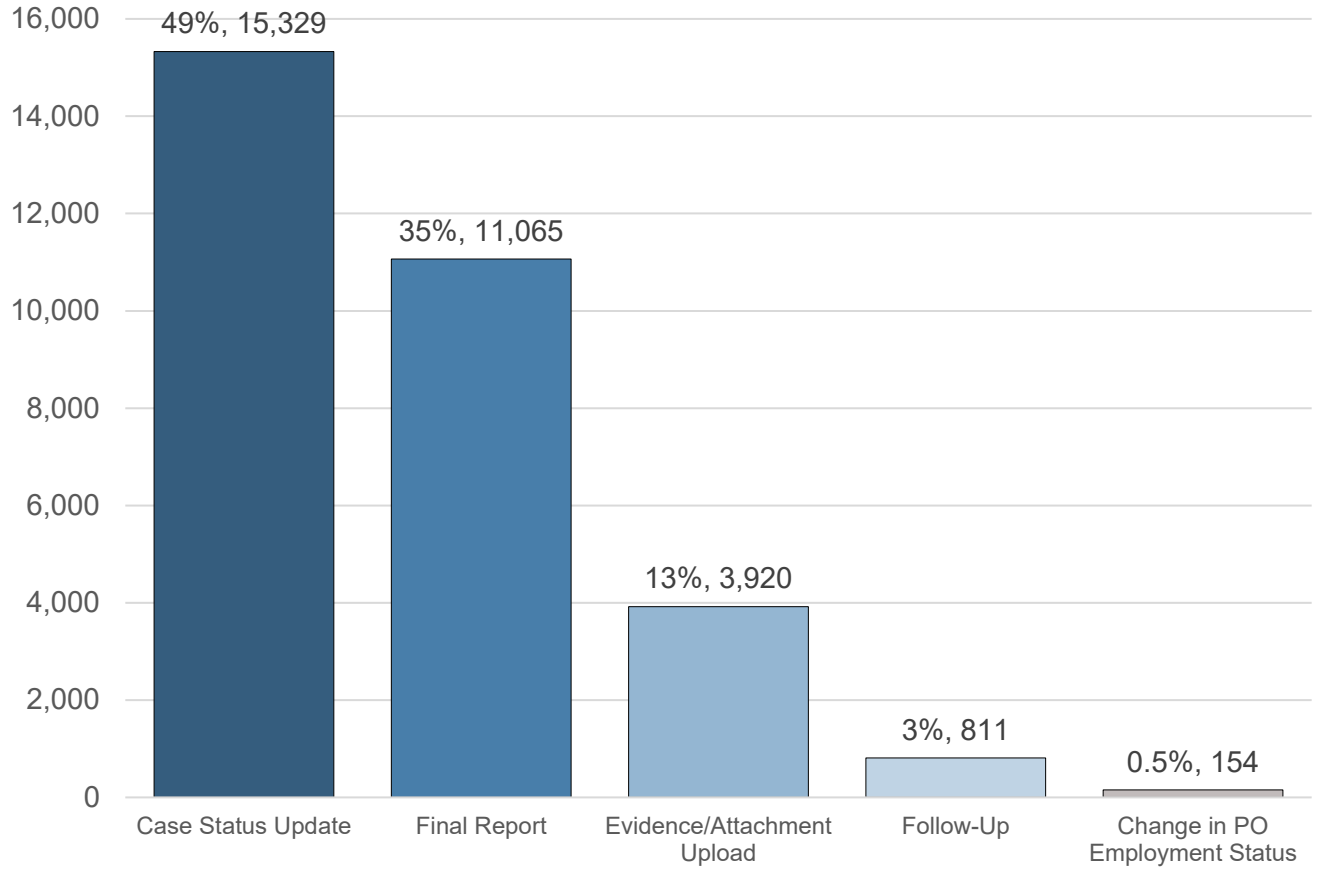
826 (35%) complaints are closed.

These complaints were reviewed by POST and determined to be serious misconduct, not serious misconduct, or non-jurisdictional. POST can only take certification action against peace officers described in Penal Code section 13510.1(a**).**

The Division has received over 31,000 report updates from agencies, most consisting of case status updates, evidence uploads, and agency findings.

Over 31,000 Agency Supplemental reports were submitted to provide additional information to Agency Misconduct reports and public complaints.

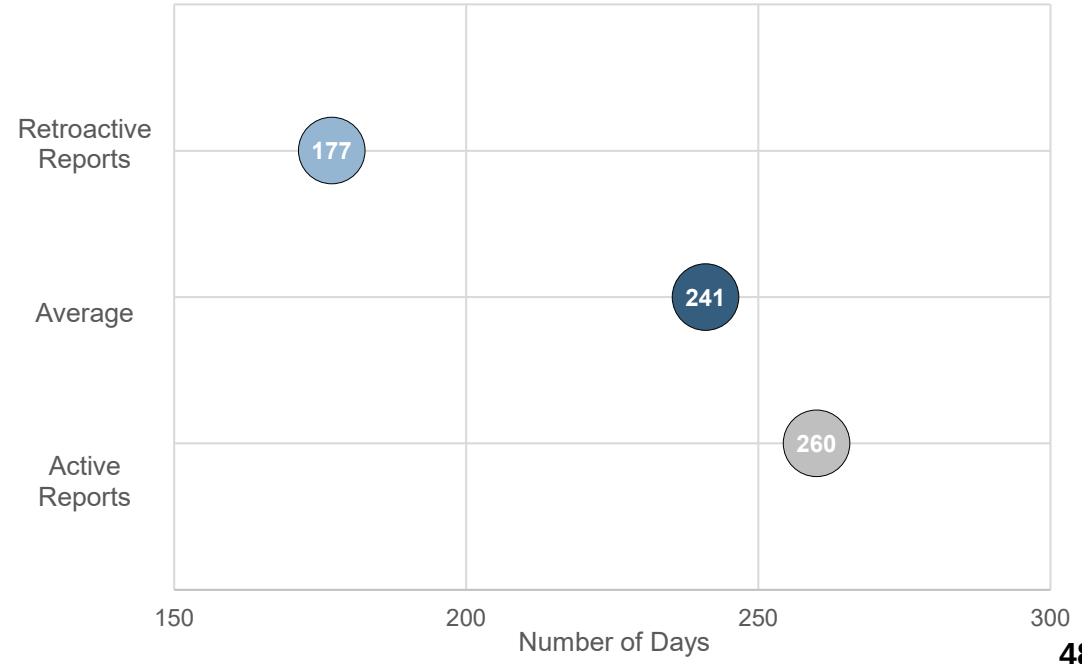
Types of Agency Supplemental Reports Submitted to POST



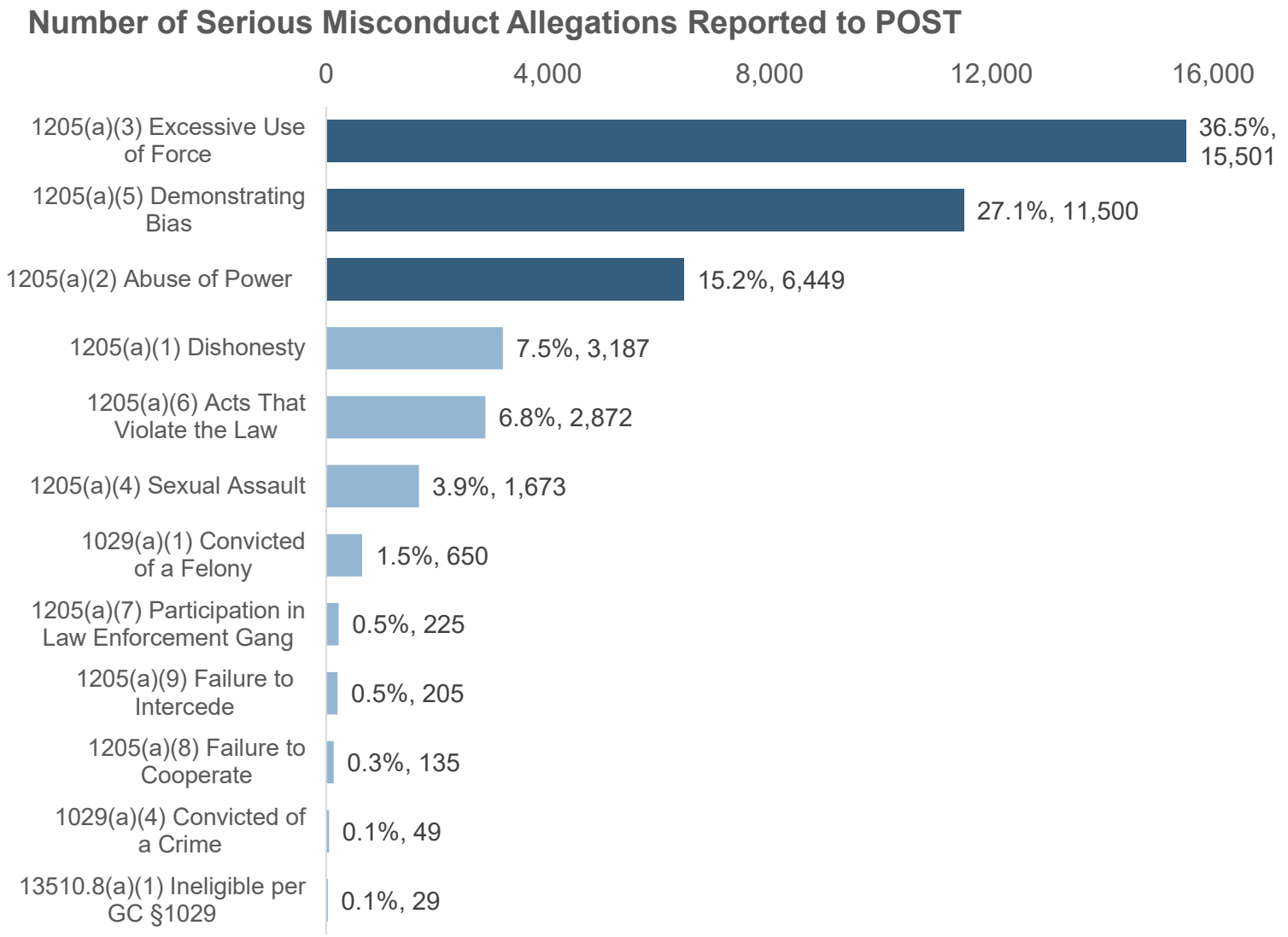
The average timeframe in which an open Agency Misconduct report receives agency findings through an Agency Supplemental report is **241 days**. This timeframe fluctuates when discerning active and retroactive reports.

On average, **retroactive reports** received agency findings in **177 days**. In contrast, **active reports** received agency findings later, within an average of **260 days**.

Average Agency Finding Submission Times By Incident Date



Over 42,000 serious misconduct allegations spanning 21,000 officers statewide have been reported to POST; in accordance with statute, only 85% of the allegations are potentially actionable.



A report or complaint may contain multiple allegations.

21,037 unique peace officers (26% of total CA peace officers) received allegations.

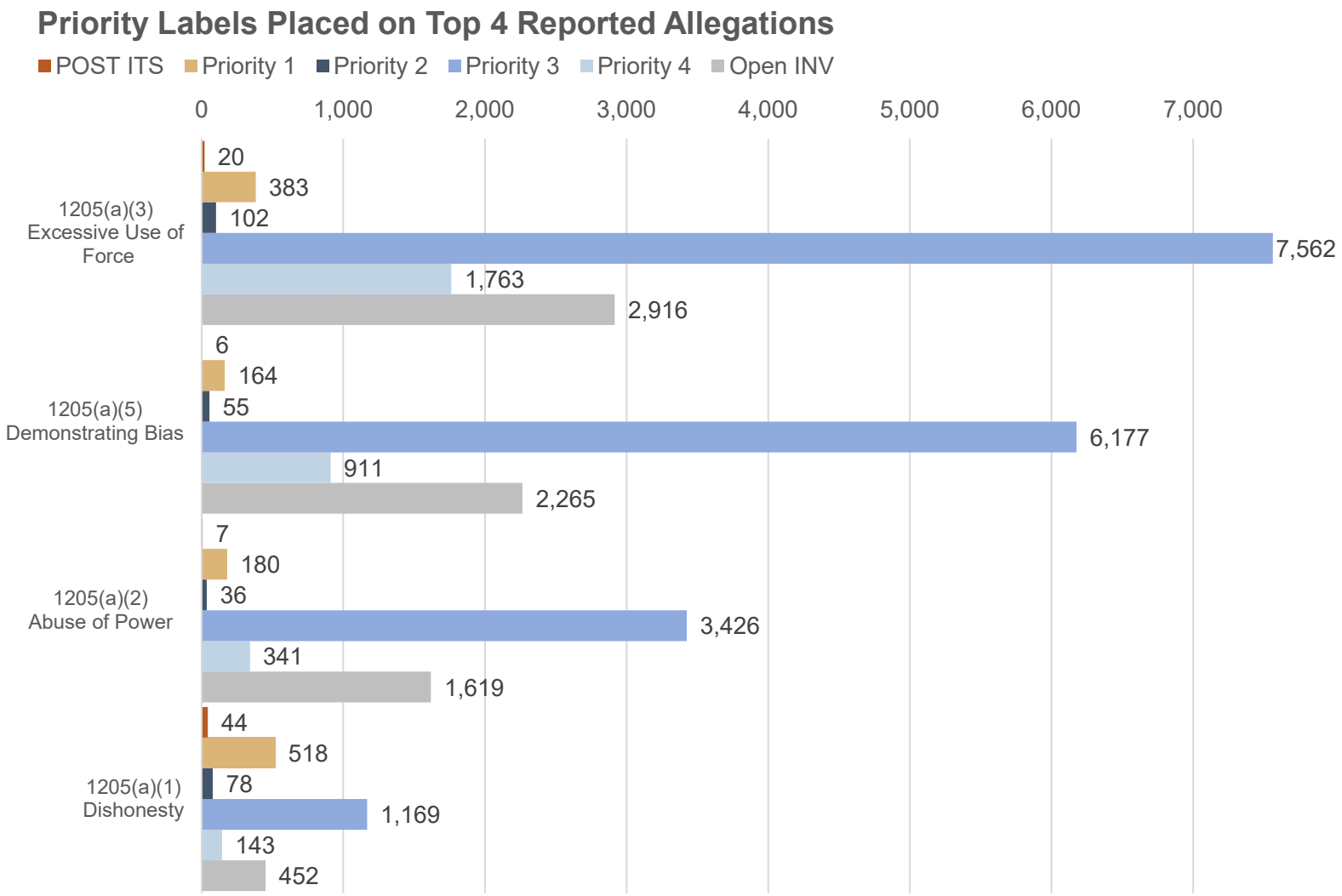
About **34%** of allegations **occurred prior to January 1, 2022**.

POST can only act against conduct that occurred prior to January 1, 2022, **if:**

(1) The subject officer's agency makes a final determination on its investigation **after** January 1, 2022,
or
(2) The allegations include dishonesty, sexual assault, and/or use of deadly force resulting in serious bodily injury or death.

As a result, approximately **36,000** (85%) of the allegations **are considered potentially actionable** by POST.

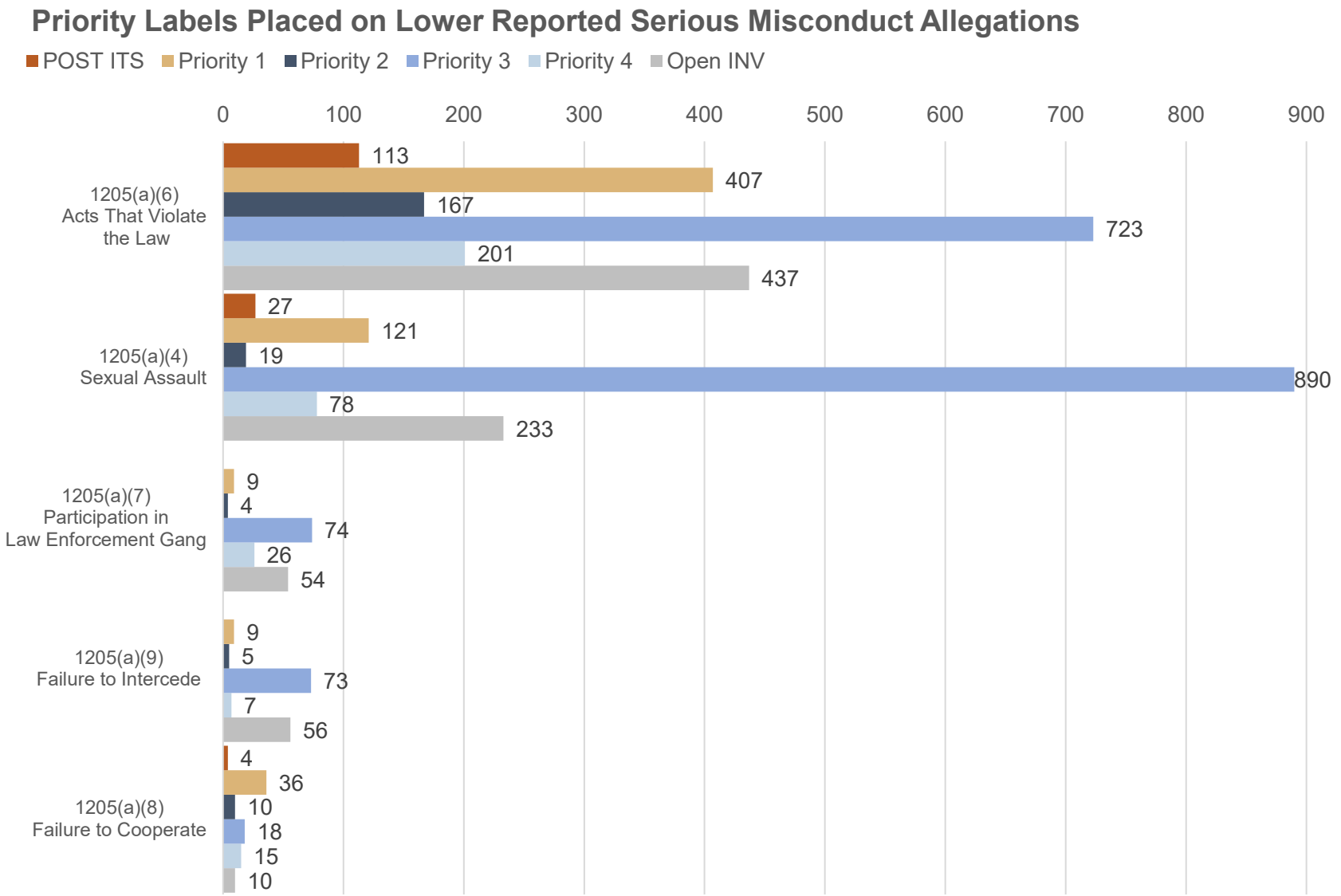
Prioritization of reported allegations to POST: bulk of allegations receive Priority 3 and Open INV labels.



Label	Definition
POST ITS	Contains a potential ITS basis outlined in Penal Code section 13510.8(d).
Priority 1	Contains politically/media-sensitive content or sustained agency findings, regardless of the incident or agency finding date.
Priority 2	Contains sustained agency findings for policy violations that may or may not fall under the definition of serious misconduct.
Priority 3	Contains an unfounded, exonerated, or not sustained finding with an agency finding date that takes place **after** January 1, 2022.
Priority 4	Contains an unfounded, exonerated, or not sustained finding with an agency finding date that takes place **before** January 1, 2022.
OPEN INV	Contains an ongoing agency investigation without agency findings.

* Labels are assigned upon review by Intake and Disposition Bureau. Prioritization is subject to change when reports are assigned into cases to Professional Conduct Bureau staff.

Prioritization of reported allegations to POST: bulk of allegations receive Priority 3 and Open INV labels.



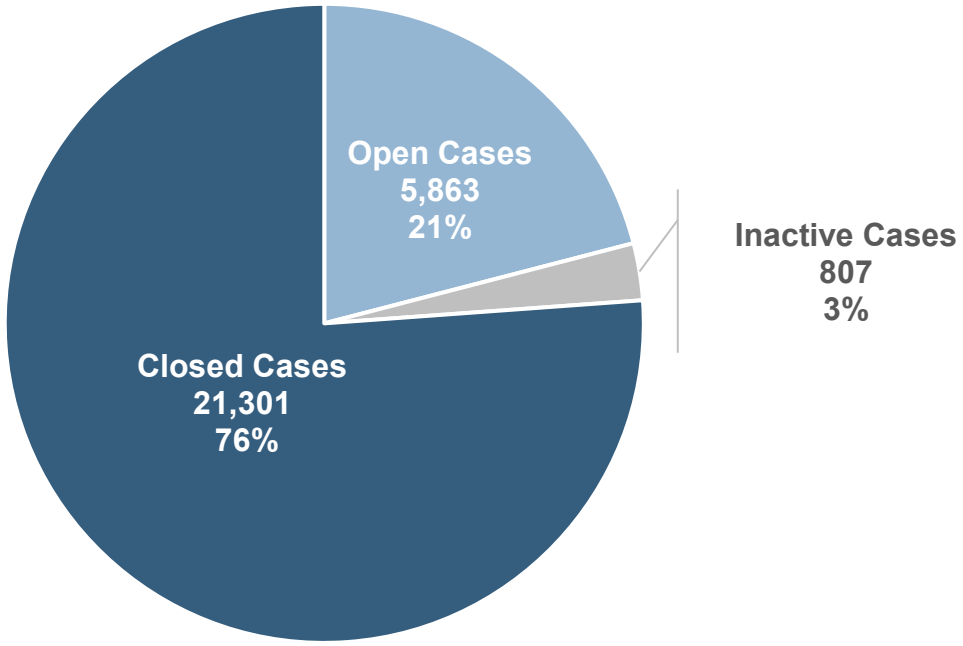
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OPEN INV	Contains an ongoing agency investigation without agency findings.

76% of ITS, Public Complaint, and Priority cases are closed; remaining ongoing caseload is prioritized based on agency findings and potential risk to public safety.

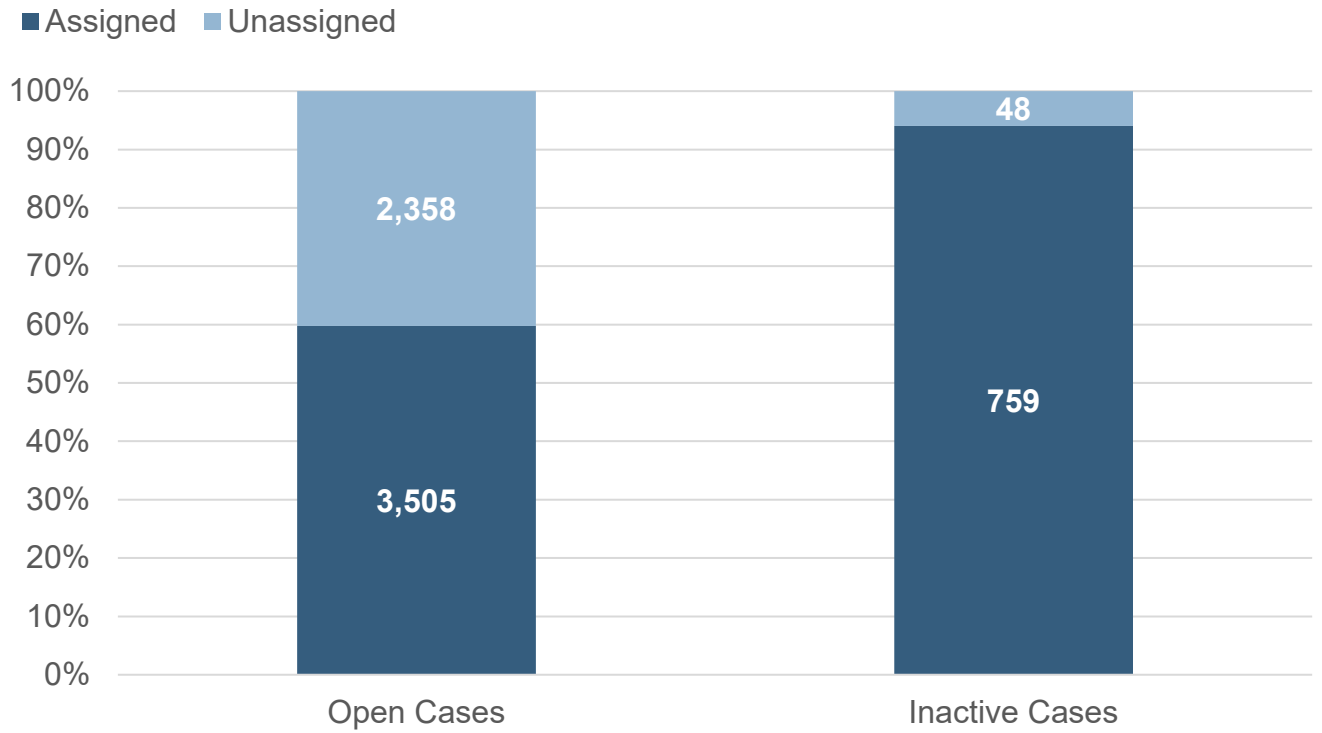
76% of ITS, Public Complaint, and Priority cases were closed following POST's review.
21% of these cases are open for POST's review.
The remaining **3% are considered inactive.**

59% of open cases have been assigned to staff for review. The remaining 41% are pending assignment.
94% of inactive cases have been assigned to follow up with agencies on their investigation findings and/or monitor cases that pose a potential risk to public safety. 6% are unassigned due to the absence of agency findings.

Case Statuses Among ITS, Public Complaint, and Priority Case Types



Assigned and Unassigned Open and Inactive ITS, Public Complaint, and Priority Cases

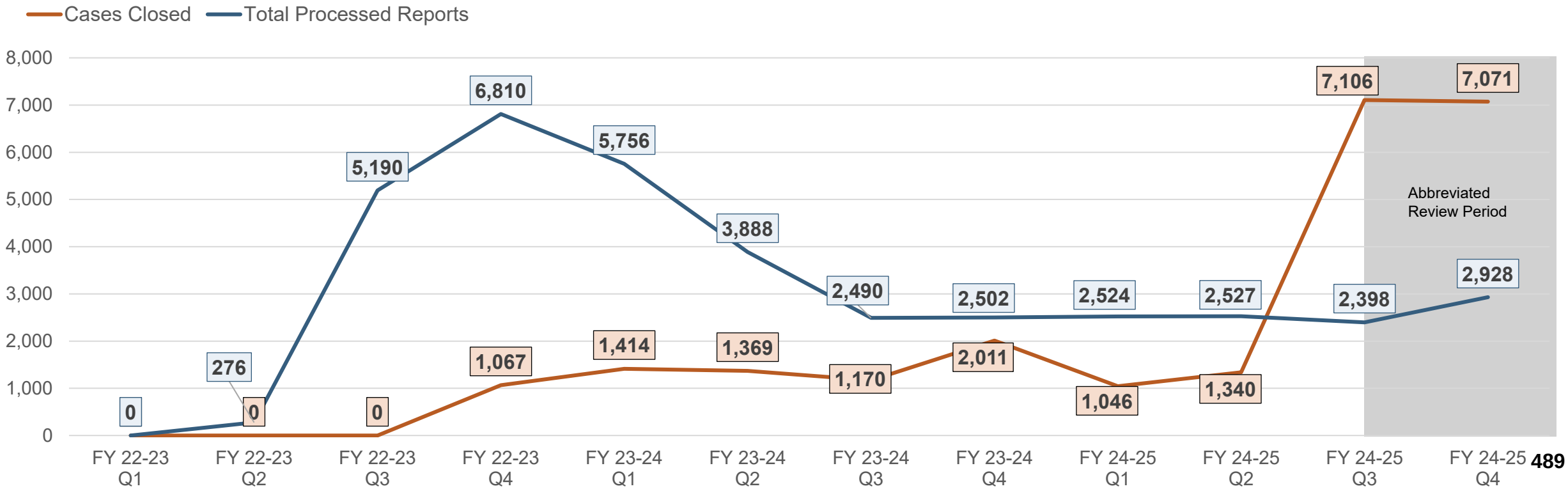


POST's case closures are catching up to its initial report intake; its abbreviated review process is aiding in backlog clearance.

In FY 24-25 Quarter 3, the Division saw a spike in case closures due to a limited-time **Abbreviated Review** process to address the backlog of Priority 3 cases. Agency and POST's findings within Priority 3 cases saw little discrepancies in outcomes, and the Division determined it would be most responsible to prioritize and investigate cases that may contain serious misconduct.

With most Priority 3 cases now closed under the Abbreviated Review process, the Division has initiated an audit phase to ensure proper case analysis and closure.

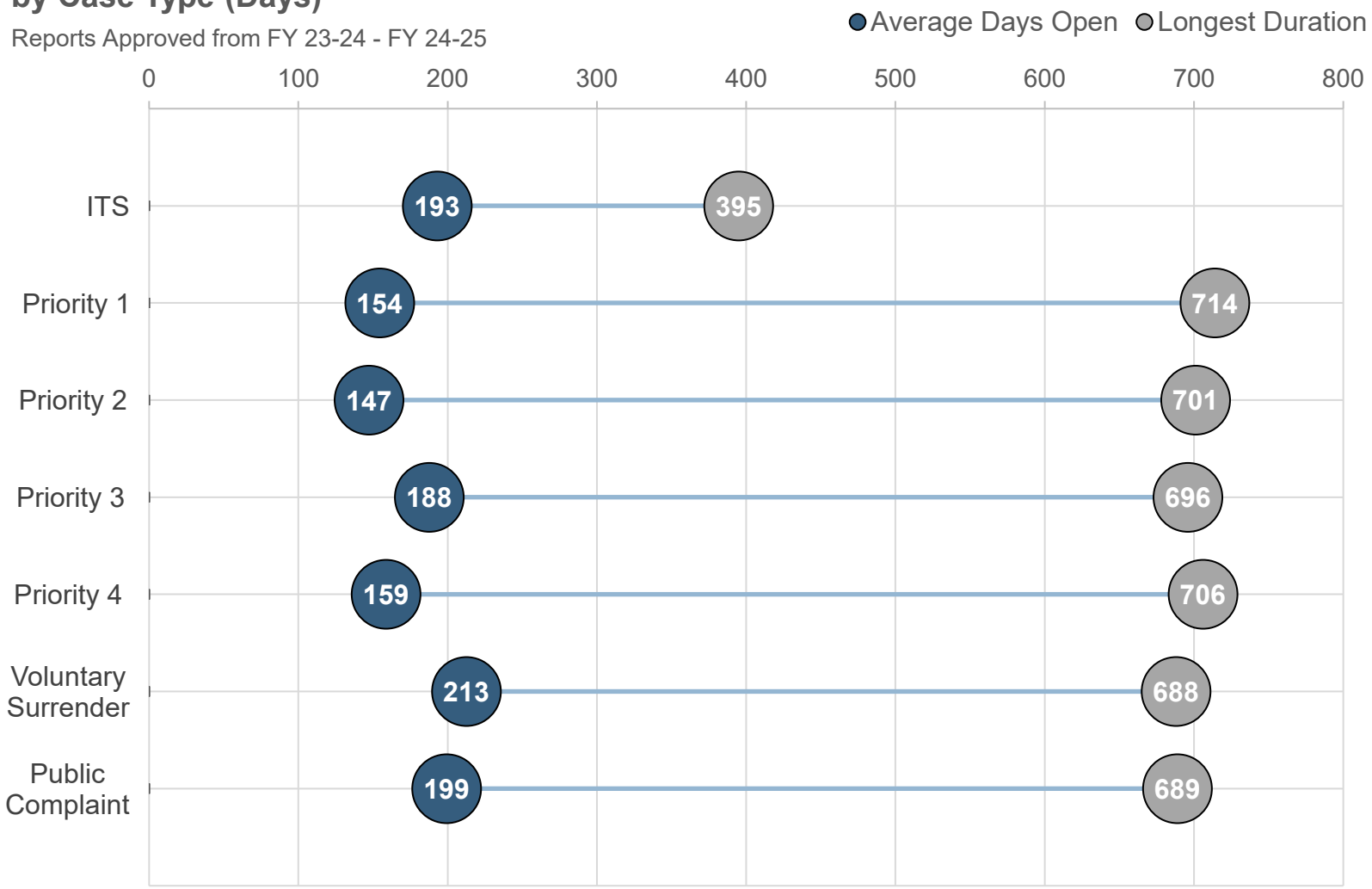
Report Intake vs. Case Closures



To date, all closed cases have been closed well within the 3-year statutory timeframe, with ITS cases accelerated due to public safety risk.

Average vs. Maximum Case Closure Timeframes by Case Type (Days)

Reports Approved from FY 23-24 - FY 24-25



A case is considered open when POST receives the agency's findings up to the point in which POST comes to a determination on the case.

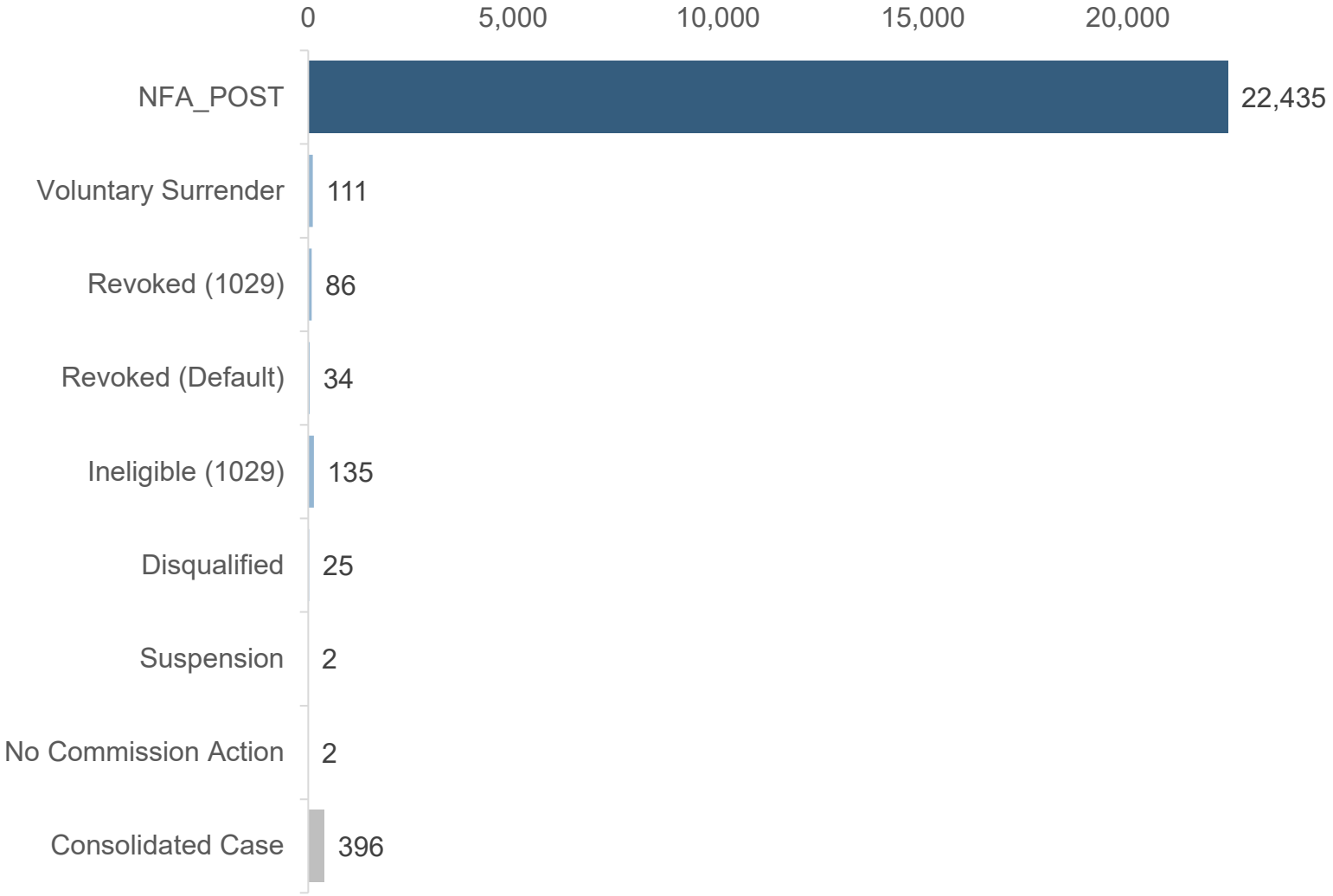
POST has three years upon receipt of the agency's findings to complete its investigation into serious misconduct.

On average, cases are closed within 200 days.

Cases with longer investigation durations comprise of **0.4% of the closed cases**.

Approximately 2% of cases closed by POST resulted in disciplinary action. About 95% of cases were closed without further action.

Reasons for Case Closure Across All Case Types



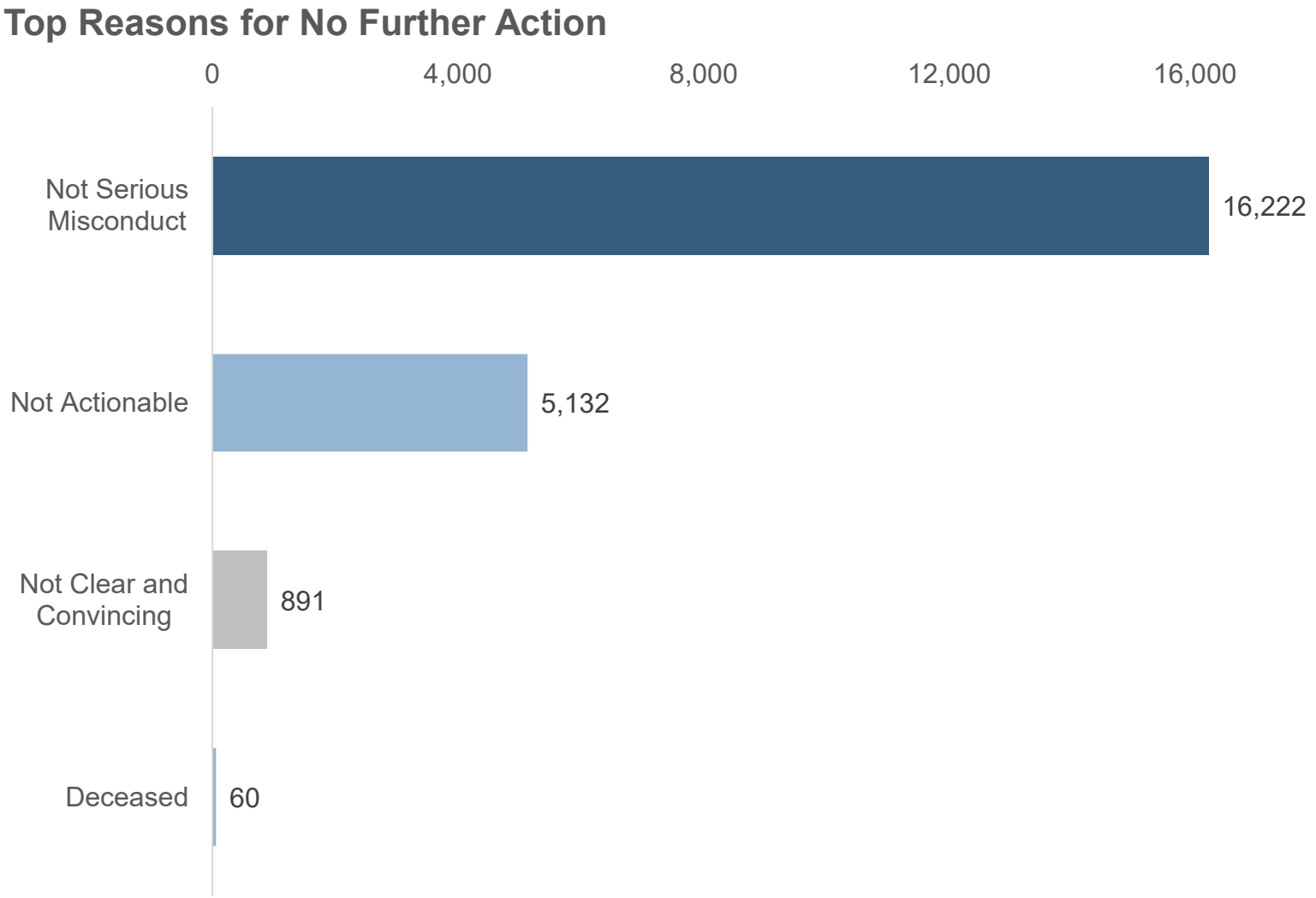
No Further Action (NFA_POST) accounted for **95% of POST's case closures.**

Cases closed due to **revocation, Voluntary Surrender, and Ineligibility** make up **1.5%** of all closures.

There are 25 Disqualification cases for individuals that do not hold a Proof of Eligibility or certificate from POST.

A total of 396 cases were consolidated into other cases due to duplicate submissions from agencies.

Breakdown of No Further Action case closures: 72% considered not serious misconduct, 23% non-actionable, and 4% contained insufficient evidence.

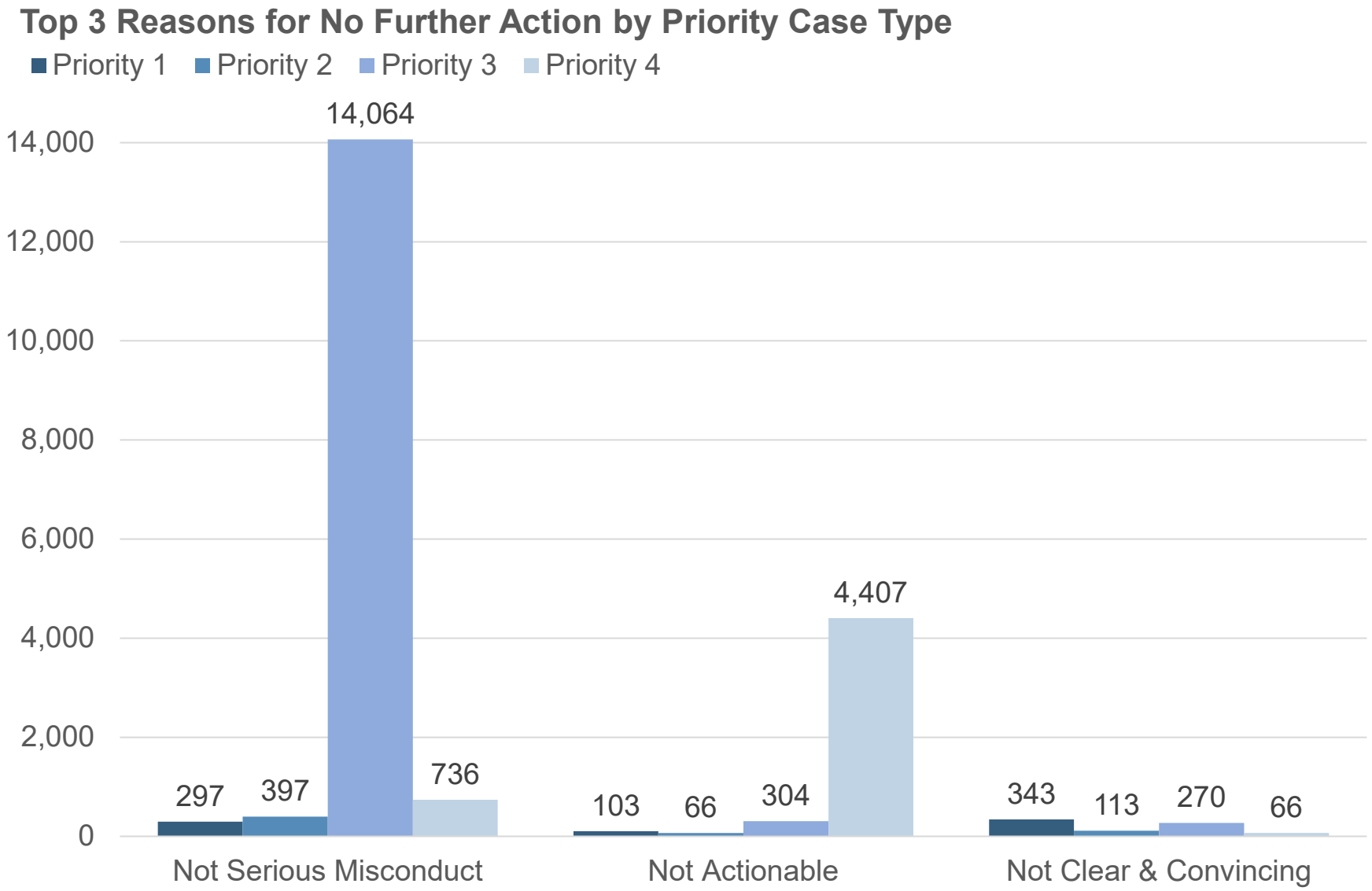


72% of NFA_POST cases were closed because they **did not meet the definition of serious misconduct.**

23% of these cases were closed for being **non-actionable**, meaning POST did not have the statutory authority to act on the case.

Only **4%** of NFA_POST cases were closed because there was **insufficient clear and convincing evidence**. Conduct within these cases may rise to the level of serious misconduct, but POST could not meet the burden of proof.

Closure trends among priority case types: most not serious misconduct and non-actionable cases are Priority 3 and 4, while Priority 1 cases see most evidentiary gaps.



87% of closures for failure to meet serious misconduct were **Priority 3 cases.**

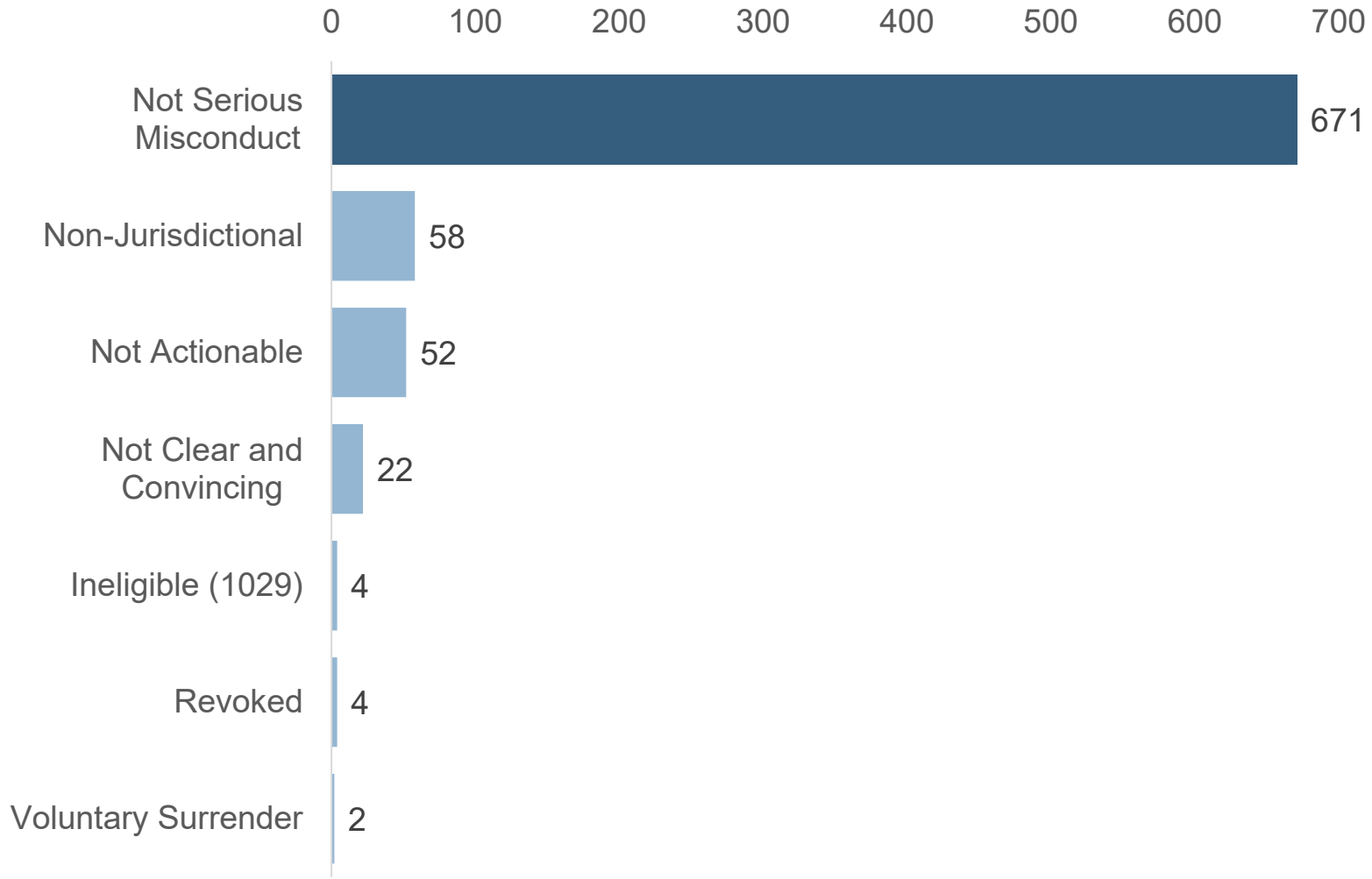
86% of non-actionable closures were **Priority 4 cases**, which aligns with expectations.

43% of cases closed for not meeting the clear and convincing evidentiary standard are **Priority 1 cases**.

Priority 1 and Priority 2 cases combined account for 58% of not clear and convincing closures.

Closure trends among public complaints: most complaints are closed out as not serious misconduct, non-jurisdictional, and non-actionable. A handful have resulted in certification action.

Top Reasons for Case Closure Among Public Complaints



81% of closed cases containing public complaint reports were closed out as **not serious misconduct.**

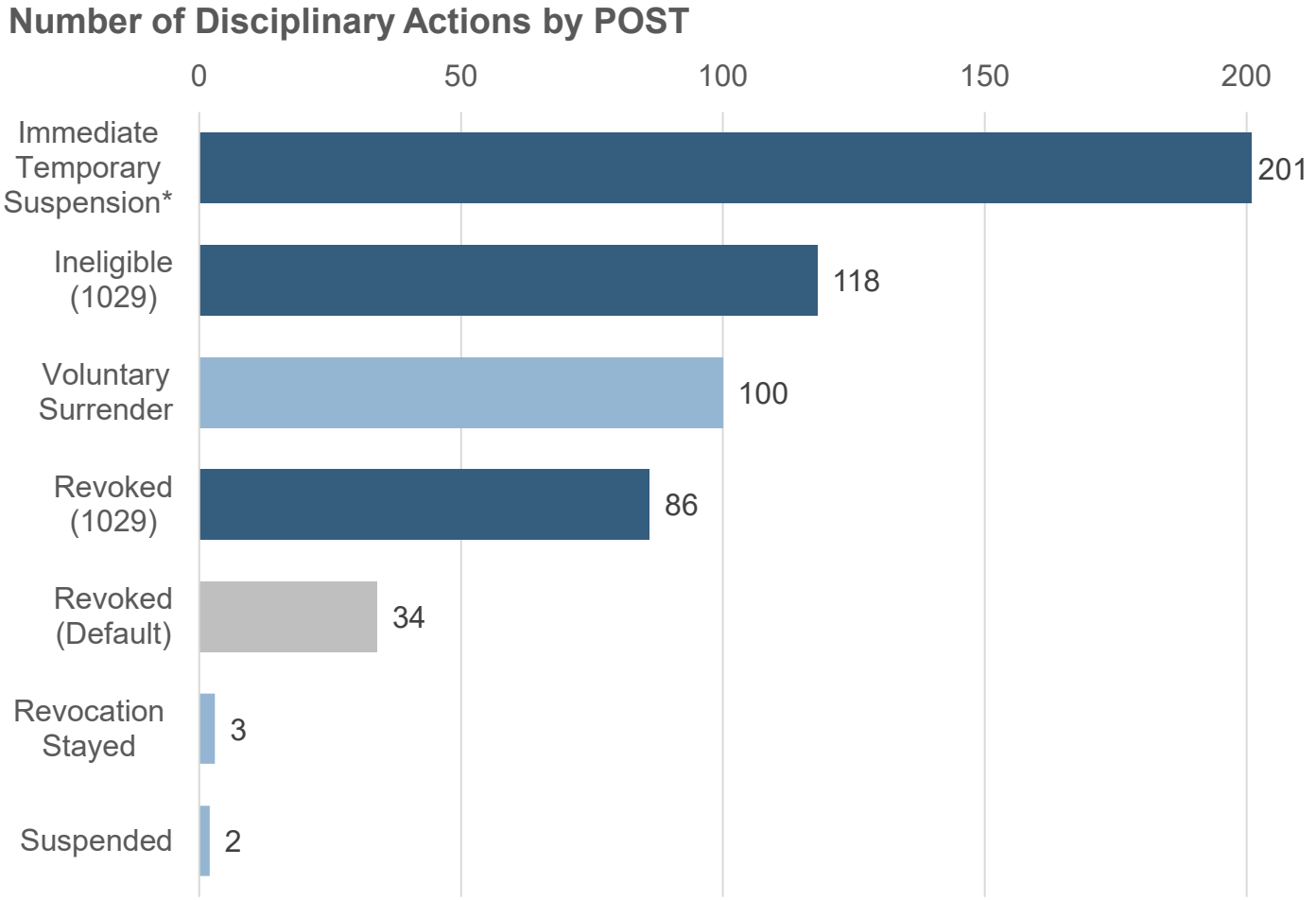
About 7% were closed out as **non-jurisdictional**, which occurs when a complaint indicates a person **not defined within Penal Code section 13510.1(a)**.

6% were closed out as non-actionable.

3% of may have met serious misconduct, but did not meet the clear and convincing evidentiary standard.

1% resulted in certification action.

The number of disciplinary actions taken by POST is above average compared to other California regulatory licensing agencies.



*Reflects total number of issued Immediate Temporary Suspensions and those that resulted in subsequent action.

544 disciplinary actions have been imposed by POST. This amounts to **0.2% of actions** on POST's licensee population (~80k) annually.

This is above average compared to other CA licensing agencies:

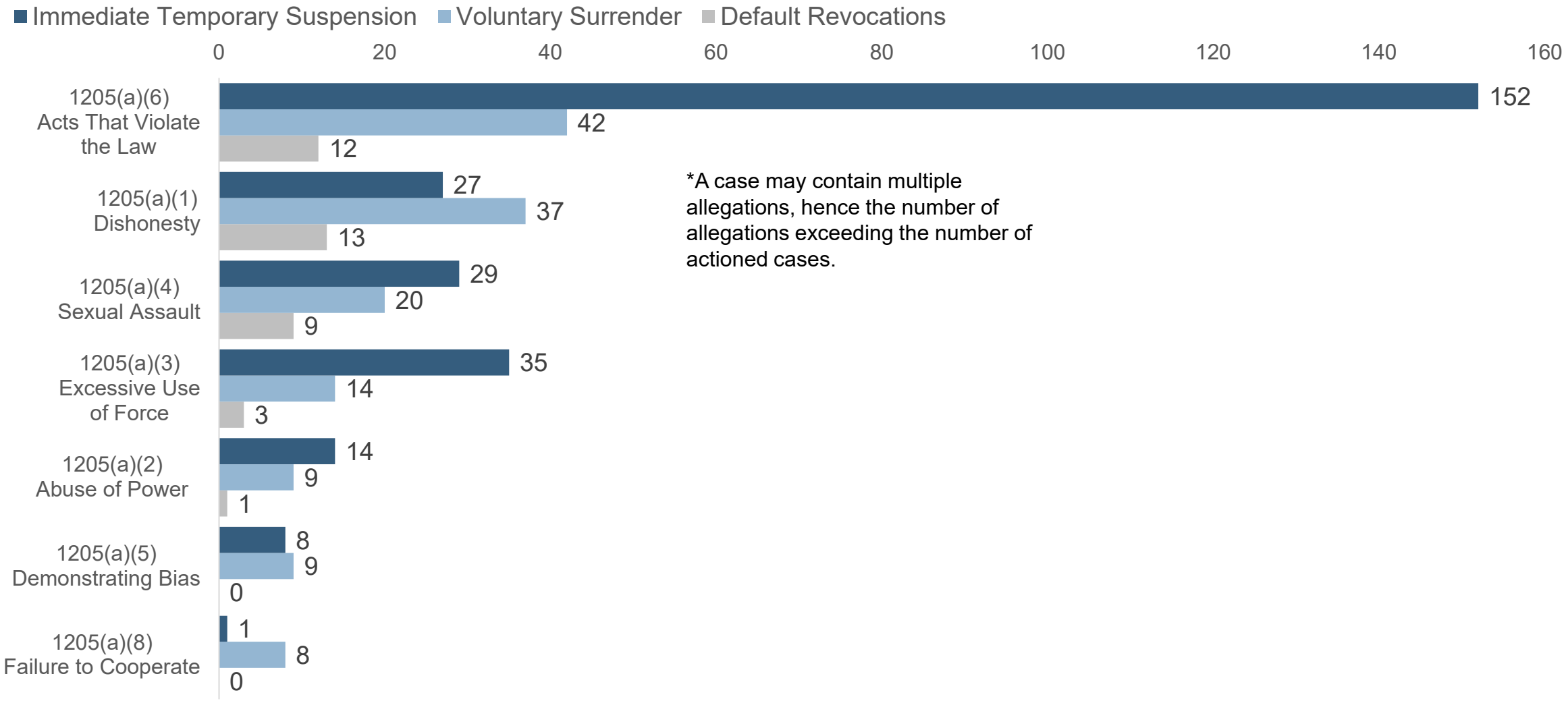
- **CA Board of Registered Nursing** (**0.1% actions** annually; ~650k licensed nurses): 1,509 administrative outcomes across FY 22-23 and FY 23-24.[1]
- **The State Bar of California** (**0.01% actions** annually; ~266k licensed attorneys): 472 administrative outcomes across FY 22-23 and FY 23-24.[2]
- **Medical Board of California** (**0.2% actions** annually; ~156k licensed physicians and surgeons): 645 administrative outcomes across FY 22-23 and FY 23-24.[3]

POST has attempted to compare its action rates to other state's peace officer training commissions and federal agencies, but found that comparisons were invalid due to dissimilar disciplinary systems and agency sizes.

1. California Department of Consumer Affairs, "Fiscal Year 2022-2023" and "Fiscal Year 2023-2024 Annual Report."
2. The State Bar of California, "Fiscal Year 2024 Annual Discipline Report."
3. California Department of Consumer Affairs, "Fiscal Year 2022-2023" and "Fiscal Year 2023-2024 Annual Report."

The top allegations resulting in action by POST are Acts that Violate the Law, Dishonesty, and Sexual Assault.

Serious Misconduct Allegations in Cases Resulting in Action



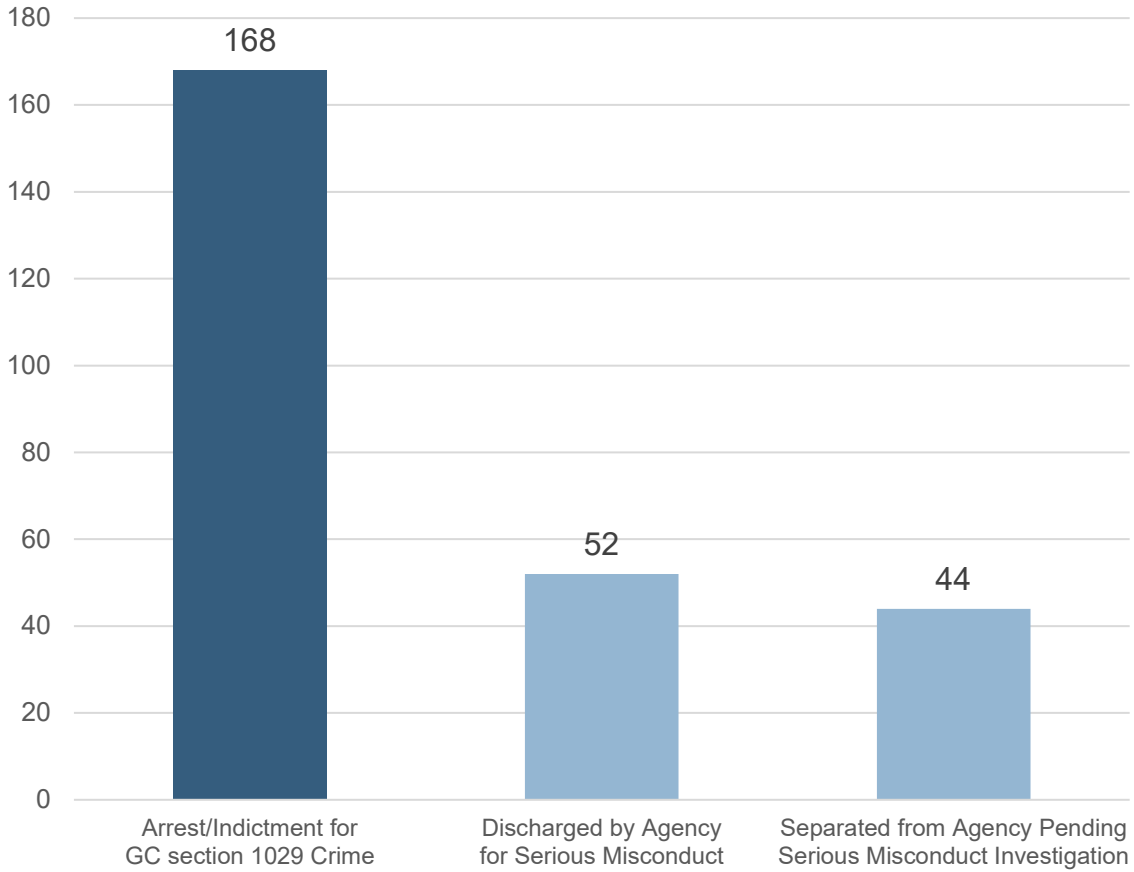
*A case may contain multiple allegations, hence the number of allegations exceeding the number of actioned cases.

Arrests and indictments for Government Code section 1029 crimes are the highest basis for issued immediate temporary suspensions, contributing to relatively high revocation outcomes.

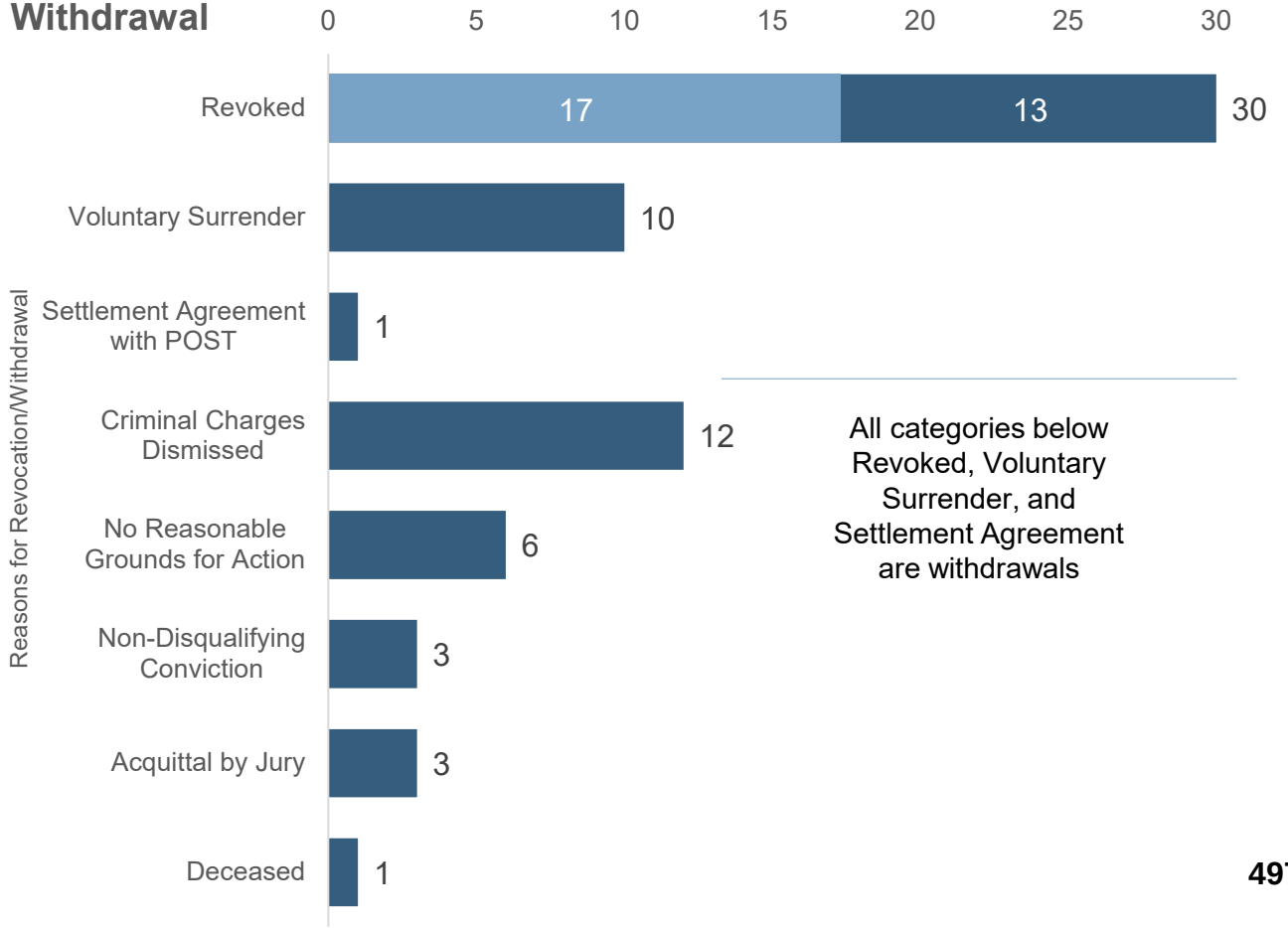
Bases for an immediate temporary suspension (ITS) are outlined in Penal Code section 13510.8(d). An ITS may be issued for one or more bases.

An ITS remains in effect until a final determination is made by the Commission, or the Executive Director withdraws the temporary suspension.

Number of Bases Considered for Issued Immediate Temporary Suspensions

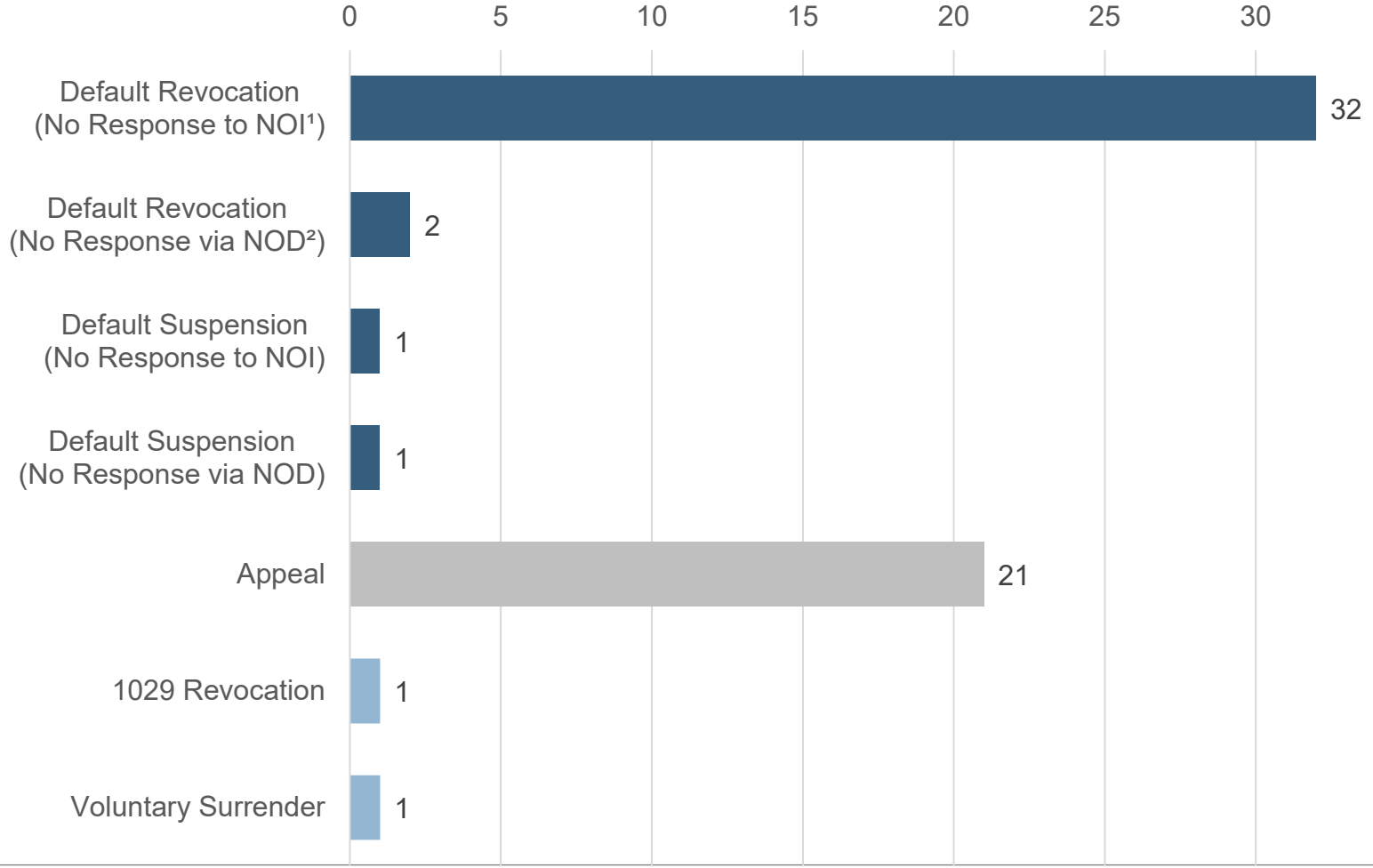


Immediate Temporary Suspensions Resulting in Action or Withdrawal



Over half of subject officers who have received a Notice of Intent letter did not respond, resulting in default outcomes.

Notice of Intent Letter Outcomes (56)



A total of 56 Notice of Intent letters have been sent.

36 Notices resulted in a default decision:

- 33 defaulted from failure to respond to the Notice within the 30-day appeal timeframe
- 3 defaulted after hearing before the Board and Commission due to failure to timely respond to POST's accusation with a Notice of Defense.

21 Notices resulted in appeals; of these appeals, 15 have been heard by the Board and Commission and 6 are still pending hearing.

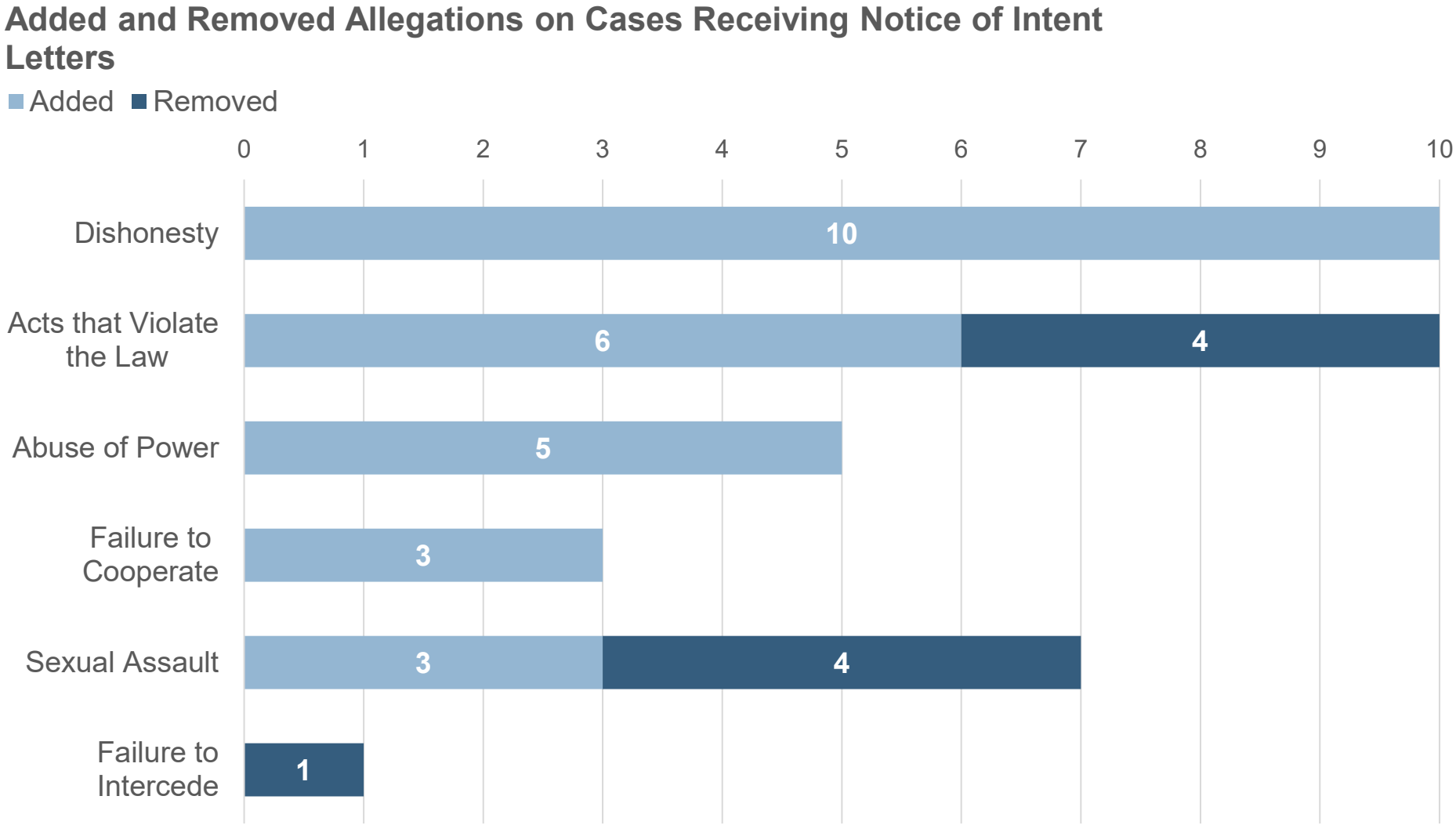
1. **Notice of Intent to Revoke letter**. Failure to respond within 30 days of the Notice's mailing date results in a default action without any further proceedings.
2. **Notice of Defense**. When the Commission deems that action against a peace officer's certification is warranted, POST works with the Attorney General's Office to file an accusation against the subject officer. In accordance with Government Code section 11520, failure to respond to this accusation with a Notice of Defense within 15 days results in the imposition of the Commission's determination without further proceedings.

Almost half of the cases receiving Notice of Intent letters involve POST capturing additional causes for action or amending the agencies' causes for action to align with the regulatory definitions of serious misconduct.

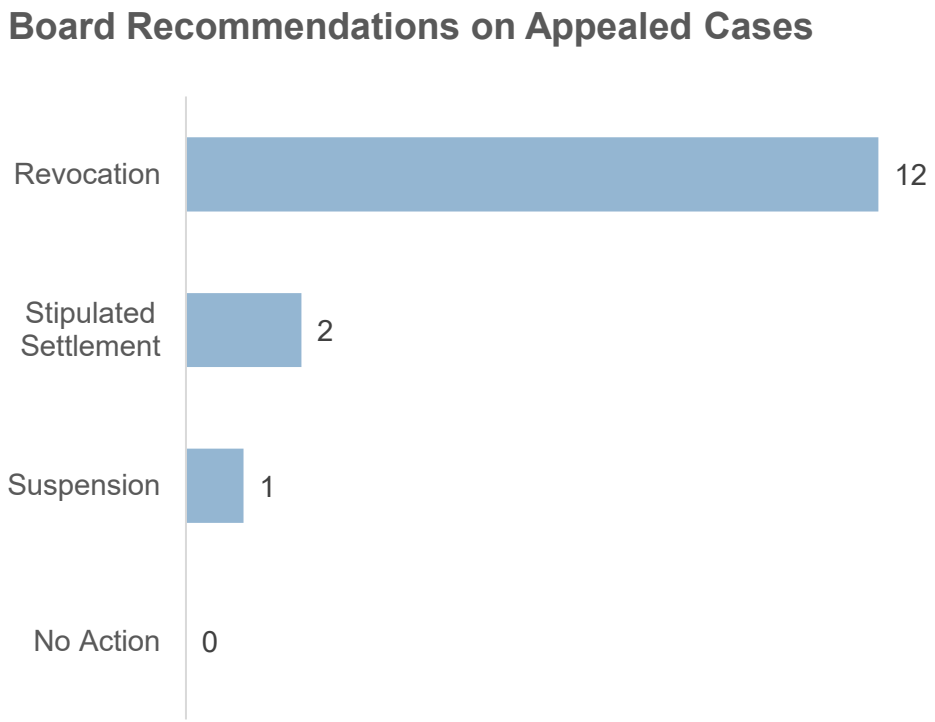
POST revised the original allegations submitted by agencies in **26 of the 56 cases** that received a Notice of Intent letter.

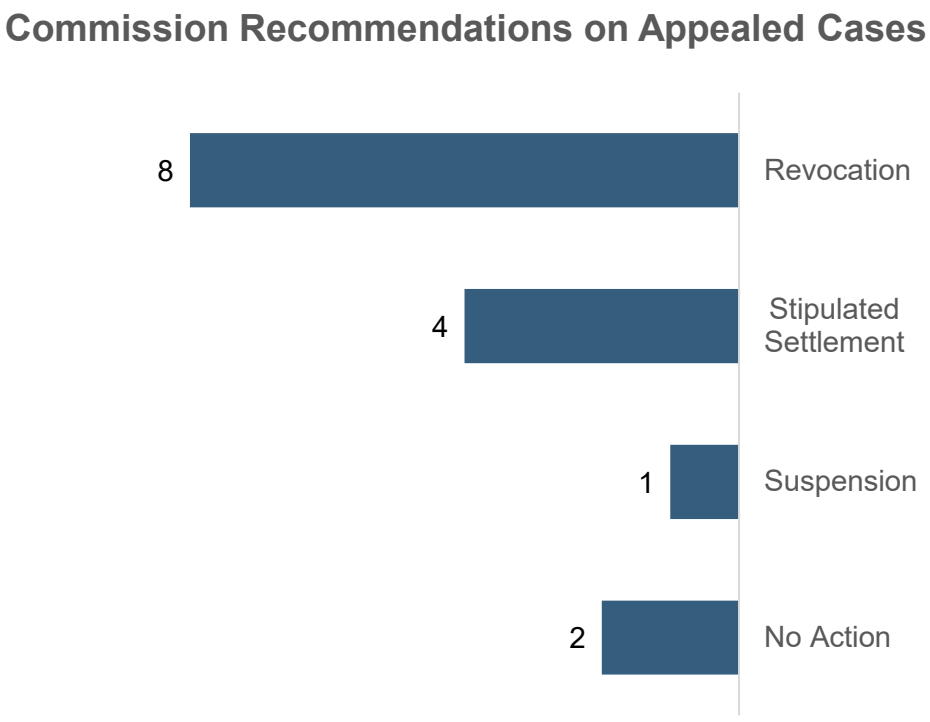
The **most frequent additions** were allegations of **Dishonesty** and **Acts that Violate the Law.**

The **most common removals** were allegations of **Acts that Violate the Law** and **Sexual Assault**.



Comparing Board and Commission recommendations on appealed cases:





The Board has moved to revoke in most cases (12 out of 15), across a range of allegations. The exceptions include cases involving DUIs; one resulted in a suspension, which occurred before awareness of the stipulation process, while two were resolved through stipulated settlements.

The Commission has moved to revoke in just over half of cases (8 out of 15). Two cases with Dishonesty allegations resulted in no action. All DUI-related cases reviewed by the Commission (4) were resolved through stipulated settlements. One case involving excessive use of force resulted in suspension.

Appendix

Glossary of Terms, Part One – General Terms

Accusation	A written statement of charges against a respondent. This statement also outlines the agency's jurisdiction and intended discipline over alleged conduct.
Agency Misconduct Report	A report created in Mark43 that provides information about serious misconduct allegations against a peace officer or law enforcement agency.
Agency Supplemental Report	A report created in Mark43 to provide additional information to an Agency Misconduct or Public Complaint report.
Case	When a serious misconduct report is approved, it is created into a case and assigned to POST staff for review. A case will contain at least one Agency Misconduct report or Public Complaint report (or both). It may also contain an Agency Supplemental report if the agency provides POST with further updates on the incident.
Commission	A group of up to 18 commissioners consisting of city and county administrators, law enforcement professionals, educators, and public members which meets at least three times a year to establish standards, regulations, and give direction to POST staff.
Default Revocation/Suspension	Disciplinary action taken against a peace officer's certification after failure to appeal the Division's Notice of Intent letter within 30 days or accusation with a Notice of Defense within 15 days.
Disqualified	An individual that is disqualified from eligibility to be a peace officer based on a disqualifying event as set forth in Government Code section 1029 and does not hold a Proof of Eligibility or certificate from POST.
Ineligible	An individual that is disqualified from eligibility to be a peace officer based on a disqualifying event as set forth in Government Code section 1029 prior to the enactment of SB 2 (January 1, 2022).
Mark43	The secure electronic records management system used by the Division to receive and manage serious misconduct reports and cases.
Notice of Defense	The document submitted by the respondent to preserve their right to a hearing after receiving an accusation. If a Notice of Defense is not timely filed within 15 days of the accusation's service, the agency may impose the outcome by default.
Notice of Intent Letter	Notice that provides the subject officer with a detailed explanation of the decertification procedure and the officer's rights to contest and appeal the Division's intent to take action against their peace officer certification.
Peace Officer Standards Accountability Advisory Board (Board)	An advisory body to the Commission that reviews serious misconduct cases involving peace officers. The Board was created by Senate Bill 2 and is comprised of 9 appointed members.
Peace Officer Standards Accountability Division (Division)	A new division created by Senate Bill 2 that is responsible for the intake and investigation of serious misconduct allegations that may provide grounds for suspension or revocation of a peace officer's certification.
Public Complaint	A complaint of potential serious misconduct from a member of the public.
Public Complaint Report	A report created in Mark43 that provides information about potential serious misconduct allegations from a public complaint.
Revoked	The peace officer has been decertified and may not exercise the duties and powers of a peace officer. A revocation is permanent, and the certification shall not be reactivated.
Immediate Temporary Suspension	The immediate suspension of a peace officer's certification, pending the outcome of an investigation related to allegations of serious misconduct, pursuant to Penal Code section 13510.8(d). The "temporary suspension" may be issued under the following circumstances: When a peace officer is arrested or indicted for a felony or other crime listed in Government Code section 1029, When a peace officer is discharged from a law enforcement agency for serious misconduct, or When a peace officer has separated from employment as a peace officer during a pending investigation into allegations of serious misconduct.
Suspension	A disciplinary action wherein a peace officer certification has been suspended for a specified period of time, not to exceed three years. A peace officer whose certification has been suspended may not be assigned duties which include the exercise of peace officer powers.
Voluntary Surrender (Surrender)	A person who holds a certificate issued by the commission, knowingly and willingly, returns the certificate to the commission, forfeiting all rights and privileges associated with th certificate. A "surrender" has the same effect of a revocation in that it cannot be reactivated.

Glossary of Terms, Part Two – Case Terms and Priority Labels

Case Statuses	
Consolidated Case	Case status applied when a case is consolidated into another case due to multiple cases for the same individual/incident.
Deceased	Case status applied to cases that cannot be actioned due to the peace officer being deceased.
Disqualified	Case status applied to cases that result in an individual being disqualified from eligibility to be a peace officer based on a disqualifying event as set forth in Government Code section 1029 and does not hold a Proof of Eligibility or certificate from POST.
Ineligible	Case status applied to cases that result in an individual being disqualified from eligibility to be a peace officer based on a disqualifying event as set forth in Government Code section 1029 prior to the enactment of Senate Bill 2 (January 1, 2022).
Issued in Error	Case status applied to cases with reports/investigations that are generated in error.
NFA_POST	Case status applied to cases when the Division does not take action against a case due to insufficient evidence, absence of serious misconduct, or statutory limitations, etc.
No Commission Action	Case status applied to cases where the Commission's determines no action against a peace officer's certification following the Commission's review of the Board's recommendation.
Non-Jurisdictional	Case status applied to cases with allegations against an individual **not** appointed pursuant to Penal Code Section 830.1, 830.2 with the exception of subdivision (d), 830.3, 830.32, or 830.33.
Revoked	Case status applied to cases that result in the commission's revocation of a peace officer's certification.
Suspension	Case status applied to cases when the Commission's decision is to suspend the peace officer's certification.
Voluntary Surrender	Case status applied to cases where a peace officer voluntarily surrenders their certification.
Not Actionable	A closure justification for cases that cannot be acted upon due to lack of statutory authority, e.g, conduct and findings took place prior to January 1, 2022.
Not Clear and Convincing	A closure justification for cases where the clear and convincing evidentiary standard could not be established upon review and analysis of case facts.
Not Serious Misconduct	A closure justification for cases that did not involve acts of serious misconduct as defined in Commission Regulation 1205.
Labels	
POST ITS	Contains a potential ITS basis outlined in Penal Code section 13510.8(d).
Priority 1	Contains politically/media-sensitive content or sustained agency findings, regardless of the incident or agency finding date.
Priority 2	Contains sustained agency findings for policy violations that may or may not fall under the definition of serious misconduct.
Priority 3	Contains an unfounded, exonerated, or not sustained finding with an agency finding date that takes place **after** January 1, 2022.
Priority 4	Contains an unfounded, exonerated, or not sustained finding with an agency finding date that takes place **before** January 1, 2022.
OPEN INV	Contains an ongoing agency investigation without agency findings.

Questions?

Thank you!

1029 Revocation List – September 2025 POST Commission Meeting

Last Name	First Name	Last Employing Agency	District	Date of Conviction or Judgement	Conviction
Brown	Anthony	Stockton Police Department (last employed December 19, 2022)	Northern	May 30, 2024	Felony, Penal Code section 273a(a), Child Abuse/Endangerment
Chavez	Hector	Sacramento County Sheriff's Department (last employed July 20, 2023)	Northern	December 17, 2023	Felony, Penal Code section 30605(a), Possession of an Assault Weapon
Clinton	Clemente	Tulare Police Department (last employed February 29, 2024)	Central	January 23, 2025	Felony, Penal Code section 118.1, Filing a False Report
Robles	Ricardo	Bakersfield Police Department (last employed January 30, 2024)	Central	October 17, 2024	Felony, Penal Code section 192(c)(1), Vehicular Manslaughter
Sayeski	Christopher	Banning Police Department (last employed February 11, 2022)	Southern	October 7, 2022	Felony, Penal Code section 288.2(a)(2), Harmful Matter that Does Not Depict Minor(s) Engaged in Sexual Act Felony, Penal Code section 311.4(c), Use Minor for Obscene Matter

					Felony, Penal Code section 289(h), Sexual Penetration with Foreign Object Two felony violations of Penal Code section 287(b)(1), Oral Copulation with a Person Under 18 years
Theodosy (Nash)	Amanda	Santa Clara Police Department (last employed September 13, 2022)	Central	July 30, 2024	Felony, 18 U.S.C. section 1349, Conspiracy to Commit Wire Fraud Felony, 18 U.S.C. section 1343, Wire Fraud
Williams	Devin	Alameda County Sheriff's Department (last employed September 22, 2022)	Central	October 3, 2024	Two felony violations of Penal Code section 187(a), Murder

1029 Ineligible List – September 2025 POST Commission Meeting

Last Name	First Name	Last Employing Agency	District	Date of Conviction or Judgement	Conviction
Hall	Andrew	Contra Costa County SO (last employed 3/15/2022)	Central	October 26, 2021	Felony, Penal Code section 245 (a)(2), Assault with a Firearm and special enhancement of Penal Code section 12022.7(a) Great Bodily Injury
Osuna	Michael	San Diego PD (last employed 08/10/2025	Southern	May 22, 2006 July 26, 2011	Felony, Penal Code section 220, Assault to Commit Rape Felony, Vehicle Code section 2800.1, Evading a Peace Officer with Reckless Disregard for Safety

AGENDA ITEM REPORT

Title: REPORT ON COURSE CERTIFICATION STATISTICS

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Training Delivery and Compliance Bureau	
RESEARCHED BY Jet Alidon-Lam	**REVIEWED BY** Mike Radford	
REPORT DATE 07/31/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/11/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: This is a status report of courses which have been certified and decertified from 04/01/2025 to 06/30/2025.

BACKGROUND: This report is submitted to the Commission quarterly to report the status of certified and decertified courses and presenters (Attachment A).

ANALYSIS: The following is a summary of the status report for 04/01/2025 to 06/30/2025:

Certified Presenters: 3
Decertified Presenters: 1
Certified Courses: 90
Course Modifications: 1,053
Decertified Courses: 34

Total Active Courses: 6,024

Total Active Presenters: 1,070

RECOMMENDATION: This report is presented for information only. No action is required.

ATTACHMENT(S):
AttachmentA_Course_Certification_Stat_Report_2025.04.01-2025.06.30.pdf

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
TRAINING DELIVERY AND COMPLIANCE SERVICE BUREAU
COURSE CERT STATS REPORT
REPORT FROM 04/01/2025 TO 06/30/2025

NEW PRESENTERS

CAMPUS SAFETY CONSULTATIONS - 8035
K-ISAN INSTITUTE - 8033
RALLY POINT FIREARMS AND TACTICS - 8034

DECERTIFIED PRESENTERS

TRANSFORMATIONAL CHANGE MGMT CONSULTING, LLC - 1531

SUMMARY OF TOTALS

	APRIL	MAY	JUNE	TOTAL FOR APR TO JUN	TOTAL YEAR-TO-DATE	TOTAL
PRESENTERS						
CERTIFIED NEW PRESENTERS	0	1	2	3	26	
DECERTIFIED PRESENTERS	0	1	0	1	5	
COURSES						
CERTIFICATION REQUESTS	35	35	25	95	378	
COURSES CERTIFIED	25	40	25	90	350	
COURSE MODIFICATIONS APPROVED	318	388	347	1053	4492	
DECERTIFIED COURSES	8	16	10	34	100	
INACTIVE COURSES	0	0	0	0	0	

TOTAL ACTIVE COURSES **6024**

TOTAL ACTIVE PRESENTERS **1070**

AGENDA ITEM REPORT

Title: REPORT ON LEGISLATIVE UPDATE

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Executive Office	
RESEARCHED BY Meagan Poulos	**REVIEWED BY**	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/11/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: This is a legislative report with bills of interest from the 2025 legislative session. Some of these bills may affect POST operations and/or affect law enforcement. It is not a complete list of bills that could impact law enforcement.

This report is presented for information only. No action is required.

BACKGROUND:

ANALYSIS:

RECOMMENDATION: This is a legislative report with bills of interest from the 2025 legislative session. Some of these bills may affect POST operations and/or affect law enforcement. It is not a complete list of bills that could impact law enforcement.

This report is presented for information only. No action is required.

ATTACHMENT(S):
2025 Commission Briefing.pdf

POST Legislative Update

As of July 30, 2025

The legislation listed in this document are the legislative bills that POST is monitoring over the 2025 legislative session. These bills could have an impact on POST or be of significant interest to the law enforcement community. It is not a complete list.

For any questions on the legislative process or to receive a status update, please contact: POST Legislative Liaison, Meagan Poulos at (916) 227-2809 or Meagan.poulos@post.ca.gov.

AB 31 (Ramos) Peace officers: tribal police pilot project.

Summary: Current law defines those persons who are peace officers in the state, grants certain authority to those individuals and their employing entities, and places certain requirements on those individuals and their employing entities. Current law also grants specified limited arrest authority to certain other persons, including federal criminal investigators and park rangers and peace officers from adjoining jurisdictions. Current federal law authorizes tribal governments to employ tribal police for the enforcement of tribal law on tribal lands. Current federal law requires the State of California to exercise criminal jurisdiction on Indian lands. Current state law deems a tribal police officer who has been deputized or appointed by a county sheriff as a reserve or auxiliary deputy to be a peace officer in the State of California. This bill would, from July 1, 2026, until July 1, 2029, establish a pilot program under the Department of Justice and the Commission on Peace Officer Standards and Training granting peace officer authority to certain tribal police officers on Indian lands and elsewhere in the state under specified circumstances. The bill would authorize the department to select 3 tribal entities to participate, would set certain minimum qualifications and certification and training requirements for a tribal officer to act pursuant to this authority, and would place certain requirements on the employing tribe, including a limited waiver of sovereign immunity, and the adoption of a tribal law or resolution authorizing that exercise of authority and providing for public access to certain records.

STATUS: 2-YEAR BILL*

**This bill language was adopted in the Public Safety trailer bill (AB xxx) and is effective immediately.*

AB 68 (Gallagher) School safety: armed school resource officers.

Summary: Would require a school district or charter school to hire or contract with at least one armed school resource officer, as defined, authorized to carry a loaded firearm to be present at each school of the school district or charter school during regular school hours and any other time when pupils are present on campus, phased in by certain grade spans, as provided. By imposing an additional requirement on school districts and charter schools, the bill would impose a state-mandated local program.

AB 284 (Alanis) Law enforcement: Racial and Identity Profiling Advisory Board (RIPA).
Summary: Current law requires the Attorney General to establish the Racial and Identity Profiling Advisory Board (RIPA) for the purpose of eliminating racial and identity profiling and improving diversity and racial and identity sensitivity in law enforcement. Current law requires RIPA to include various members, including 2 representatives of human or civil rights tax-exempt organizations, 2 representatives of community organizations, and 2 religious clergy members, as specified. Current law authorizes the Governor, President pro Tempore of the Senate, and Speaker of the Assembly to each prescribe up to 2 other members to membership of RIPA. This bill would require RIPA to include in its membership the president of the California District Attorneys Association, or their designee.
STATUS: 2-YEAR BILL

AB 354 (Rodriguez, Michelle D) Commission on Peace Officer Standards and Training.
Summary: Current law requires any agency that employs peace officers to, within 10 days, notify the Commission on Peace Officer Standards and Training (POST) of specified occurrences including any complaint, charge, or allegation of serious misconduct by a peace officer employed by that agency and the final disposition of any investigation into that complaint, charge, or allegation, regardless of the discipline actually imposed. Current law provides that each law enforcement agency shall be responsible for the completion of an investigation into any allegation of serious misconduct by an officer, regardless of the officer's employment status. Current law establishes the California Law Enforcement Telecommunications System (CLETS) within the Department of Justice to facilitate the exchange and dissemination of information between law enforcement agencies in the state. This bill would require POST employees whose job duties require access to criminal offender record information, state summary criminal history information, or information obtained from CLETS to undergo a fingerprint-based state and national criminal history background check, as specified.
STATUS: CHAPTERED

AB 400 (Pacheco) Law enforcement: police canines
Summary: Current law requires law enforcement agencies to maintain a policy on the use of force, as specified. Current law establishes the Commission on Peace Officer Standards and Training (POST) and charges it with, among other duties, developing uniform, minimum guidelines for adoption and promulgation by law enforcement agencies for use of force. This bill would require, on or before January 1, 2027, every law enforcement agency, as defined, with a canine unit to maintain a policy for the use of canines by the agency that, at a minimum, complies with the most recent standards established by POST.

AB 451 (Petrie-Norris) Law enforcement policies: restraining orders
Summary: Would require each municipal police department and county sheriff's department, the Department of the California Highway Patrol, and the University of California and California State University Police Departments to, on or before January 1, 2027, develop, adopt, and implement written policies and standards to promote safe, consistent, and effective service, implementation, and enforcement of court protection and restraining orders that include firearm access restrictions. The bill would require these policies and standards to, among other things, provide a standard agency process

for law enforcement to serve an order against a restrained person in a timely manner and ensure the agency consistently complies with specified requirements under California law governing service of protection and restraining orders. By expanding the duties of local law enforcement, this bill would impose a state-mandated local program.

AB 572 (Kalra) Criminal procedure: interrogations.
Summary: This bill would require a peace officer, as defined, or a prosecuting attorney, prior to interviewing an immediate family member of a person who has been killed or seriously injured by a peace officer, to clearly identify themself and if the interview takes place in person, to show identification, and to inform the person of specified information, including the status of their family member, that the person can consult with an attorney or trusted support person, and that the investigation that they are conducting may involve the culpability of the family member who was killed or injured. The bill would provide that its provisions do not apply if the immediate family member is under custodial interrogation, as specified. By increasing duties on local law enforcement, this bill would impose a state-mandated local program.

AB 645 (Carrillo) Emergency medical services: dispatcher training.
Summary: Would require, by January 1, 2027, a public safety agency that provides "911" call processing services for emergency medical response to provide prearrival medical instructions to "911" callers requiring medical assistance, including, among other things, airway and choking medical instructions for infants, children, and adults and administration of naloxone for narcotics overdoses. The bill would require prearrival medical instructions to be approved by the local EMS agency medical director and implemented consistent with the medical protocols and procedures adopted by the public safety agency. By expanding the scope of a crime, and to the extent that the bill would create new duties for a public safety agency, the bill would impose a state-mandated local program.

AB 847 (Sharp-Collins) Peace Officers: confidentiality of records
Summary: The California Public Records Act authorizes the inspection and copying of any public record except where specifically prohibited by law. Current law, with specified exemptions, makes confidential the personnel records of peace officers and custodial officers and certain other records maintained by their employing agencies. Current law provides that this exemption from disclosure does not apply to investigations of these officers or their employing agencies or to related proceedings conducted by a grand jury, a district attorney's office, or the Attorney General's office. This bill would additionally grant access to the confidential personnel records of peace officers and custodial officers and records maintained by their employing agencies, as specified, to civilian law enforcement oversight boards or commissions during investigations or related proceedings concerning the conduct of those officers.

AB 992 (Irwin) Peace officers.
Summary: Current law requires the Chancellor of the California Community Colleges, in consultation with specified entities, to develop a modern policing degree program and to prepare and submit a report to the Legislature outlining a plan to implement the program. Current law establishes the

Commission on Peace Officer Standards and Training within the Department of Justice and requires the commission to approve and adopt the education criteria for peace officers, based on the recommendations in the report. This bill would repeal the requirement for the commission to approve and adopt the criteria described above.

AB 1013 (Garcia) Peace officer training: behavioral health.
Summary: Current law requires the Commission on Peace Officer Standards and Training to establish and keep updated a classroom-based continuing training course that includes instructor-led active learning, such as scenario-based training, relating to behavioral health and law enforcement interaction with persons with mental illness, intellectual disability, and substance use disorders. Current law requires the commission to make available the course to each law enforcement officer with a rank of supervisor or below and who is assigned to patrol duties or to supervise officers who are assigned to patrol duties. This bill would authorize the commission to partner with local departments of behavioral health, community-based organizations, or nonprofit organizations to establish and keep updated this classroom-based continuing training course. The bill would require a law enforcement officer with a rank of supervisor or below and who is assigned to patrol duties or to supervise officers who are assigned to patrol duties to complete the course.
STATUS: 2-YEAR BILL

AB 1115 (Castillo) Peace officers: mental health liaisons.
Summary: The California Constitution authorizes local governments to make and enforce all police and sanitary ordinances and regulations within its limits that are not in conflict with general laws. Existing law requires the board of supervisors of a county and the governing body of a city to take measures necessary to preserve and protect the public health in its jurisdiction. This bill would authorize a local government to designate one or more existing employees specializing in counseling or mental health services as a law enforcement mental health liaison to facilitate mental health support for peace officers who serve the local jurisdiction. This bill contains other related provisions.
STATUS: 2-YEAR BILL

AB 1178 (Pacheco D) Peace officers: confidentiality of records.
Summary: The California Public Records Act generally requires public records to be open for inspection by the public. Under current law, the personnel records of peace officers and custodial officers are confidential and not subject to public inspection. Current law provides certain exemptions to this confidentiality, including the reports, investigations, and findings of certain incidents involving the use of force by a peace officer. Current law authorizes an agency to redact the records disclosed for specified purposes including, among others, to remove personal data or information, as specified, and where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the peace officer, custodial officer, or another person. This bill would require a court, in determining whether to redact a record where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a

significant danger to the physical safety of a person, to consider whether a particular peace officer is currently operating undercover and their duties demand anonymity.

AB 1388 (Bryan) Law enforcement: settlement agreements: prohibition.
Summary: Existing law establishes the Commission on Peace Officer Standards and Training, and requires the commission to, among other things, establish a certification program for peace officers, as defined. Existing law requires the commission to establish procedures for accepting complaints from members of the public regarding peace officers or law enforcement agencies that may be investigated. Existing law establishes, within the commission, the Peace Officer Standards Accountability Division and requires the division, among other things, to bring proceedings seeking the suspension or revocation of certification of a peace officer. This bill would additionally exempt agreements between an employing agency and a peace officer that, among other things, require the agency to destroy, remove, or conceal a record of a misconduct investigation. The bill would declare that its provisions are severable. This bill contains other related provisions and other existing laws.

AB 1489 (Bryan) Peace Officers
Summary: Would require a law enforcement agency that employs a peace officer to have a policy prohibiting that officer from carrying any firearm when the officer has a blood alcohol concentration greater than 0.00%, whether the officer is on duty or off duty, unless the officer is on duty and engaged in an undercover assignment in the course of their employment as a peace officer. By imposing new duties on local law enforcement, the bill would impose a state-mandated local program.
STATUS: 2-YEAR BILL

SB 277 (Weber Pierson) Criminal procedure: search of persons.
Summary: Current provisions of the United States and California Constitutions ensure the right of the people to be secure in their persons, houses, papers, and effects against warrantless seizures and searches. Case law establishes exceptions to this right, including allowing a peace officer to conduct a limited search of a person for firearms or weapons if the peace officer reasonably concludes that the person detained may be armed and presently dangerous to the peace officer or others, or if the person consents to a search. This bill would authorize a peace officer to request consent to search an individual, their property, or their effects only if the officer is investigating a crime and has reasonable suspicion that the individual to be searched has an item in their possession that is evidence of criminal activity. The bill would require the officer to follow a specified procedure in a specified order, including advising the individual that their consent is voluntary, explaining to the individual the scope of the search, and recording the individual's consent. The bill would prohibit an officer from exceeding the scope of the search explained to the individual and would require the officer to discontinue the search if the individual withdraws their consent.
STATUS: 2-YEAR BILL

SB 385 (Seyarto) Peace Officers.
Summary: Current law required the Chancellor of the California Community Colleges, on or before June 1, 2023, in consultation with specified entities, to develop a modern policing degree program and to prepare and submit a report to the Legislature outlining a plan to implement the program. Current law establishes the Commission on Peace Officer Standards and Training within the Department of Justice and requires the commission, within 2 years of the submission of the report, to approve and adopt the education criteria for peace officers, based on the recommendations in the report. This bill would repeal the requirement for the commission to approve and adopt the criteria described above.

SB 524 (Arreguin) Law enforcement agencies: artificial intelligence
Summary: Current law generally provides for the regulation of law enforcement agencies, including, among other things, requiring each local law enforcement agency to conspicuously post on their internet websites all current standards, policies, practices, operating procedures, and education and training materials that would otherwise be available to the public under specified circumstances. This bill would require each law enforcement agency to maintain a policy to require an official report prepared by a law enforcement officer or any member of a law enforcement agency that is generated using artificial intelligence either fully or partially to include specified information on each page, including a disclosure statement, and the signature of the law enforcement officer or member of a law enforcement agency who prepared the final report, as specified. If an officer or any member of an agency uses artificial intelligence to create an official report, the bill would require the first draft created to be retained for as long as the final report is retained. The bill would, except for the final report, prohibit a draft of any report created with the use of artificial intelligence from constituting an officer's official statement. The bill would require the program used to generate a draft, interim, or final report to maintain an audit trail that identifies, at a minimum, certain things, including the person who used artificial intelligence to create a report. The bill would prohibit a contracted vendor from sharing, selling, or otherwise using information provided by a law enforcement agency to be processed by artificial intelligence, except as provided. The bill would define terms for purposes of these provisions.

SB 627 (Wiener) Law enforcement: masks
Summary: Current law makes it a misdemeanor to wear a mask, false whiskers, or any personal disguise, as specified, with the purpose of evading or escaping discovery, recognition, or identification while committing a public offense, or for concealment, flight, evasion, or escape from arrest or conviction for any public offense. This bill would make it a crime for a law enforcement officer to wear a facial covering in the performance of their duties, except as specified. The bill would define law enforcement officer as anyone designated by California law as a peace officer and any officer or agent of a federal law enforcement agency, or any person acting on behalf of a federal law enforcement agency. The bill would make a violation of these provisions punishable as an infraction or a misdemeanor, as specified. By creating a new crime, this bill would impose a state-mandated local program.

SB 664 (Ochoa Bogh) Vehicles: public safety: Blue Envelope Program.
Summary: Current law requires the Department of Motor Vehicles to prescribe and provide suitable forms of applications, certificates of ownership, registration cards, driver's licenses, and all other forms that are deemed necessary. This bill would, by January 1, 2027, require the department, in consultation with relevant stakeholders, to develop a Blue Envelope Program. Under the program, the bill would require the blue envelope to contain specified information for requesters with a condition or disability, as specified. The bill would also authorize others, including a parent or legal guardian of a passenger with a disability, to request a blue envelope.
STATUS: 2-YEAR BILL

SB 691 (Wahab) Body-worn cameras: policies
Summary: Would require, on or before July 1, 2026, each law enforcement agency that has a body-worn camera policy to update that policy to provide guidance to personnel who wear body-worn cameras regarding the circumstances in which they are required to reasonably and temporarily limit the recording of medical or psychological evaluations, procedures, or treatment performed by emergency service personnel that may cause embarrassment or humiliation to the patient. The bill would also require that policy update to include a procedure for emergency service personnel to request the redaction of evidentiary recordings of a patient undergoing medical or psychological evaluation, procedure, or treatment by emergency service personnel.
STATUS: 2-YEAR BILL

SB 734 (Caballero) Criminal procedure: discrimination
Summary: Existing law, the Public Safety Officers Procedural Bill of Rights Act, grants certain employment rights to public safety officers, as defined. The act prohibits, among other things, any punitive action against a public safety officer, denial of promotion on grounds other than merit, or threat of such treatment, because of the lawful exercise of the rights granted under the act, or the exercise of any rights under any existing administrative grievance procedure. This bill would prohibit a punitive action, denial of promotion on grounds other than merit, or a revocation of certification proceeding from being undertaken against any public safety officer on the basis of a court finding made in a challenge brought under the California Racial Justice Act of 2020, and would prohibit those court findings from being introduced for any purpose in any administrative appeal of a punitive action. The bill would require, if the defendant is represented by an attorney in a case brought under the California Racial Justice Act of 2020, in the prosecution of a writ of habeas corpus, or in the filing of a motion to vacate a conviction or sentence based on a violation of the California Racial Justice Act of 2020, and the motion or petition is based, in whole or in part, on the conduct of a law enforcement officer, the attorney to serve a copy of the motion on the law enforcement agency employing the officer. This bill contains other existing laws.

AGENDA ITEM REPORT

Title: REPORT ON THE DEVELOPMENT OF THE BASIC COURSE CURRICULUM AND PROPOSED PILOT PROGRAMS FOR LD35 - FIREARMS/CHEMICAL AGENTS

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Basic Training Bureau	
RESEARCHED BY Carrie Hollar	**REVIEWED BY**	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/11/2025
PURPOSE	**FINANCIAL IMPACT** Yes	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: Should the Commission decide to approve piloting Learning Domain 35 - Firearms/Chemical Agents, as described in the staff report?

BACKGROUND: After the Commission expressed concerns about the current content of the PC832 courses, POST staff facilitated two workshops (January 2025 and February 2025) with stakeholders and Subject Matter Experts (SMEs). After reviewing the LD35 Firearms/Chemical Agents content in the Training and Testing Specifications, all participants agreed additional content and testing should be added to the PC832 Firearms course **(Attachment A and B)**. The PC832 Firearms course is required for all peace officers who carry a firearm. Currently, the minimum hourly requirement is 24 hours; the proposed changes would increase the course to 52 hours.

ANALYSIS: The Subject Matter Experts determined the PC832 Firearms Course should include all content presented in the Regular Basic Course for LD35 - Firearms/Chemical Agents, with the exception of shotgun and chemical agents. Currently, the minimum hourly requirement is 24 hours; the proposed changes would increase the course to 52 hours.

RECOMMENDATION: POST staff is proposing changes to the Training and Testing Specifications for LD35 - Firearms/Chemical Agents, for the PC832 Firearms Course. Staff will be requesting approval to pilot the proposed changes.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the piloting of Learning Domain 35 - Firearms/Chemical Agents, as described in the staff report.

ATTACHMENT(S):

ATTACHMENT A - MINIMUM HOURLY REQUIREMENT

ATTACHMENT B - LD35 TTS

MINIMUM CONTENT AND HOURLY REQUIREMENTS
PC 832 ARREST AND FIREARMS COURSE

July 1, 2018

DOMAIN NUMBER	DOMAIN DESCRIPTION	MINIMUM HOURS
01	Leadership, Professionalism & Ethics	2 hours
02	Criminal Justice System	2 hours
03	Policing in the Community	2 hours
05	Introduction to Criminal Law	3 hours
15	Laws of Arrest	5 hours
16	Search and Seizure	3 hours
17	Presentation of Evidence	2 hours
18	Investigative Report Writing	2 hours
20	Use of Force	3 hours
30	Crime Scenes, Evidence, and Forensics	2 hours
33	Arrest and Control	10 hours
35	Firearms/Chemical Agents	~~24~~ 52 hours
39	Crimes Against the Justice System	1 hour
42	Cultural Diversity/Discrimination	1 hour
	Minimum Instructional Hours	~~62~~90 hours

The minimum number of hours allocated to testing in the PC 832 Arrest and Firearms Course are shown below[1]

TEST	HOURS
POST-Constructed Comprehensive PC 832 Test (LDs 5,15,16,20, and 39)	2 hours
Total Minimum Required Hours	~~64~~ 92 hours

[1] Time required for the PC 832 Firearms and Arrest and Control Exercise tests and instructional activities is included in instructional hours.

TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #35
FIREARMS/CHEMICAL AGENTS

April 1, 2024

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X

I. LEARNING NEED

Peace officers must know and practice all procedures for the safe handling of all firearms while on and off duty.

LEARNING OBJECTIVES

A. State the four fundamental rules of firearms safety

B. Explain basic safety guidelines to be followed at a firing range

C. Describe the safety precautions for proper storage of firearms

II. LEARNING NEED

Peace officers must know the workings, the capabilities, and limitations of firearms in order to operate them safely and effectively.

LEARNING OBJECTIVES

A. Describe the basic information about a semiautomatic pistol and magazine, including:

1. Primary components and their functions
2. Steps for loading/unloading
3. Steps for rendering the semiautomatic pistol safe

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X	X	X	X		X	X
X	X	X	X		X	X
X	X	X	X		X	X
X			X		X	

B. Describe the cycle of operation that takes place with each single pull of a semiautomatic pistol trigger

C. Describe the basic information about a revolver, including:

1. Primary components and their functions
2. Steps for loading/unloading
3. Steps for rendering the revolver safe

D. Describe the basic information about shotguns, including:

1. Advantages and limitations
2. Primary components and their functions
3. Steps for loading/unloading
4. Steps for rendering the shotgun safe

III. LEARNING NEED

Peace officers must know the capabilities and limitations of the ammunition they use in their firearms to operate them safely and effectively.

LEARNING OBJECTIVES

A. State the guidelines for the safe handling of ammunition

B. Describe the primary components of firearm cartridges

C. Explain the chain of events that takes place when a projectile is discharged from a cartridge

D. Describe the primary components of a shotgun shell

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	
X			X		X	
X	X	X	X		X	X
X	X	X	X		X	X
X	X	X	X		X	X
X	X	X	X		X	X
X	X	X	X		X	X
X	X	X	X		X	X
X	X	X	X		X	X

E. Define shot pattern as it relates to shotgun shells

F. Explain the correlation to the distance traveled by the shot and the size of the shot pattern

G. Describe the three ways shot placement can stop a threat, to include:

1. Central nervous system
2. Critical blood loss
3. Psychological

IV. LEARNING NEED

Peace officers must know how to properly inspect, clean, and care for their firearms to ensure that they function safely and effectively.

LEARNING OBJECTIVES

A. Describe the components that may prevent problems and that should be examined during a routine safety inspection

B. Describe the materials, equipment, and environment needed to properly clean firearms

C. Apply routine procedures for cleaning firearms

V. LEARNING NEED

Peace officers must comprehend and practice the fundamental skills of firing firearms to be effective in reactive and precision situations during live fire exercises.

LEARNING OBJECTIVES

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RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X

A. Apply the proper steps for drawing and holstering

B. Demonstrate the following elements to accurately shoot a firearm:

1. Grip
2. Stance
3. Breath control
4. Sight alignment/sight picture
5. Trigger control
6. Follow-through

C. Describe the types of malfunctions and demonstrate clearing methods for:

1. Semiautomatic pistols
2. Revolvers
3. Shotguns

D. Describe limitations officers may encounter when shooting under low light/nighttime conditions

E. Describe conditions an officer may face when in a combat situation

F. Describe possible physiological and psychological responses an officer may experience under the stress of a combat situation

G. Explain steps officers can take to prepare themselves for the extreme stress of combat

VI. LEARNING NEED

Peace officers must know the terminology, capabilities, exposure symptoms, and decontamination procedures in order to safely and effectively handle and deploy chemical agents and gas masks.

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RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X		X	X		X	
X		X	X		X	
X		X	X		X	
X		X	X		X	
X		X	X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X	X	X	X	X	X	X
X	X	X	X	X	X	X

LEARNING OBJECTIVES

A. State the statutory requirements for the possession and use of chemical agents

B. Describe four methods used to deploy chemical agents

C. Describe environmental and physical conditions that can impact the effectiveness of a chemical agent

D. State the guidelines for safely carrying, drawing, and deploying hand-held canisters of chemical agents

E. Apply decontamination procedures that should be followed after a chemical agent has been used

F. Discuss the physiological and psychological effects of each of the following chemical agents used by peace officers:

1. OC (oleoresin capsicum)
2. CN (chloroacetophenone)
3. CS (ortho-chlorobenzylidene-mononitrile)

G. Demonstrate proper procedures peace officers should follow when using gas masks, to include:

1. Inspection and proper fit
2. Cleaning and storage

VII. REQUIRED TESTS

Exercise testing is mandated and regulated by POST Commission Procedure D-1, which states:

Academies/presenters shall provide the following to students who fail a required exercise test on the first attempt:

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X

- An opportunity to review their test results
- A reasonable amount of time, as determined by the academy/presenter, to prepare for a retest
- An opportunity to be retested on the failed test, if the student fails the second test, the student fails the course

Required exercise testing for each format of the basic course is set forth in the Training and Testing Specifications (TTS). The student is required to successfully pass each exercise test outlined below for the specific course of instruction the student is enrolled in.

FIREARMS SAFETY

All firearms exercise testing must be conducted under written academy/presenter safety procedures and or protocols established in accordance with the POST safety guidelines. Students are required to comply with every aspect of presenter safety procedures and or protocols during firearms training and testing.

A. An **exercise test** that requires a student to demonstrate competency in **combat** shooting principles and tactics using a handgun, while wearing body armor and duty equipment, under **daylight** conditions on a **combat** course of fire.

The course of fire must simulate the physical and mental stress that would be most nearly created by actual field **combat** situations. The test will minimally include threat assessment, multiple targets, left and right shooting positions using cover and concealment, and multiple shooting positions.

The student is required to fire a minimum of 30 rounds of service ammunition using a presenter approved service handgun, with acceptable accuracy standards and under time restrictions established by the presenter.

The student is required to tactically load and reload the handgun using the loading device authorized by the presenter and clear any malfunctions that may occur during the course of fire.

The student will demonstrate competency in the following performance dimensions:

Formatted Table

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X

1. Firearms Safety
2. Mechanical Functions
3. Manipulations
4. Judgment/Decision Making
5. Basic Shooting Principles
6. Combat Shooting Principles/Tactics
7. Accuracy

Presenters must use the POST-developed Firearms Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

B. An **exercise test** that requires a student to demonstrate competency in **combat** shooting principles and tactics using a handgun, while wearing body armor and duty equipment under **low light/night time** conditions (for outdoor ranges testing must be done during the hours of darkness as defined in Vehicle Code Section 280) on a **combat** course of fire.

The course of fire must simulate the physical and mental stress that would be most nearly created by actual field **combat** situations. The test will minimally include threat assessment, multiple targets, left and right shooting positions using cover and concealment, and multiple shooting positions.

The student is required to fire a minimum of 30 rounds of service ammunition using a presenter approved service handgun, with acceptable accuracy standards and under time restrictions established by the presenter.

The student is required to tactically load and reload the handgun using the loading device authorized by the presenter and clear any malfunctions that may occur during the course of fire.

The student will demonstrate competency in the following performance dimensions:

1. Firearms Safety
2. Mechanical Functions
3. Manipulations

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X	X	X	X	X	X	X
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	

4. Judgment/Decision Making
5. Basic Shooting Principles
6. Combat Shooting Principles/Tactics
7. Flashlight/Lighting System/Existing Light
8. Accuracy

Presenters must use the POST-developed Firearms Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

C. An **exercise test** that requires the student to demonstrate competency in shotgun **combat** shooting principles and tactics using a shotgun, while wearing body armor and duty equipment, under **daylight** conditions on a **combat** course of fire.

The course of fire must simulate the physical and mental stress that would be most nearly created by actual field **combat** situations. The test will minimally include threat assessment, multiple targets, left and right shooting positions using cover and concealment, and multiple shooting positions.

The student is required to fire a minimum of 12 rounds of service ammunition using a presenter approved shotgun, with acceptable accuracy standards and under time restrictions established by the presenter.

The student is required to tactically load, unload and reload the shotgun and clear any malfunctions that may occur during the course of fire.

The student will demonstrate competency in the following performance dimensions:

1. Firearms Safety
2. Mechanical Functions
3. Manipulations
4. Judgment/Decision Making
5. Basic Shooting Principles
6. Combat Shooting Principles/Tactics
7. Accuracy

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	

Presenters must use the POST-developed Firearms Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

D. An **exercise test** that requires the student to demonstrate competency in **combat** shooting principles and tactics using a shotgun, while wearing body armor and duty equipment, under **low light/night time** conditions (for outdoor ranges testing must be done during the hours of darkness as defined in Vehicle Code Section 280) on a **combat** course of fire.

The course of fire must simulate the physical and mental stress that would be most nearly created by actual field **combat** situations. The test will minimally include threat assessment, multiple targets, left and right shooting positions using cover and concealment, and multiple shooting positions.

The student is required to fire a minimum of 12 rounds of service ammunition using a presenter approved shotgun, with acceptable accuracy standards and under time restrictions established by the presenter.

The student is required to tactically load, unload and reload the shotgun and clear any malfunctions that may occur during the course of fire.

The student will demonstrate competency in the following performance dimensions:

1. Firearms Safety
2. Mechanical Functions
3. Manipulations
4. Judgment/Decision Making
5. Basic Shooting Principles
6. Combat Shooting Principles/Tactics
7. Flashlight/Light System/Existing Light
8. Accuracy

Presenters must use the POST-developed Firearms Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
	X	X				
	X	X				
	X	X				
	X	X				
	X	X				
	X	X				
	X	X				
	X	X				
	X	X				
	X	X				
	X	X				
	X	X				
	X	X				
	X	X				
	X	X				

exercise test.

E. An **exercise test** developed by POST that specifically prescribes the PC 832/Module III course of fire, which requires the student to demonstrate basic handgun shooting principles under daylight conditions.

Using a presenter approved handgun, the student must:

- fire 36 rounds of service ammunition and
- achieve a minimum score of 29 hits in the 7 ring on a B 27 single target

The PC 832 Handgun Course of Fire:

- 12 rounds must be fired from a distance of 3 yards in 30 seconds
- 12 rounds must be fired from a distance of 7 yards in 30 seconds
- 12 rounds must be fired from a distance of 15 yards in 45 seconds

The student is required to tactically load and reload the handgun using the loading device authorized by the presenter and successfully clear any malfunctions that may occur during the course of fire.

The student will demonstrate competency in the following performance dimensions:

1. Firearms Safety
2. Mechanical Functions
3. Manipulations
4. Basic Shooting Principles
5. Accuracy

Presenters must use the POST-developed PC832/Module III Firearms Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X
X	X	X			X	X

VIII. REQUIRED LEARNING ACTIVITIES

A. Each student will participate in a simulation that requires exposure to a non-lethal, riot control chemical agent. The simulation must involve the following:

1. Exposure to a non-lethal, riot control chemical agent
2. Proper use of a gas mask including the pre-inspection, fitting, and clearing of the mask
3. Decontamination techniques

B. Each student will participate in a simulation that requires exposure to a non-lethal, aerosol chemical agent. The simulation must involve the following:

1. Exposure to a non-lethal, aerosol chemical agent
2. Proper care, maintenance, and deployment of a non-lethal, aerosol chemical agent
3. Decontamination techniques

C. Each student will participate in a learning activity designed to reinforce the ability to manipulate their assigned firearm.

If the firearm is a semiautomatic pistol, the learning activity shall minimally include the following techniques to safely and effectively manipulate the semiautomatic pistol in both the left and right hand:

1. Render the weapon safe
2. Release slide
3. Lock slide open
4. Rack slide
5. Holster weapon
6. Unholster weapon
7. Load weapon
8. Unload weapon from the holster
9. Clear any malfunctions
10. In battery reload
11. Out of battery speed reload

RBC	Other Basic Courses					Requal		
	832	III	II	I	SIBC			
X	X	X			X	X		12. Gain sight alignment utilizing primary sighting systems
X	X	X			X	X		If the firearm is a revolver, the learning activity shall minimally include the following techniques to safely, and effectively manipulate the revolver in both the left and right hand:
X	X	X			X	X		1. Render the weapon safe
X	X	X			X	X		2. Open cylinder
X	X	X			X	X		3. Close cylinder
X	X	X			X	X		4. Holster weapon
X	X	X			X	X		5. Unholster weapon
X	X	X			X	X		6. Load/reload revolver with authorized loading device
X	X	X			X	X		7. Clear any malfunctions
X	X	X			X	X		8. Gain sight alignment utilizing primary sighting systems
X	X	X			X	X	D.	The student will participate in a learning activity to reinforce the ability to inspect, clean and properly maintain their service handgun. The activity shall minimally include techniques to:
X	X	X			X	X		1. Visually inspect the weapon
X	X	X			X	X		2. Properly clean the weapon
X	X	X			X	X		3. Ensure the weapon is maintained according to the manufacturer's specifications
X			X		X		E.	The student will participate in a learning activity to reinforce the ability to safely and effectively manipulate a shotgun. The activity shall minimally include techniques to:
X			X		X			1. Open the shotgun action and check for rounds
X			X		X			2. Inspect the functioning of the firing mechanism
X			X		X			3. Load and unload the shotgun properly when a round has been chambered
X			X		X			4. Load and unload the shotgun when no round is chambered and the weapon is cocked and uncocked
							IX.	HOURLY REQUIREMENTS
72	~~24~~52	~~28~~56	44	12	72	~~10~~14		Students shall be provided with a minimum number of instructional hours on firearms/chemical agents.

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RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	

X. ORIGINATION DATE

January 1, 2001

XI. REVISION DATE

January 1, 2004	July 1, 2008	July 1, 2010	April 1, 2022
July 1, 2005	January 1, 2009	July 1, 2011	April 1, 2024
January 1, 2006	July 1, 2009	August 1, 2013	
January 19, 2007	January 1, 2010	April 1, 2020	

AGENDA ITEM REPORT

Title: REPORT ON AMENDMENTS TO COMMISSION REGULATIONS 1005, 1007, 1008, AND 1059 - INSTRUCTOR'S GUIDE TO LEARNING ACTIVITIES

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Basic Training Bureau	
RESEARCHED BY Jennifer Hardesty	**REVIEWED BY** Carrie Hollar	
REPORT DATE 07/09/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/13/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: Should the Commission direct staff to move forward with the rulemaking process after consideration of the public comment received?

BACKGROUND: Following a number of Subject Matter Expert workshops to update the Instructor's Guide to Learning Activities publication, POST staff presented the proposed amendments to the Commission at the March 5, 2025, meeting which were approved. POST staff initiated the public comment portion of the rulemaking process on May 16, 2025, with the public comment period ending on June 30, 2025. One comment was received (**Attachment A**), which staff is presenting today for consideration by the Commission. The comment relates to a new learning activity (**Attachment B**) added to the publication under Learning Domain 42 - Cultural Diversity/Discrimination.

ANALYSIS: The Training and Testing Specifications (TTS) for Learning Domain 42 - Cultural Diversity/Discrimination (Attachment C), require students participate in a series of learning activities either selected from the Instructor's Guide to Learning Activities publication or selected from other comparable sources. The TTS do not require sole use of the Instructor's Guide to Learning Activities publication to meet the learning activity requirement but does articulate topics the activity/activities must address. The newly created activity does provide an opportunity for the students to examine their personal biases and provides an opportunity for the instructor to then segue the conversation to how those biases might

impact their daily job responsibilities and their behavior as peace officers.

RECOMMENDATION:

At the March 5, 2025, Commission meeting, proposed amendments to the Instructor's Guide to Learning Activities were approved and the proposed amendments were noticed to the public. This item is being presented to allow the Commission to consider the public comment received to determine if staff should continue to move forward with the rulemaking process or if additional amendments should be made.

After considering the comment, the appropriate action would be a **MOTION** to provide staff direction on how to proceed with the rulemaking process.

ATTACHMENT(S):

Attachment_A_Public_Comment_IGLA.pdf
Attachment_B_LD_42_Proposed_Learning_Activity.pdf
Attachment_C_LD_42_TTS.pdf

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Anita Finner
Staff Services Manager
POST
anita.finner@post.ca.gov

Dear Ms. Finner,

I am writing to submit the following public comment in my individual capacity.

Background: On May 16, 2025, POST noticed a proposed regulatory action to repeal the December 2005 *Instructor's Guide to Learning Activities* publication and adopt the October 2025 *Instructor's Guide to Learning Activities* publication. The Instructor's Guide is used during Basic Academy to meet Training and Testing Specification (TTS) for Peace Officer Basic Courses. The TTS for Learning Domain 42: Cultural Diversity/Discrimination includes 5 total required learning activities, one of which is to participate in a series of five activities in the Instructor's Guide (some of which may be optional). This makes 9 total learning activities. The TTS for LD 42 do not require a test, so the learning activities included in the TTS and Instructor Guide are the only methods of evaluation in the Basic Academy for LD 42. Both the proposed LD 42 TTS and Instructor's Guide learning activities are attached.

Draft comment for proposed regulatory action to adopt the October 2025 *Instructor's Guide to Learning Activities* publication.

During the May 21, 2025, RIPA subcommittee meeting on POST, a POST representative informed the RIPA Board that the proposed Instructor's Guide includes a new activity on explicit and implicit bias for Learning Domain 42: Cultural Diversity/Discrimination ("LD 42"), "Activity 5." Activity 5 describes a desert island scenario where students must select companions from a provided list of individuals with limited description (e.g. doctor, addict, librarian, priest, a person with a disability, politician, attorney, pregnant mother with a three-year-old child, Navy SEAL, scientist). After a 10–15-minute discussion in breakout groups, the instructor provides additional context: the doctor has a doctorate in Education (EdD), the addict is addicted to caffeine, etc. The facilitator then "leads a discussion about how our lived experiences knowingly or unknowingly contribute to how we perceive individuals, form judgments, and make decisions about people when we have limited information."

Activity 5 does not engage directly with the law enforcement profession and should be replaced by a learning activity that addresses how bias could affect the officers in their daily job responsibilities. Below I propose two alternative activities from police training models on reducing bias.

Activity 5 is the only LD 42 learning activity focused on implicit and explicit bias, and the activity should target the distinct, harmful consequences of individual and systemic bias in policing. Everyone holds biases, conscious and unconscious. However, if biases affect a police officer's

behavior, the consequences could be fatal. Effective training on managing biases and fair and impartial policing can have enormous benefits to officers, departments, and the community.

Significant research on the manifestation of bias within the law enforcement profession exists to support an alternative, evidence-based learning activity. At a minimum, this activity should (1) help cadets recognize their conscious and implicit biases; (2) suggest strategies to reduce and manage biases; and (3) facilitate discussion on how biases might manifest in the line of duty. For example, the instructor could provide guidance on speaking internally and externally about bias, recognizing bias and reporting it, and promoting fair and impartial policing methods. The other LD 42 learning activities in both the Training and Testing Specification and the Instructor Guide are less attenuated and apply directly to policing.

Several police training models offer learning activities on implicit and explicit bias that engage directly with the law enforcement profession. Two such training models are Situational Decision-making (Sit-D)[1] and Fair and Impartial Policing (FIP).[2] In Sit-D training, discussion activities distinguish subjective and objective facts "to highlight for officers how their initial subjective impressions of a situation can make it hard for them to notice some objective facts. This sets the stage for the importance of considering alternative interpretations."[3] Thinking through alternative interpretations allows the officer to slow down and notice potential bias. For example, in the Sit-D camera view activity, "officers discuss 'what a camera would see.' In these exercises, [officers] are not permitted to make subjective statements (e.g., guesses about a person's intent). They can only describe the objective facts of a situation. They then discuss how those facts could be interpreted differently."[4]

In FIP, "training construction for academy recruits, patrol officers, and first-line supervisors is designed to endow trainees with six specific skills in order to neutralize the effect of implicit biases. The first is simply to 'reduce your biases.' In presenting this goal, trainers recognize that biases are internalized over lifetimes and are therefore difficult to exterminate. The program embraces Contact Theory as a basis for this effort, which posits that positive contacts with people of other groups, or with counter-stereotypical members of these groups, can perceptibly break down long-held assumptions and biases. In this connection, trainers recommend that officers attempt to 'blur lines,' which encompasses a number of social exercises to help people look for similarities rather than differences between themselves and others."[5]

Either of these alternative activities here for the basic academy curriculum Instructor Guide are qualitatively more effective than the current material found in Activity 5. POST should review the available research regarding these alternative activities and either adopt the activity from the Sit-D model or the FIP model instead of the desert island scenario currently in Activity 5. In

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[1] See University of Chicago Crime Lab, *Situational Decision-Making* (Sit-D) https://crimelab.uchicago.edu/projects/situational-decision-making.

[2] See Fair and Impartial Policing <https://fipolicing.com/>.

[3] Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 1, A-8.

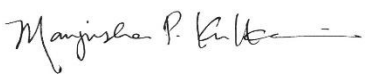
[4] *Ibid*.

[5] Cochran et al., *Impacts of Implicit Bias Awareness Training in the NYPD* (July 2020) International Association of Chiefs of Police (ICAP) and University of Cincinnati Center for Police Research and Policy & John F. Finn Institute for Public Safety, p. 15 https://www.theiacp.org/sites/default/files/2020-09/NYPD%20Implicit%20Bias%20Report.pdf; see *ibid*. for the remaining implicit bias reduction skills and additional training examples.

addition, I also want to uplift the recommendations and findings of the POST section of the 2025 RIPA Report on anti-bias trainings and alternatives.[6] Research demonstrates that in order for anti-bias training to be effective, it must be reinforced through the culture of a law enforcement department via policies and top-down, repeated trainings.[7] The aforementioned proposed alternative learning activities for Activity 5 is only one step towards improving the training necessary to reduce and eliminate racial and identify profiling in policing in California.

Thank you for your consideration. Please do not hesitate to contact me if you have any questions.

Best,



Manjusha P. Kulkarni

[6] See Racial and Identity Profiling Advisory Board, *Annual Report* (2025) pp. 117-140 <https://oag.ca.gov/system/files/media/ripa-board-report-2025.pdf>.

[7] See, e.g., Forscher et al., *A Meta-Analysis of Procedures to Change Implicit Measures* (2019) J. of Personality & Soc. Psychol. 1 <https://devinelab.psych.wisc.edu/wp-content/uploads/sites/1383/2020/04/A-Meta-Analysis-of-Procedures-to-Change-Implicit-Measures-1.pdf#:~:text=Forscher%2C%20P.%20S.%2C%20Lai%2C%20C.%20K.%2C%20Axt%2C%20J.,and%20Social%20Psychology.%20Advance%20online%20publication.%20htp%3A%2F%2Fdx.doi. org%2F10.1037%2F%20pspa0000160>; Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 Daedalus 151, 159-160 <https://doi.org/10.1162/daed_a_02053>; Lai and Lisnek, *The Impact of Implicit Bias-Oriented Diversity Training on Police Officers' Beliefs, Motivations, and Actions* (2023) 34 Psychological Science 1 <https://osf.io/preprints/psyarxiv/dxfq6>.

ATTACHMENT B

Learning Domain 42: Cultural Diversity/Discrimination

Activity Five

This activity is meant to practically demonstrate how bias (explicit or implicit), impacts our decisions as peace officers.

The facilitator will inform students they have survived a catastrophic event and must now survive on an uninhabited island for an unknown period of time. The students can select five other individuals to take with them on the uninhabited island in order to help them survive. The instructor will provide limited information on a group of individuals to select from (examples: doctor, addict, librarian, priest, a person with a disability, politician, attorney, pregnant mother with a three year old child, Navy SEAL, scientist).

The facilitator will divide the students into groups and allow ten to fifteen minutes for the students to decide who they will select. Student groups will then conduct a group presentation on who they selected to help them survive on the island and why.

After each group presents, provide context on the choices made by each student group such as:

- Doctor has a doctorate in Education (EdD)
- Addict is addicted to caffeine
- Librarian is a volunteer firefighter
- Priest is a reserve US Army officer
- Person with a disability has high-test anxiety
- Attorney
- Pregnant mother with child
- Navy SEAL is a paraplegic
- Scientist is an audiologist

The facilitator leads the discussion about how our lived experiences knowingly or unknowingly contribute to how we perceive individuals, form judgments, and make decisions about people when we have limited information. The facilitator can ask follow-up questions such as:

- Having context to your selections, would you change your selection?
    - Why?
- How does knowing more about an individual help prevent generalizations, pre-judgments, and discriminant behavior?

TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #42
CULTURAL DIVERSITY/DISCRIMINATION

April 1, 2022

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	
X			X		X	
X			X		X	
X	X	X	X		X	
X			X		X	
X	X	X			X	X
X	X	X			X	X

I. LEARNING NEED

Peace officers need to recognize and respect the complexities of cultural diversity to develop skills necessary for identifying and responding to California's changing communities.

LEARNING OBJECTIVES

A. Define the terms:

1. Culture
2. Cultural diversity

B. Describe personal, professional, and organizational benefits of valuing diversity within the community and law enforcement organizations

C. Explain the historical and current cultural composition of California

II. LEARNING NEED

Peace officers need to become aware of stereotyping that could lead to prejudicial viewpoints and unlawful acts of discrimination.

LEARNING OBJECTIVES

A. Define the term stereotype

B. Discuss the dangers of relying on stereotypes to form judgments or to determine actions

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X	X	X			X	X
X	X	X			X	X
X			X		X	X
X			X		X	X
X			X

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X

III. LEARNING NEED

Peace officers must recognize that one of the most reliable strategies for successful contacts with individuals from differing cultural, racial, or ethnic backgrounds is to treat all individuals and groups with dignity and respect.

LEARNING OBJECTIVES

A Explain strategies for effective communication within a diverse community, including:

1. Verbal communication
2. Active listening
3. Nonverbal communication

B. Describe positive officer behaviors during contacts with members of a cross-cultural community

C. Discuss articles of faith that can be interpreted as a weapon, including:

1. Identification of the article
2. Proper handling of and respect for the article

IV. LEARNING NEED

Peace Officers need to recognize and respect the complexities of sexual orientation and gender identity and develop the necessary skills to understand, effectively communicate, and respond to the needs of the community and the law enforcement workplace.

LEARNING OBJECTIVES

A. Discuss the difference between sexual orientation and gender identity.

1. Sexual orientation: a person's physical, emotional and romantic attraction to people of the same and/or other gender
2. Gender identity: a person sense of being male, female, or something other or in-between

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X

B. Discuss how sexual orientation and gender identity intersect with:

1. Each other
2. Race
3. Culture
4. Religion

C. Define the terminology used to identify and describe the difference between sexual orientation and gender identity, including but not limited to:

1. Sexual orientation (straight, gay, lesbian, bisexual)
2. Gender identity (transgender, cisgender, non-binary)
3. Gender expression (the way a person expresses themselves)
4. Queer (an umbrella term for those who do not wish to categorize their sexuality)
5. Questioning (to be unsure of or re-examining one's sexual orientation and/or gender identity)

D. Discuss the ways to create an inclusive workplace within law enforcement for sexual orientation and gender identity minorities, including:

1. Demonstrating respect for diversity
2. Recognizing personal bias and its potential negative effect on workplace conduct
3. Honoring the right to privacy and confidentiality
4. Not making assumptions
5. Understanding reason why employees may not report incidents of harassment/discrimination

E. Identify important moments in history related to sexual orientation and gender identity minorities and law enforcement including:

1. Protests (i.e. The Stonewall Riots (1969))
2. Changes in law (i.e. U.S. Supreme Court decision on Same Sex Marriage (Obergefell v. Hodges)
3. Defining moments (i.e. Transgender Day of Remembrance founded (1999))

V. LEARNING NEED

Peace officers need to have a lawful basis for recognizing criminal acts as hate crimes and understand the impact of such crimes on victims and communities.

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X

LEARNING OBJECTIVES

A. State the legal definition of a hate crime based on the Penal Code

B. Classify the crime and the elements required to arrest for:

1. Desecrating religious symbols
2. Interfering with religious freedom
3. Terrorizing another
4. Interfering with an individual's civil rights

C. Explain the legal rights and remedies available to victims of hate crimes based on federal law and Civil Code

D. Describe the impact of hate crimes on victims, the victims' families, and the community

E. Discuss the indicators of hate crimes

F. Explain considerations when investigating and documenting incidents involving possible hate crimes

VI. LEARNING NEED

Peace officers need to have an understanding of what constitutes sexual harassment, how to respond to sexual harassment in the workplace, and the legal remedies available through the sexual harassment complaint process.

LEARNING OBJECTIVES

A. State the legal definition of sexual harassment

B. Discuss the federal and state laws dealing with sexual harassment to include:

1. Title VII

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X

2. Government Code Section 12940 et. seq.
3. Concept of Quid Pro Quo
4. Concept of hostile work environment
5. Current case law

C. Explain the legal remedies available to a victim of sexual harassment

D. Describe behaviors that constitute sexual harassment, including:

1. Verbal
2. Physical
3. Visual
4. Written material
5. Sexual favors
6. Threats
7. Hostile work environment
8. Force

E. Explain the mandated sexual harassment complaint process guidelines

F. State the protections that exist to prevent retaliation against anyone submitting a sexual harassment complaint

G. Describe the methods for responding to sexually offensive or unwanted behavior

VII. REQUIRED TESTS

None

VIII. REQUIRED LEARNING ACTIVITIES

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	

A. Given a diagnostic instrument, questionnaire, personal inventory or equivalent method, students will participate in a learning activity that requires self-assessment to determine their own level of cultural sensitivity and experience in interrelating with cultural groups.

1. The learning activity should provide the student with an opportunity to determine their current level of experience in dealing with cultural groups
2. The learning activity should also serve as a starting point for an instructor-facilitated classroom discussion and/or small group discussions which address perceptions, experiences, fears, and stereotypes concerning contact with cultural groups
3. Discussion may include, but is not limited to cultural stereotypes, ethno phobia, xenophobia, sexual orientation and gender identity bias, and media impact on cultural perceptions

B. Given a minimum of three POST-developed video re-enactments depicting law enforcement contacts with cultural groups, or an equivalent number of simulations, scenarios or video representations provided by the presenter, the student will participate in an instructor-led discussion evaluating the appropriateness and professional quality of the contact.

Among the issues which must be addressed are:

1. Any positive or negative behaviors demonstrated by contacting officers
2. The apparent perception of the cultural group regarding the contact
3. Presence or absence of cultural stereotyping
4. The level of cultural understanding demonstrated by the officers
5. The legality of the contact and subsequent actions of the contacting officers
6. The professional, personal, and organizational impact of the contact, either positive or negative
7. Cultural group history, customs, religious conventions, core values, or other perceptions material to the contact

Presentation of the video re-enactments, simulations, or scenarios may be done collectively or may be interspersed throughout the instructional block at the discretion of the instructor.

C. Given a minimum of four POST-developed video re-enactments depicting possible sexual harassment, or an equivalent number of simulations, scenarios, or video representations provided by the presenter, the student will participate in a facilitated discussion which addresses the following:

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X

1. Any behaviors which are illegal, as defined by federal or state sexual harassment laws
2. Professional, personal, and organizational impacts of the incident
3. Legal and administrative consequences of the behaviors observed
4. Whether or not state sexual harassment reporting guidelines apply to the situation

D. Given a minimum of two POST-developed video re-enactments or written descriptions of possible hate crimes, or an equivalent material provided by the presenter, the student will participate in a facilitated discussion which addresses the following:

1. Whether or not the incident constituted a hate crime under the law
2. Impact of the incident on victims, their families and the community
3. Effectiveness of the law enforcement response
4. Legal rights of, and remedies available to the victim(s)

E. The student will participate in a series of learning activities from the POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources. At a minimum, each activity or combination of activities must address the following topics:

1. The impact racial profiling may have had on them as individuals or their community
2. Concerns the students may have as to how racial profiling will affect them in the field
3. Clarification of the myths and realities of racial profiling
4. The concept of individualized suspicion as it pertains to probable cause
5. How the history of the community can affect the way they view law enforcement today
6. Law enforcement's obligation to various cultures within the community
7. What law enforcement must do to increase trust with the community
8. Law enforcement's obligation to respond to and report incidents of discriminatory or biased practices by fellow officers
9. The importance of applying leadership during contacts with persons from diverse cultures as it pertains to profiling, ethics and community policing

F. Given three POST-develop video re-enactments depicting possible racial profiling, students will participate in a facilitated discussion and/or small group discussion which addresses the following:

1. Application of the 4th and 14th Amendments and current case law
2. Consensual contacts as it pertains to racial profiling

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	X
16	1	1	15		16	6

3. Importance of articulable characteristics or behaviors to develop probable cause.

IX. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on cultural diversity/sexual harassment/hate crimes.

X. ORIGINATION DATE

January 1, 2001

XI. REVISION DATE

January 1, 2004
January 1, 2006
January 19, 2007
July 1, 2008
July 1, 2010
July 1, 2011
July 1, 2012
October 1, 2020
April 1, 2022

AGENDA ITEM REPORT

Title: REPORT ON PROPOSED AMENDMENTS TO COMMISSION REGULATION 1202 - PEACE OFFICER CERTIFICATES AND COMMISSION REGULATION 1003 - EMPLOYMENT STATUS NOTIFICATIONS

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Certification Bureau	
RESEARCHED BY Michelle Weiler	**REVIEWED BY**	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/22/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: Should the Commission approve revisions to the previously approved amendments to Commission Regulation 1202 to provide additional clarity regarding peace officer certification and professional certificates requirements and revisions to the Attestation of Peace Officer Eligibility (POST 2-356), which is incorporated by reference in Commission Regulation 1003, to include a peace officer attestation specifying that the information provided during their background investigation is true and correct to align with the proposed revisions to Commission Regulation 1202?

BACKGROUND: During the March Commission meeting, the Commission approved proposed to revisions to Commission Regulation 1202 as part of a larger package that included proposed revisions to Commission Regulation 1003. Since that time, it has been determined that Commission Regulation 1202 required additional revisions for clarity related to eligibility requirements for professional certificates and to correct a subsection reference.

ANALYSIS: Since the March Commission meeting, additional revisions have been proposed to Commission Regulation 1202 to address issues of clarity related to eligibility requirements for professional certificates and to correct a typo and subsection reference. POST staff have found that it is necessary to clarify a subsection reference based on the renumbering made to accommodate additional subsections. It is also necessary to

provide additional clarity regarding federal law enforcement experience that will be considered towards eligibility for a professional peace officer certificate. Additionally, it is necessary to make additional minor revisions to the Attestation of Peace Officer Eligibility Form to correct the contact information for the Information Privacy Act Coordinator and the Certification Bureau.

RECOMMENDATION:

POST Staff recommend the Commission approve additional revisions to the text of Commission Regulation 1202 to provide further clarity to the general and regulated public regarding eligibility requirements for all levels of peace officer certificates. POST staff also recommend the Commission approve revisions to the Attestation of Peace Officer Eligibility (POST 2-356), incorporated by reference in Commission Regulation 1003, to include a peace officer attestation that the information provided during their background investigation is true and correct to align with the proposed revisions to Commission Regulation 1202.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the amendments as described in the staff report.

ATTACHMENT(S):

Reg1202_TPRA_0625_Revisions.pdf
2-356_Attestation_of_Peace_Officer_Eligibility_0625.pdf

§ 1202. Peace Officer Certificates.

(a) Proof of Eligibility (POE) ~~and Basic Certificates~~

Proofs of Eligibility are only valid for the appointing agency.

(1) Proof of Eligibility is required for:

(A) Specified Peace Officers

Any specified peace officer described in Penal Code Section 830.1, 830.2, with the exception of those described in (d) of that Section, 830.3, 830.32, or 830.33, or any other peace officer employed by an agency that participates in the Peace Officer Standards and Training (POST) program.

1. Any peace officer described in (A) above who does not possess a Basic Certificate and who is not yet or will not be eligible for a Basic Certificate, regardless of participation in the POST program, are required to obtain a POE.

2. All levels of reserve peace officers who are appointed to a POST participating agency and who do not already possess a Basic Certificate are required to obtain a POE.

3. Any peace officer, including reserves with POST participating agencies, who is a lateral to a new agency and does not already possess a Basic Certificate, will be required to obtain a new POE.

4. Any peace officer, including reserves with POST participating agencies, may hold more than one POE at a time if they are simultaneously appointed to multiple agencies.

(2) Proof of Eligibility Award Requirements

A Proof of Eligibility shall be issued by POST to those who:

(A) Satisfy the minimum training requirements ~~specified in subsection 1202(b)(1).~~ (as set forth in Regulation 1005 and other applicable law) for the peace officer classification (e.g., Penal Code section 830.1) to which the peace officer has been appointed.

(B) Have a POST approved appointment as a peace officer submitted by the individual designated by the agency's department head or other authorized hiring authority via the Electronic Data Interchange (EDI).

(3) ~~Denial of~~ Denied or Returned Notice of Appointment

(A) Applications ~~may~~ will be ~~temporarily~~ denied for any one of the following reasons:

~~1. Incomplete information and/or unsigned Attestation of Peace Officer Eligibility, as specified in Commission Regulation 1003(a)(1)(A)1.a.,~~

~~2. Incomplete background information, or~~

~~3~~1. Not a qualifying ~~employment~~ peace officer classification as identified in Penal Code §13510.1 (e.g. a correctional officer who does not meet the Jail Deputy requirements in Penal Code section 830.1(c));~~.~~

2. POST has found reasonable grounds for denial of peace officer certification as set forth in Penal Code section 13510.85(a)(1);

3. POST has determined that the individual is disqualified from holding office as a peace officer pursuant to Government Code section 1029 and Penal Code section 13510.8(a)(1);

4. POST has determined that the individual engaged in fraud in connection with their application process with the employing agency or otherwise, which could reasonably have resulted in an improper determination by the agency that the individual met all minimum peace officer background and hiring requirements.

(B) Applications will be returned for the following reasons:

1. Incomplete information and/or unsigned *Attestation of Peace Officer Eligibility, POST 2-356 (03/2025)*, as specified in Commission Regulation 1003(a)(1)(A)1.b.

a. The peace officer attestation shall be signed by the appointee under penalty of perjury.

b. The completed form shall be signed by the agency's hiring authority or authorized designee.

2. Incorrect information entered on Notice of Appointment that is not consistent with POST Profile.

(~~B~~C) Disqualifying events, outlined in Government Code Section 1029, discovered during an audit will result in the cancellation of an appointment and POE pursuant to Commission Regulation 1203.

(~~C~~D) If a POE or appointment is denied or returned, the commission shall provide notice to the applying agency of the grounds for which the certificate was denied or returned and shall include:

1. A statement that the ~~certificate~~ POE or appointment was denied or returned.

2. A statement of facts upon which the ~~certificate~~ POE or appointment was denied or returned.

3. A statement of eligibility to reapply for a POE or appointment, if applicable.

4. A statement of a right to appeal the denial on the grounds of mistake of fact, mistake of law, or equivalence to the minimum requirements.

5. A statement of the right to appeal the denial on any other ground as set forth in these regulations.

(4) The POE shall expire upon issuance of a Basic Certificate or upon separation from the employing agency, if a peace officer does not possess a Basic Certificate.

~~(5)~~(b) POST Basic Certificate

(1) The Basic Certificate is required for:

(A) Specified Peace Officers

1. Pursuant to Penal Code Section 832.4(b), every peace officer listed in Penal Code Section 830.1(a) [except a sheriff, an elected marshal, or a custodial deputy appointed pursuant to Penal Code 830.1(c)] shall obtain the POST Basic Certificate in order to continue to exercise peace officer powers. Penal Code Section 832.4 requires possession upon completion of probation, but in no case later than 24 months after appointment. However, if the agency's probation period is 24 months, an additional three months is authorized.

2. Pursuant to Penal Code section 13510.1, peace officers described in Sections 830.2 with the exception of those described in subdivision (d) of that section, 830.3, 830.32, or 830.33, or any other peace officer employed by an agency that participates in the POST program shall obtain a POST Basic Certificate upon eligibility.

3. Every other peace officer required by statute to obtain the Basic Certificate.

(B) Police Chiefs/Persons in Charge

Pursuant to Penal Code Section 832.4(c), as a condition of continued employment, each police chief, or any other person in charge of a local law enforcement agency, who is appointed on or after January 1, 1999, shall possess the POST Basic Certificate within two years of appointment. Those who do not

already possess a valid POST Basic Certificate, shall be issued a POE until such time as they earn a valid Basic Certificate.

(C) Peace Officers Employed by a Participating Agency

Every peace officer appointed by an agency participating in the POST program shall possess the appropriate Basic Certificate within the time limits described in subsection 1202(~~a~~b)(~~5~~1)(A) unless an exception in subsection 1202(~~a~~b)(~~5~~1)(D) pertains to the officer.

(D) Exception to the Basic Certificate Requirement

There are three exceptions to the Basic Certificate requirements specified in subsection 1202(~~a~~b)(~~5~~1)(A)-(C):

1. Peace officers appointed prior to the employing agency's entry date into the POST program and who are not required to possess a POST Basic Certificate pursuant to the requirements of Penal Code Section 832.4, and

2. Custodial peace officers appointed pursuant to Penal Code Section 830.1(c), and

3. Peace officers first appointed prior to January 1, 1974, and who have not changed agencies since that date and who are not included in exceptions subsection 1202(~~a~~b)(~~5~~1)(D)1. or 2.

~~(6)~~(2) Basic Certificate Award Requirements

Applicants for the award of a Basic Certificate shall:

(A) Satisfy the minimum training requirements specified in subsection 1202(~~b~~c)(1) (as set forth in Commission Regulation 1005 and other applicable law) for the specified peace officer classification (e.g., Penal Code section 830.1) to which the peace officer has been appointed.

NOTE: Jail deputies, as recognized by Penal Code section 830.1(c), are not eligible for a Basic Certificate.

(B) Possess an ~~valid~~ active POE.

(C) Complete the current employing agency's probationary period of not less than 12 months.

(D) Be currently employed as a full-time peace officer appointed to an eligible POST participating agency.

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

~~(7)~~ (3) Denial of Basic Certificate

(A) Incomplete applications may be temporarily denied for the following reasons:

1. Probationary period not satisfied.
2. Not an eligible full-time peace officer.
3. Applicant missing required training.

(B) Persons appointed as a peace officer after January 1, 2022, who are not in possession of an ~~valid~~ active POE at the time of application for a Basic Certificate shall be denied.

(C) Applications for Basic Certificate shall be denied due to ineligibility for the following reasons:

1. If the applicant is or has become ineligible to hold office as a peace officer pursuant to Government Code Section 1029.
2. If the applicant has been terminated for cause from employment as a peace officer for, or has, while employed as a peace officer, otherwise engaged in, any serious misconduct as defined in Commission Regulation 1205.

(D) If a Basic Certificate is denied, the commission shall provide notice to the applying agency of the grounds for which the certificate was denied and shall include:

1. A statement that the certificate was denied.
2. A statement of facts upon which the certificate was denied.
3. A statement of eligibility to reapply for a Basic Certificate.
4. A statement of a right to appeal the denial on the grounds of mistake of fact, mistake of law, or equivalence to the minimum requirements.

~~(b)~~ (c) Professional Certificates -- Peace Officers

(1) Certificate Award Requirements

(A) When applying for any level of a professional certificate, an applicant shall have satisfied the basic course training requirement, as specified in

Commission Regulation 1005, for the applicant's current appointment:

1. Regular Basic Course (RBC),

2. Specialized Investigator's Basic Course (SIBC),

3. Penal Code Section 832 Course and the Coroner's Death Investigation Course, or

4. Minimum training standards for reserve officers as specified in Commission Regulation 1007.

(B) Applicants for professional certificates must be appointed as a full-time peace officer to an eligible POST participating agency and possess a valid Basic Certificate.

1. Applicants for a Reserve Peace Officer certificate do not need to be appointed as a full-time peace officer.

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

(C) Applicants must meet certificate specific eligibility criteria listed below in subsections 1202(~~b~~c)(5)-(10).

(D) Applications for Professional Certificates shall be denied due to ineligibility for the following reasons:

1. If the applicant is or has become ineligible to hold office as a peace officer pursuant to Government Code Section 1029.

2. If the commission determines the applicant, while employed as a peace officer, engaged in serious misconduct, as defined in Commission Regulation 1205.

(E) Exception to the Award of Professional Certificates

Experience as a Jail Deputy under 830.1(c) is not considered for the award of Professional Certificates.

(2) POST professional certificates are awarded to peace officers who achieve increasingly higher levels of education, training, and experience in their pursuit of professional excellence.

(A) The Commission-awarded certificate is a “professional certificate” pursuant to Penal Code section 13510.1 and is distinct from a “certificate of completion” which is awarded by a training presenter when an individual successfully

completes a course.

(B) Attainment of Intermediate, Advanced, Supervisory, Management, and Executive certificates are voluntary.

(3) Certificate Categories and Levels

Professional certificates for full-time peace officers are awarded by category and level.

(A) Categories

There are three categories of certificates based on the basic training standard completed by the individual:

1. General Certificates – Completion of the Regular Basic Course is required.

2. Specialized Certificates – Completion of the Specialized Investigators' Basic Course is required.

3. Coroner's Certificates – Completion of the PC 832 Arrest Course AND the Coroners' Death Investigation Course are minimally required. If the agency authorizes the use of firearms, the PC 832 Firearms Course is also required.

(B) Requalification Requirement

1. Applicants for general or specialized category certificates must possess basic training that has not expired as specified in Commission Regulation 1008(b), Basic Course Requalification Requirement.

2. Applicants for coroner's category certificates must possess Penal Code Section 832 Arrest and Firearms training that has not expired, as specified in Commission Regulation 1080 and, Penal Code Section 832 Arrest and Firearms Course Requalification.

3. Peace Officer Certification Status remains "Inactive" if the Basic Course Requalification Requirement is met but the individual has not yet obtained eligible law enforcement employment from a POST participating agency.

(C) Levels

There are five certificate levels in each category (above):

1. Intermediate Certificate

2. Advanced Certificate

3. Supervisory Certificate

4. Management Certificate

5. Executive Certificate

(D) Reserve Peace Officer Certificates

Requirements for the Reserve Peace Officer Certificate are specified in subsection (~~b~~c)(10).

(4) Certificate Terminology and Policy

(A) College Degree or College Unit Criteria

Accreditation shall be by a national or regional accrediting body that is recognized by the Secretary of the United States Department of Education. For the award of a certificate, all degrees or units:

1. Shall be issued by and recorded on the transcript of an accredited community college, college, or university; or

2. When issued by a non-accredited community college, college, or university, the degree or units shall have been accepted and recorded on the transcript of an accredited community college, college, or university.

(B) Education Units

1. One college semester unit equals one education unit, or

2. One college quarter unit equals two-thirds of an education unit.

(C) Training Points

1. Twenty hours of law enforcement training are equal to one training point. Only completed courses with verifiable hours are accepted. Training point credit shall not be given for partial completion of a course or when the course was failed.

2. When the training is not POST-certified, the commission shall have discretion to determine acceptable law enforcement training, pursuant to the following criteria:

   a. When requesting training points for courses that are not POST-certified, applicants must provide documentation to support completion of training such as a copy of the course roster or a copy of the course completion certificate.

b. Training must be verified with a course roster or a certificate of course completion that includes the date of completion and number of hours completed. A training memo submitted by the current or former employing agency is not acceptable.

c. Military courses must identify the topics related to law enforcement such as: searching and handcuffing, arrest procedures, basic patrol, calls for service, report writing, transporting and securing prisoners, building searches, area searches, property and evidence control, traffic collision investigation, crime scene processing, etc. Military training shall be evaluated by POST for relevance to law enforcement as specified above.

d. Out of state police training

1) For the FBI National Academy, full credit shall be given for hours in training, or units, if a transcript is submitted.

2) For out of state police academy basic courses, full credit shall be given for topic hours that meet the minimum topic requirements for the POST Regular Basic Course (RBC) if a transcript of the course is furnished. If a POST-certified basic course is completed, in addition to an out of state police academy, full hourly credit for training points for the POST-certified basic course may be granted as applicable consistent with ~~1011(a)(3)(D)~~ 1202(c)(4)(D).

e. No training points are awarded for on-the-job training programs such as the Field Training Program.

f. No training points are awarded for firearms qualification.

g. No training points are awarded for training that is less than two hours in duration.

(D) Education Unit Conversions

When education units exceed the number needed to qualify for a certificate, the excess education units may be converted to training points to meet training point requirements. Excess training points cannot be converted to education units.

1. One education unit shall equal one training point.

2. POST will make the conversion when it is to the advantage of the applicant.

3. The RBC and other POST-certified law enforcement training can only be used to satisfy either the training points or the education units

requirement. It cannot be used to satisfy both.

(E) Law Enforcement Experience

Law enforcement experience described below is accepted if recorded on the POST profile.

1. POST may accept the experience described in subsections 1202(~~b~~c)(4)(E)2.-47. when the law enforcement experience:

   a. Is documented on the employing agency's letterhead, signed by the agency head,

   b. Includes an attestation that the applicable requirements stated in experience categories subsection 1202(~~b~~c)(4)(E)2.-47 have been met, and

   c. Includes the type of appointment, time base, dates of service, and types of duties performed.

2. Full-time peace officer experience with a California POST participating agency.

3. Pursuant to Penal Code Section 830.75, persons designated as a Level I Reserve Officer by a POST participating agency but regularly employed by an institution of higher education are not considered to be full-time peace officers regardless of their status as a full-time or part-time employee.

4. Full-time peace officer experience with a California non-POST participating law enforcement agency, and during the time of the appointment, the law required completion of the RBC or SIBC for the position held.

5. Full-time peace officer experience with an out-of-state law enforcement department that participates in its state's “POST type” program, and the “POST-type” program awarded the individual a Basic Certificate or license. The maximum credit allowed for this experience category is five years. “POST-type” means any department/agency that is a member of the International Association of Directors of Law Enforcement Standards and Training.

6. Full-time experience with a federal law enforcement agency if the individual satisfactorily completed a basic federal law enforcement academy presented by the Federal Law Enforcement Training Center, ~~or~~ the Federal Bureau of Investigation, Drug Enforcement Agency, or the Secret Service ~~academy~~. The maximum credit allowed for this experience

category is five years.

~~7.~~ a. ~~Other~~ Accepted Full-time Federal Law Enforcement Experience

~~Federal law enforcement service (includes FLETC, FBI, DEA, or Secret Service)~~

~~a.~~1) Secret Service Special Agent (Executive Protective Service – United States Secret Service)

~~b.~~2) Homeland Security Investigations Special Agent

~~c.~~3) Homeland Security – Federal Protective Service Officer

~~d.~~4) Internal Revenue Service Criminal Investigation Special Agent

~~e.~~5) Bureau of Alcohol, Tobacco, Firearms and Explosives Special Agent

~~f.~~6) Federal Bureau of Investigation Special Agents

~~g.~~7) Drug Enforcement Administration Special Agents

~~h.~~8) United States Postal Inspection Service Inspector

(F) Peace officers who qualify may be awarded a certificate in more than one category and at the same level.

(G) Application Requirements

1. Application Requirements - An applicant or applicant's employing agency shall submit the following information for a completed Certificate Application via the Electronic Data Interchange (EDI):

   a. Log into the POST PASS Account.

   b. Enter POST ID or Social Security Number.

   c. When applying, select the appropriate Certificate to start the application process.

   d. Select the Submit button.

2. An applicant or an applicant's employing agency shall submit a completed Certificate Application, via EDI, along with supporting documents as follows:

   a. Documentation that supports the required education ~~and experience~~

include ~~(i.e., official transcripts, certificates of course completion, and proof of law enforcement experience)~~. Unofficial transcripts, grade reports, grade cards, and Continuing Education Units (CEUs), college certificates, and degree verification letters, will not be accepted.

1) The educational institution listed must have been accredited by the department of education of the state in which the community college, college, or university is located, or

2) By a national or regional accrediting body recognized by the Secretary of the United States Department of Education while the individual was in attendance.

b. When the units of credit are transferred from one educational institution to another, supporting documentation from all educational institutions is required. Military credit is accepted only if recorded on an official transcript from an accredited college or accredited university.

1) Military credits listed as transfer credits are accepted if they are presented on an official transcript from an accredited college.

2) Sailor and Marine Corps American Council on Education Registry Transcripts (SMART) are not accepted, because they serve as a guide for academic institutions but are not accredited bodies and cannot award credit.

3) Continuing Education Units (CEU) are awarded for academic study related to maintaining a professional license and do not represent academic credit, therefore that is not considered acceptable education.

c. Supporting documents are not required if the education and/or experience information needed to support the current certificate request is already reflected on the applicant's POST profile. Any education or experience that is not reflected on the POST profile must be supported as described in subsection 1202(~~b~~c)(4)(G)~~1. and/or~~ 2.

(5) Applicants for Intermediate Certificate Award shall:

(A) Satisfy the requirements specified in subsection 1202(~~b~~c)(1),

(B) Possess a Basic Certificate, and

(C) Satisfy one of the following eligibility combinations:

Degree or Education Units		***Law Enforcement Experience***		***Training Points***
Bachelor's degree	*and*	2 years	*plus*	0

Associate Degree	*and*	4 years	*plus*	0
45 Education Units	*and*	4 years	*plus*	45
30 Education Units	*and*	6 years	*plus*	30
15 Education Units	*and*	8 years	*plus*	15
*Excess education units may be applied towards training points on a unit for point basis per subsection 1202(~~b~~c)(4)(D).				

(6) Applicants for Advanced Certificate Award shall:

(A) Satisfy the requirements specified in subsection 1202(~~b~~c)(1),

(B) Possess the Intermediate Certificate, and

(C) Satisfy one of the following eligibility combinations:

Degree or Education Units *		***Law Enforcement Experience***		***Training Points***
Master's degree	*and*	4 years	*plus*	0
Bachelor's degree	*and*	6 years	*plus*	0
Associate Degree	*and*	9 years	*plus*	0
45 Education Units	*and*	9 years	*plus*	45
30 Education Units	*and*	12 years	*plus*	30
* Excess education units may be applied towards training points on a unit for point basis per subsection 1202(~~b~~c)(4)(D).				

(7) Applicants for Supervisory Certificate Award shall:

(A) Satisfy the requirements specified in subsection 1202(~~b~~c)(1),

(B) Possess or be eligible to possess an Intermediate Certificate,

(C) Complete a minimum of 60 semester units from an accredited college or university or possess an accredited degree (i.e., AA, BA, MA, etc.),

(D) Successfully complete the POST Supervisory Course, and

(E) Possess a minimum of two years of law enforcement experience as a permanent first level supervisor, as defined in Commission Regulation 1201, or higher. Except for appointments to the rank of Acting Chief, intermittent or acting appointments do not count toward eligibility for the Supervisory certificate.

NOTE: Corporals are considered by POST to be quasi-supervisory positions and are not eligible for the Supervisory Certificate.

(8) Applicants for Management Certificate Award shall:

(A) Satisfy the requirements specified in subsection 1202(~~b~~c)(1),

(B) Possess or be eligible to possess an Advanced Certificate,

(C) Complete a minimum of 60 semester units from an accredited college or university or possess an accredited degree (i.e., AA, BA, MA, etc.),

(D) Successfully complete the POST Management Course, and

(E) Possess a minimum of two years of law enforcement experience as a permanent middle manager or higher. Except for appointments to the rank of Acting Chief, intermittent or acting appointments do not count toward eligibility for the Management certificate.

1. To be awarded both the Supervisory and Management Certificates, possess two years of law enforcement experience as a permanent first level supervisor or higher, plus two years of law enforcement experience as a permanent middle manager or higher.

(9) Applicants for Executive Certificate Award shall:

(A) Satisfy the requirements specified in subsection 1202(~~b~~c)(1),

(B) Possess or be eligible to possess an Advanced Certificate,

(C) Complete a minimum of 60 semester units from an accredited college or university or possess an accredited degree (i.e., AA, BA, MA, etc.),

(D) Successfully complete the POST Executive Development Course, and

(E) Possess a minimum of two years of law enforcement experience as a permanent agency head with the current employing agency.

1. To be awarded three certificates, Supervisory, Management, and Executive, or any combination of two, possess a minimum of two years of experience at the levels stated in subsections 1202(~~b~~c)(7)(E), 1202(~~b~~c)(8)(E), and 1202(~~b~~c)(9)(E) respectively, as appropriate for the award.

(10) Reserve Peace Officer Certificate Requirements

(A) Requirements

Applicants for the award of a Reserve Peace Officer Certificate shall:

1. Be currently employed as a (designated or non-designated) Level I Reserve Officer with an agency participating in the POST program,

2. Have been selected in accordance with the minimum selection standards

specified in Commission regulations for reserve officers,

3. Have completed a POST-certified RBC in any delivery format,

4. Have satisfactorily completed a minimum of 200 hours of general law enforcement experience,

5. If appointed on or after January 1, 1999, but prior to June 30, 1999, shall have completed 200 hours of field training. If appointed on or after July 1, 1999, shall have completed 400 hours of field training, and

6. If appointed to a POST participating agency on or after January 1, 2022, must possess a valid POE.

(B) Application Requirements

1. An applicant (or an applicant's employing agency) shall submit a completed Certificate Application--Reserve Peace Officer via EDI. Either the applicant or the applicant's employing agency may initiate the application in EDI but both parties must approve the application before submission to POST.

~~1.~~ a. Application Requirements--An applicant or an applicant's employing agency shall submit the following information for a completed Certificate Application via the Electronic Data Interchange (EDI):

~~a.~~ 1) Log into the POST PASS Account.

~~b.~~ 2) Enter POST ID or Social Security Number.

~~c.~~ 3) When applying, select the appropriate Certificate to start the application process.

~~d.~~ 4) Upload appropriate documents referred to in 1202(~~b~~c)(4)(G)2.

~~e.~~ 5) Select the Submit button.

(d) Certificate Status

The status of the certificate shall be indicated on the individual's POST Profile and may be reported as such upon any inquiry, or reporting of, the status of the individual's certification.

~~(c)~~(e) Certificate Cancellation

(1) Cancellation Reasons

POST shall cancel any certificate(s), including the Proof of Eligibility and Basic Certificate, for the following reasons:

(A) The certificate was obtained through misrepresentation, fraud, or

(B) The certificate was issued as a result of an administrative error on the part of POST or the employing agency.

(2) Notification Requirement

Department personnel who possess information that a certificate was obtained through misrepresentation, fraud, or administrative error shall notify POST immediately.

(3) Investigation of Circumstances

The Executive Director may initiate an investigation of the circumstances under which the certificate was issued. The Executive Director has the authority to approve or deny certificate cancellation.

(4) Cancellation Appeal

An individual whose certificate has been cancelled may appeal the cancellation to the Commission.

At the Commission's discretion, a hearing shall be held either before the Commission or before a qualified hearing officer. The hearing officer shall prepare a proposed decision in such form that it may be adopted as the decision in the case. All hearings shall be conducted in conformance with the Administrative Procedures Act (Government Code section 11400 et seq.). At the conclusion of the appeal hearing, the Commission shall render a decision to uphold or overturn the decision to cancel the certificate.

(5) Cancellation Recorded

When the decision to cancel is upheld through the appeal process, the POST Profile record shall indicate the appropriate reason for the cancellation.

(6) Return of Certificate

Upon notification of cancellation, the individual to whom a cancelled certificate was issued shall return the certificate to POST, if the certificate was issued prior to July 1, 2021.

NOTE: Authority cited: Section 1029, Government Code; and Sections 13503, 13506, 13510~~(c)~~, 13510.1, ~~13510.1(e)~~, 13510.2 and 13510.7, Penal Code. Reference: Section 1031, Government Code; and Sections 832.4, 13503, 13506, 13510~~(c)~~, 13510.1, 13510.3 and 13510.7~~(a)-(b)~~, Penal Code.

Commission on
Peace Officer Standards and Training (POST)
860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630 • 916 227-3909

INFORMATION PRIVACY ACT: Pursuant to the Federal Privacy Act (Public Law 93-579) and the Information Practices Act (IPA) of 1977 (Civil Code Sections 1798, et seq.), notice is hereby given for the request of personal information. POST is requesting this information pursuant to POST regulation section 1003. Submission of all requested information is mandatory. Failure to provide any part of the requested information may delay processing of this application or result in an incomplete record. The requested information will be used to process the addition of a peace officer to a POST Agency Roster. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.24 of the IPA of 1977. Each individual for whom personal information is collected has the right to inspect that information in any record maintained by POST. Inquiries may be directed to the POST Information Practices Act Coordinator at the address ~~and telephone number~~ listed above~~. Contact the POST Administrative Services Bureau for instructions on requesting records.~~ or may be emailed to *CPRA@post.ca.gov.*

SECTION 1: IDENTIFICATION

1. POST ID *(If known)*	5. RACE/ETHNICITY
2. NAME *(Last, First, Middle)*	6. APPOINTMENT DATE
3. BIRTHDATE	7. RANK
4. GENDER ☐ Male ☐ Female ☐ Non-binary	8. AGENCY

SECTION 2: PEACE OFFICER ATTESTATION

9. For all peace officer appointees, this attestation shall be signed under penalty of perjury:

I certify (or declare) under penalty of perjury under the laws of the State of California that the information provided during the background process, as described in Government Code §1029, 1031, 1031.4, and Commission Regulations §1950-1955 is true and correct.

PRINT NAME OF PEACE OFFICER APPOINTEE	CONTACT NUMBER
SIGNATURE OF PEACE OFFICER APPOINTEE	DATE

SECTION ~~3~~2: AGENCY ATTESTATION

~~9.~~10. For all applicants *(Initials required by employing agency hiring authority)*:

_____ The individual being appointed has been evaluated in accordance with and met all minimum peace officer background and hiring requirements as described in Government Code §1029, 1031, 1031.4, and Commission Regulations §1950-1955.

~~10.~~11. For applicants with previous employment as a peace officer *(Initials required by employing agency hiring authority)*:

_____ I attest the appointing agency has requested and reviewed records of any investigations of misconduct involving the applicant and maintained in the officer's designated file as described in Penal Code §832.12.

_____ Beginning January 1, 2023, I attest the agency has contacted POST to inquire as to the facts and reasons a peace officer became separated from any previous employing agency as described in Penal Code §13510.9(d)(3).

I hereby attest the individual being appointed is eligible to be employed and hold office as a peace officer in California.

SECTION ~~4~~3: HIRING AUTHORITY SIGNATURE OR AUTHORIZED DESIGNEE

PRINT NAME OF HIRING AUTHORITY	CONTACT NUMBER
SIGNATURE OF HIRING AUTHORITY	EMAIL
TITLE	DATE

POST USE ONLY

DETAILED INSTRUCTIONS

Entry Details ***SECTION 1: IDENTIFICATION***	**Box 1:** Enter the Registered POST Identification Number if it is known. **Box 2:** Legal Name **Box 3:** Date of Birth **Box 4:** Gender: 1. Select male if the applicant identifies as male. Select female if the applicant identifies as female. Select non-binary if the applicant identifies as non-binary. **Box 5:** Race/Ethnicity: ***American Indian or Alaska Native*** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment. ***Asian*** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, Thailand, and Vietnam. ***Black or African American*** A person having origins in any of the black racial groups of Africa. ***Filipino*** A person having origins in any of the original peoples of the Philippine Islands. ***Hispanic or Latino*** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. ***Native Hawaiian or Other Pacific Islander*** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. ***White*** A person having origins in any of the original peoples of Europe, Middle East, or North Africa. ***Other*** **Box 6:** Date appointed to the hiring agency. **Box 7:** Rank: Must be listed as a peace officer as one of the following ranks: • Acting Chief • Agent • Assistant Chief • Assistant Marshal • Assistant Sheriff • Captain • Chief • Chief Deputy • Chief Investigator • Commander • Coroner • Corporal • Court Deputy • Deputy • Deputy Chief • Deputy Commissioner • Deputy Coroner • Deputy Coroner Manager • Deputy Marshal • Detective • Director • Division Chief • Inspector • Investigator • Investigator Manager • Investigator Supervisor • Investigator, Welfare Fraud • Investigator Manager, Welfare Fraud • Investigator Supervisor, Welfare Fraud • Jail Deputy • Lieutenant • Manager • Marshall • Police Officer • Ranger • Ranger Manager • Ranger Supervisor • Reserve Level I • Reserve Level II • Reserve Level III • Sergeant- at- Arms • Sergeant-at-arms Chief • Sergeant • Sheriff/Coroner • Special Agent • Supervisor • Undersheriff • Warden **Box 8:** Agency name
SECTION 2: PEACE OFFICER ATTESTATION	9. Attestation and signature required for all peace officer appointees. This section is to be signed under penalty of perjury.

DETAILED INSTRUCTIONS

SECTION 32: AGENCY ATTESTATION	9.10. Initials required for all applicants. 10.11. Initial only if the applicant has been previously employed as a peace officer.
SECTION 43: HIRING AUTHORITY SIGNATURE OR AUTHORIZED DESIGNEE	Only the hiring authority or an authorized designee can attest and sign.
AUTHORIZED DESIGNEE	
How To Submit	This document must be uploaded with the notice of appointment for newly appointed peace officers or any peace officer that is a lateral or has had a break in service via the POST Electronic Data Interchange (EDI). Download this document, initial, sign where required, and upload the document to the notification of appointment. If any missing information is identified, it will be returned to the agency for correction.
Approval Process	After a notice of appointment is completed, POST will verify that all information is completed before the peace officer is added to the agency roster. If any missing information is identified, it will be returned to the agency via EDI. The peace officer will not be added to the agency roster until the form is completed and reviewed by POST.
POST Contacts	For assistance with the attestation form call or email: **Phone:** (916) 227-3909765 **Email:** *SB2Certificates@post.ca.gov*

AGENDA ITEM REPORT

Title: REPORT ON ACTION TO AMEND COMMISSION REGULATION 1045 - CONFLICT OF INTEREST CODE PURSUANT TO GOVERNMENT CODE SECTION 87306

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Legal Affairs Bureau	
RESEARCHED BY Bryant Henley		**REVIEWED BY**
REPORT DATE 08/01/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/19/2025
PURPOSE		**FINANCIAL IMPACT** No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: Should the Commission adopt the staff-recommended amendments to the Commission on POST's Conflict of Interest Code?

BACKGROUND: California's Political Reform Act generally prohibits a public official from influencing governmental decisions in which the official has a financial interest. Applicable law requires certain designated public officials and employees to report their financial interests on a form known as the Statement of Economic Interests (Form 700). In furtherance of this reporting requirement, California law requires that state agencies adopt a Conflict of Interest Code that identifies all officials and employees who make governmental decisions based on the positions they hold. A Conflict of Interest Code also provides to each affected official and employee a clear and specific statement of his or her duties and financial disclosure requirements under the Conflict of Interest Code. The Conflict of Interest Code is adopted by regulation, and is incorporated by reference as set forth in Title 11, California Code of Regulations, section 1045. At the June 4, 2025 meeting, the Commission voted to proceed with the rulemaking process so that POST staff could propose amendments to the Conflict of Interest Code. The public review and comment period has now concluded. Therefore, POST staff now present to the Commission the final version of the Conflict of Interest Code, along with POST staff's recommendation that the Commission adopt the final version.

ANALYSIS:

Governor Newsom signed into law Senate Bill 2 in 2021. This set of laws significantly expanded the the regulatory responsibilities for Commission members and many POST employees. California Government Code section 87306 requires every agency to amend its Conflict of Interest Code "when change is necessitated by changed circumstances, including the creation of new positions ... and relevant changes in the duties assigned to existing positions." The Conflict of Interest Code is adopted by regulation, and is incorporated by reference as set forth in Title 11, California Code of Regulations, section 1045. The most recent version of POST's Conflict of Interest Code was approved by the Fair Political Practices Commission (FPPC) in 2018 - before passage of Senate Bill 2 and its new requirements. Accordingly, POST staff worked directly with the FPPC to prepare proposed revisions to POST's Conflict of Interest Code, and presented those proposed revisions to Commission members and also to POST staff. POST staff received some comments about the proposed revisions and further amended the Conflict of Interest Code draft in response. The revisions which are now before this Commission account for the change in responsibilities as a result of Senate Bill 2 and other changes since the last-approved 2018 version of the Conflict of Interest Code. If the Commission votes to adopt these revisions, POST staff will file the new version of the Conflict of Interest Code with the Office of Administrative Law and with the Fair Political Practices Commission.

RECOMMENDATION:

If the Commission concurs, the appropriate action would be a **MOTION** to approve the amendments to the regulation (the Conflict of Interest Code).

ATTACHMENT(S):

POST COIC - 7_31_25.pdf
2025-27_TPRA_1045.pdf

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Commission on Peace Officer Standards and Training (POST).**

Commissioners and the Executive Director must file their statements of economic interests electronically with the **Fair Political Practices Commission**. All other individuals holding designated positions must file their statements with **POST**. All statements must be made available for public inspection and reproduction under Government Code Section 81008.

NOTE: Authority cited: Sections 81008, 87300, 87306, Government Code. Reference: Section 87302, Government Code.

APPENDIX

Designated Positions	*Disclosure Category*
Commissioners	1, 2
Executive Director	1, 2

~~Assistant Executive Director~~	~~1, 2~~
~~Bureau Chiefs~~	~~1, 2~~
~~Staff Services Manager I, Legislative Liaison~~	~~2~~
~~Staff Services Manager I, Accounting Fiscal~~	~~2~~
~~Staff Services Manager I, Procurement~~	~~2~~

Executive Office Positions

Designated Positions	*Disclosure Category*
Chief Deputy Director	1, 2
Staff Services Manager I (Specialist)	2
Associate Governmental Program Analyst	2
Staff Services Analyst	2

Field Services Division Positions

Designated Positions	*Disclosure Category*
Assistant Executive Director	1, 2
Staff Services Manager (Supervisor) (all levels) – Administrative Services Bureau	2
Associate Governmental Program Analyst – Administrative Services Bureau	2
Associate Business Management Analyst – Administrative Services Bureau	2
Staff Services Analyst – Administrative Services Bureau	2

Business Service Officer II (Specialist) – Administrative Services Bureau	2
Senior Law Enforcement Consultant – (Bureau Chief) Basic Training Bureau	2
Law Enforcement Consultant (all levels) – Basic Training Bureau	2
Staff Services Manager II (Supervisor) – Basic Training Bureau	2
Staff Services Manager I (Specialist) – Basic Training Bureau	2
Associate Governmental Program Analyst – Basic Training Bureau	2
Staff Services Analyst – Basic Training Bureau	2
Office Technician (Typing)- Basic Training Bureau	2
Staff Services Manager (Supervisor) (all levels) – Human Resources	2
Senior Law Enforcement Consultant – (Bureau Chief) Learning Technology Resources	1, 2
Law Enforcement Consultant (all levels) – Learning Technology Resources	1, 2
Information Technology Supervisor II – Learning Technology Resources	1, 2
Information Technology Specialist I – Learning Technology Resources	1, 2
Staff Services Manager I (Specialist) – Learning Technology Resources	1, 2

Senior Law Enforcement Consultant – Management Counseling and Projects Bureau	2
Law Enforcement Consultant (all levels) – Management Counseling and Projects Bureau	2
Staff Services Manager I (Specialist) – Management Counseling and Projects Bureau	1
Associate Governmental Program Analyst – Management Counseling and Projects Bureau	2
Staff Services Analyst – Management Counseling and Projects Bureau	2

Legal Affairs Bureau Positions

Designated Positions	*Disclosure Category*
Chief Counsel I	1, 2
Assistant Chief Counsel	1, 2
Attorney (all levels)	1, 2
Staff Services Manager I (Supervisor)	1, 2
Associate Governmental Program Analyst	2
Staff Services Analyst	2
Office Technician (Typing)	2

Standards & Accountability Division Positions

Designated Positions	*Disclosure Category*
Assistant Executive Director	1, 2
Staff Services Manager (Supervisor) (all levels) – Intake and Disposition Bureau	1, 2
Staff Services Manager (Supervisor) (all	1

levels) – Certification Bureau	
Staff Services Manager I (Specialist) – Certification Bureau	1
Senior Law Enforcement Consultant – Professional Conduct Southern Bureau	1
Staff Services Manager I (Supervisor) – Professional Conduct Southern Bureau	1
Law Enforcement Consultant (all levels) – Professional Conduct Southern Bureau	1
Senior Law Enforcement Consultant – Professional Conduct Northern Bureau	1
Staff Services Manager I (Supervisor) – Professional Conduct Northern Bureau	1
Law Enforcement Consultant (all levels) – Professional Conduct Northern Bureau	1
Senior Law Enforcement Consultant – Professional Conduct Central Bureau	1
Staff Services Manager I (Supervisor) – Professional Conduct Central Bureau	1
Law Enforcement Consultant (all levels) – Professional Conduct Central Bureau	1

Standards & Development Division Positions

Designated Positions	*Disclosure Category*
Assistant Executive Director	1, 2
Information Technology Manager II (Supervisor) – Computer Services Bureau	2
Information Technology Specialist II (Supervisor) – Computer Services Bureau	2

Information Technology Specialist I – Computer Services Bureau	2
Information Technology Associate – Computer Services Bureau	2
Information Technology Technician – Computer Services Bureau	2
Senior Law Enforcement Consultant – Strategic Communications and Research Bureau	1
Staff Services Manager II (Supervisor) – Strategic Communications and Research Bureau	1, 2
Staff Services Manager I (Supervisor) – Strategic Communications and Research Bureau	1
Staff Services Manager I (Specialist) – Strategic Communications and Research Bureau	1, 2
Law Enforcement Consultant I – Strategic Communications and Research Bureau	1
Research Data Specialist II – Strategic Communications and Research Bureau	1, 2
Information Technology Technician – Strategic Communications and Research Bureau	1, 2
Office Technician (Typing) – Strategic Communications and Research Bureau	1, 2

Senior Law Enforcement Consultant – Training Delivery and Compliance	1, 2
Staff Services Manager I (Supervisor) – Training Delivery and Compliance	1, 2
Law Enforcement Consultant (all levels) – Training Delivery and Compliance	1, 2
Associate Governmental Program Analyst – Training Delivery and Compliance	1, 2
Staff Services Analyst – Training Delivery and Compliance	1, 2
Senior Law Enforcement Consultant – Training Program Services	1, 2
Staff Services Manager I (Supervisor) – Training Program Services	1, 2
Law Enforcement Consultant (all levels) – Training Program Services	1, 2
Associate Governmental Program Analyst – Training Program Services	1, 2
Staff Services Analyst – Training Program Services	1, 2

General Consulting Positions

Consultants/New Positions	*

*Consultants/~~ and~~ new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The Executive Director may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to ~~fully~~ comply fully with the disclosure

requirements described in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code (Gov. Code Sec. 81008).

Disclosure Categories

Designated employees assigned to these disclosure categories must report:

Category 1: Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) ~~from sources which either contract to provide law enforcement related training or management services to POST, or which POST certifies to provide training services to state and local enforcement agencies.~~ if the business entity or source is subject to POST's regulatory, permit or licensing authority.

Category 2: Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) if the business entity or source provides leased facilities, products, equipment, vehicles, machinery or services (including training or consulting services) of the type utilized by the position's Department/Division/Unit. For purposes of this disclosure category, the Commissioners' and Executive Director's department is the entire agency.

§ 1045. Conflict of Interest Code.

NOTE: It having been found, pursuant to Government Code Section 11409(a), that the printing of the regulations constituting the Conflict of Interest Code is impractical and these regulations being of limited and particular application, these regulations are not published in full in the California Code of Regulations. The regulations are available to the public for review or purchase at cost at the following locations:

COMMISSION ON PEACE OFFICER

STANDARDS AND TRAINING

~~1601 ALHAMBRA BLVD.~~860 STILLWATER ROAD, SUITE 100

WEST SACRAMENTO, CA ~~95816~~ 95605

FAIR POLITICAL PRACTICES COMMISSION

~~428 "J"~~ 1102 "Q" STREET, SUITE 3000

SACRAMENTO, CA ~~95814~~95811

ARCHIVES

SECRETARY OF STATE

1020 "O" STREET

SACRAMENTO, CA 95814

The Conflict of Interest Code is designated as Article 2 of Division 2 of Title 11 of the California Code of Regulations, and consists of sections numbered and titled as follows:

Article 2. Conflict of Interest Code

Section	
1045.	General Provisions
	Appendix

Credits

NOTE: Authority cited: Sections 87300 and 87304, Government Code. Reference: Section 87300, et seq., Government Code.

AGENDA ITEM REPORT

Title: REPORT ON THE PROPOSED REGULATION CHANGE TO INCLUDE THE DEFINITION OF BIASED CONDUCT

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Management Counseling and Projects Bureau	
RESEARCHED BY Raymund Nanadiego		**REVIEWED BY**
REPORT DATE 07/17/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/12/2025
PURPOSE		**FINANCIAL IMPACT** No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: Should the Commission approve the adoption of proposed Regulation 1022 to define biased conduct using the statutory language in Penal Code 13510.6(a)?

BACKGROUND: During the Commission meeting held on June 4, 2025, the Commission voted unanimously to meet Penal Code 13510.6(a)'s requirement of defining "biased conduct" by using statutory language found in Penal Code 13510.6(a):

"Biased conduct includes any conduct, including, but not limited to, conduct online, such as social media use, engaged in by a peace officer in any encounter with the public, first responders, or employees of criminal justice agencies, as defined in Section 13101, motivated by bias toward any person’s protected class or characteristic, whether actual or perceived, that is described in subdivision (b) of Section 51 of the Civil Code. For purposes of this definition: (a) Biased conduct may result from implicit and explicit biases. (b) Conduct is biased if a reasonable person with the same training and experience would conclude, based upon the facts, that the officer’s conduct resulted from bias towards that person’s membership in a protected class described in paragraph (1) of Penal Code 13510.6(a). (c) An officer need not admit biased or prejudiced intent for conduct to be determined to be biased conduct."

ANALYSIS: Commencing January 1, 2026, Assembly Bill 443 requires the Commission on POST to establish a definition of "biased

conduct" and requires law enforcement agencies to use that definition in any investigation into a bias-related complaint or incident that involves possible indications of officer bias.

POST staff presented this requirement and insight from subject matter experts during the June 2025 Advisory and Commission meetings. The Commission discussed various options and considerations, then voted unanimously to define "biased conduct" by using the statutory language found in Penal Code 13510.6(a).

POST staff recommends adopting the new Regulation section 1022 to add the definition of biased conduct. This adoption would reflect statutory language in Penal Code 13510.6(a) and provide an additional reference for law enforcement agencies.

RECOMMENDATION: If the Commission concurs, the appropriate action would be a **MOTION** to approve the adoption of proposed Regulation 1022 to define biased conduct using the statutory language in Penal Code 13510.6(a).

AGENDA ITEM REPORT

Title: REPORT ON REQUEST TO APPROVE THE 2026 - 2030 STRATEGIC PLAN

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Executive Office	
RESEARCHED BY Staff Services Manager I Kimberly Lyons		**REVIEWED BY**
REPORT DATE 07/23/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/19/2025
PURPOSE		**FINANCIAL IMPACT** No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

This report is provided to the Commission to summarize the implementation progress of the current strategic plan, which concludes in 2025, and to present the proposed 2026 - 2030 POST Strategic Plan for approval.

BACKGROUND:

Since 1996, the Commission has used strategic planning to commit resources and guide the work of staff. This plan is not only a roadmap for advancing training, certification, and organizational excellence, it also reinforces POST's leadership role in supporting public trust, transparency, and equity within California's law enforcement community.

In June 2024, POST launched the development of its 2026 - 2030 Strategic Plan. Building on the foundation of the 2021 - 2025 plan, the team assessed completed objectives, identified ongoing needs, and refined strategies to address current and future challenges. The team began with a review of the prior strategic cycle, examining the status and outcomes of the 2021 - 2025 Strategic Plan. The team determined that POST successfully completed 88 percent of identified action items from the 2021 - 2025 Strategic Plan, with a small number of items carrying over into the 2026 - 2030 cycle for continued implementation.

The 2026 - 2030 plan focuses on addressing current and

emerging priorities in law enforcement training, accountability, and operational effectiveness. Every POST bureau played a role in shaping the plan, ensuring that priorities and action items reflected agency-wide collaboration. In September 2024, POST distributed a survey to all POST PASS account holders, inviting input on how POST's programs and operations could better serve the field. The message emphasized the importance of assessing current business practices and aligning them with the needs of law enforcement professionals at all levels. POST received approximately 800 responses from participants, which offered valuable insights from peace officers, dispatchers, training managers, and other public safety professionals. These findings were analyzed and incorporated into the plan to ensure relevance and responsiveness to the field.

Following multiple rounds of review and revisions, the draft plan was finalized and approved by POST's Executive Office.

ANALYSIS:

The 2026 - 2030 Strategic Plan contains five goals that detail the primary focus of the plan. These were identified by POST staff and stakeholders as follows:

1. Maintain Leadership in Emerging Issues in Law Enforcement
2. Increase Efficiency in POST Systems and Operations
3. Increase Awareness and Access to POST Services and Products
4. Enhance Law Enforcement's Ability to Serve their Communities
5. Enhance Law Enforcement Certification Processes

There are 19 objectives housed under these goals, each supported by strategies including detailed measurables and key performance indicators for implementation.

The goals and objectives outlined in the 2026 - 2030 Strategic Plan (see Attachment A) were developed through extensive collaboration with internal staff and external stakeholders. They are designed to strengthen POST as an organization, while guiding department efforts and resources toward addressing the evolving needs of the law enforcement community. The plan will serve as a flexible, living document that will be regularly assessed and updated to address emerging priorities, legislative changes, and operational demands.

To ensure successful execution of the Strategic Plan, an

implementation team will be established to coordinate collaboration across bureaus, monitor progress, track key performance indicators, and provide regular updates to leadership. The team will be responsible for ensuring that the strategic plan remains dynamic and adaptive to organizational needs and arising trends in the field.

RECOMMENDATION:

POST is proposing the 2026 – 2030 Strategic Plan, which outlines its goals, objectives, and strategic initiatives for the next five years.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the 2026 - 2030 Strategic Plan, as described in the staff report.

ATTACHMENT(S):

Strategic Plan 2026-2030v4.pdf

Commission on POST

STRATEGIC PLAN



2026-2030

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1 INTRODUCTION AND OVERVIEW

Purpose and Need for the Strategic Plan

The California Commission on Peace Officer Standards and Training (POST) 2026-2030 Strategic Plan was developed to build upon the momentum of the previous plan and reflects POST's continued commitment to advancing public safety through modern, accountable, and inclusive training standards. This new plan was developed through a collaborative, data-informed process that ensured representation from every POST bureau and the incorporation of the newly established Legal Affairs Bureau and Peace Officer Standards and Accountability Division (POSAD).

Over the past five years, POST has made significant strides in adapting to rapid changes in law enforcement needs, from technological advancements and legislative shifts to the growing importance of mental and behavioral health training. The 2026-2030 plan responds to these evolving challenges by prioritizing strategic alignment, system efficiency, and performance measurement across all areas of POST's mission.

This plan is not only a roadmap for advancing training, certification, and organizational excellence, it also reinforces POST's leadership role in supporting public trust, transparency, and equity within California's law enforcement community. It is designed to evolve alongside California's diverse public safety needs while maintaining a strong foundation in accountability, innovation, and collaboration.

Timeline for Implementation of this Strategic Plan

The 2026 Strategic Plan will be presented to the Commission for approval in September 2025, with implementation beginning in January 2026. Each strategy includes specific tasks and action items to guide implementation. The plan was developed with input from a cross-section of POST staff, ensuring alignment and contributions across all bureaus. An implementation team comprised of personnel from POST bureaus will oversee progress, monitor milestones, and support coordination. While some action items are already underway or can be quickly accomplished, others involve complex, long-term efforts that may extend beyond the five-year plan. This plan is designed to be adaptable to emerging trends, legislation, and operational needs. The implementation team will meet regularly to review progress, reassess priorities, and adjust as needed to ensure continued relevance and impact.

Overview of Methodology and Strategic Plan Process

In June 2024, POST launched the development of its 2026-2030 Strategic Plan. Building on the foundation of the 2021-2025 plan, the team assessed completed objectives, identified ongoing needs, and refined strategies to address current and future challenges. The team began with a review of the prior strategic cycle, examining the status and outcomes of the 2021-2025 Strategic Plan. The team determined that POST successfully completed 88 percent of identified action items from the 2021-2025 Strategic Plan, with a small number of items carrying over into the 2026-2030 cycle for continued implementation.

The 2026-2030 plan focuses on addressing current and emerging priorities in law enforcement

training, accountability, and operational effectiveness. Every POST bureau played a role in shaping the plan, ensuring that priorities and action items reflected agency-wide collaboration. In September 2024, POST distributed a survey to all POST PASS account holders, inviting input on how POST's programs and operations could better serve the field. The message emphasized the importance of assessing current business practices and aligning them with the needs of law enforcement professionals at all levels. POST received approximately 800 responses from participants, which offered valuable insights from peace officers, dispatchers, training managers, and other public safety professionals. These findings were analyzed and incorporated into the plan to ensure relevance and responsiveness to the field.

Following multiple rounds of review and revisions, the draft plan was finalized and approved by POST's Executive Office. It will be presented to the Commission in September 2025, with implementation beginning in January 2026. The plan will serve as a flexible, living document that will be regularly assessed and updated to adapt to emerging priorities, legislative changes, and operational demands.

2 POST VISION, MISSION AND VALUES

Vision

The vision of the California Commission on Peace Officer Standards and Training (POST) is to be the leading organization in establishing professional standards, assuring top-quality training, and providing effective services to develop, support, and work in partnership with the world's finest peace officers and law enforcement organizations.

Mission

The mission of the California Commission on Peace Officer Standards and Training (POST) is to continually enhance the professionalism of California law enforcement in serving its communities. Recognizing that effective law enforcement is the cornerstone of a free and safe society, POST is committed to a vision of the future that ensures quality, integrity, accountability, and cooperation; encourages new ideas; explores and uses appropriate technologies; and delivers relevant, client-based programs and services.

POST fulfills its mission through:

Cooperation

POST is a partner with law enforcement and other public and private entities. POST communicates actively, clearly, and candidly among its staff and with its partners to enhance cooperation in meeting the needs of law enforcement.

Advocacy

POST is an advocate and serves as a catalyst for advancing the profession and the image of law enforcement. POST works with its partners to educate members of the public about their crucial role in supporting quality law enforcement.

Advancing Professionalism

POST, with its partners, establishes and maintains the highest relevant statewide standards for selecting and training law enforcement personnel and ensures compliance with those standards. POST strives to ensure that all California law enforcement agencies have access to high-quality, cost-effective training for the development of the skills, knowledge, ethics, and attitudes necessary for achieving and maintaining professional excellence.

Exchanging Information

POST is a center for the collection, review, evaluation, sharing, development, and referral of ideas and information on selection, training, technology, law enforcement operations, management, leadership, and other relevant topics. This includes identifying trends and emerging needs to enable law enforcement to focus on and address society's changing issues.

Resource Stewardship

POST works in concert with law enforcement to establish priorities for the use of resources. POST allocates its resources in the most productive, equitable, and cost-effective manner. POST and its

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partners actively work to assure sufficient resources to meet the needs of law enforcement and the communities it serves.

Values

Central to the California Commission on Peace Officer Standards and Training (POST) mission are the values that guide our work and decisions and help us contribute to the quality of programs and services we provide.

We value:

Service and Respect

We believe in providing quality services in a timely and professional manner. We are service-driven and client-oriented. We strive for excellence in all that we do. We provide service in a fair, friendly, and respectful manner. We sincerely care about people. By respecting one another, we encourage respect for all.

Cooperation and Teamwork

We value cooperation, partnership, and teamwork. We recognize that only through cooperation with our partners and others can we accomplish our mission. We foster teamwork by encouraging participation and a shared commitment to success.

Pride and Contribution

We believe each of us is crucial to performing the mission of POST. We are proud of our agency, one another, and our contributions to law enforcement. We are empowered to use our best judgment in everything we do. We are encouraged to contribute ideas to improve our services and the way POST functions.

Learning and Accountability

We believe learning and advancing professionalism are life-long endeavors. We welcome the challenge of learning whatever is necessary to grow, both personally and professionally. We set high standards, work with positive attitudes, assume responsibility, and are accountable for our behaviors, decisions, and actions.

Innovation and Diversity

We value innovation and creativity. We recognize that change is constant, and we must proactively seek new and better ways to assist law enforcement. We incorporate diversity and recognize that different viewpoints and experiences are central to our understanding and meeting the unique needs of agencies throughout the state.

Communication and Decision Making

We value clear and open communication and objective research and analysis. We encourage employee involvement and information sharing and provide an environment for active participation in the decision-making process. We value the synergistic effects of participation and group discussions which improve our understanding and help us make sound decisions.

3 GOALS FOR POST 2021-2025

The California Commission on POST is recognized for excellence in training and standards for peace officers. For 2026-2030, POST will continue to serve law enforcement by focusing on the following goals:

1. Maintain Leadership in Emerging Issues in Law Enforcement
2. Increase Efficiency in POST Systems and Operations
3. Increase Awareness and Access to POST Services and Products
4. Enhance Law Enforcement's Ability to Serve their Communities
5. Enhance Law Enforcement Certification Process

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4 STRATEGIC PLAN

GOAL 1: Maintain Leadership in Emerging Issues in Law Enforcement

OBJECTIVE	STRATEGY
1.A **Enhance research and development efforts to identify and address emerging trends, issues, and technologies impacting law enforcement practices.**	**1.A.1** Update the research and development of management studies to increase value to law enforcement agencies and enhance internal efficiency.
	1.A.2 Research training programs in other states: Study training programs from other states' POST organizations to find ideas for improving our own training methods.
	1.A.3 Establish a new team within the Management Counseling and Projects Bureau dedicated to identifying and responding to emerging trends in law enforcement agencies through engagement, data monitoring, and partnerships with key organizations.
	1.A.4 Leverage social media insights.
	1.A.5 Promote collaboration with law enforcement and public safety partners to stay informed on best practices, legal updates, and innovative solutions that support training and policy development.
	1.A.6 Develop a user-friendly platform to encourage resource sharing and disseminate information for academy staff to include directors, coordinators, recruit training officers and instructors.
	1.A.7 Establish and maintain regular input channels, such as the Learning Technology Resources Advisory Council (LTRAC), to identify emerging law enforcement trends and inform new or updated training needs.

OBJECTIVE	STRATEGY
1.B **Advance training content and curriculum by updating standardized courses, including material related to emerging issues such as organizational wellness, technology integration, and leadership development.**	**1.B.1** Research options to utilize the administration of exercise and scenario testing through the means of technology.
	1.B.2 Adopt Science Based Interviewing as the model for interrogation practices statewide.
	1.B.3 Review and modernize standardized curriculum, including "course in a box" programs, for all 168 courses developed since 2015 to ensure alignment with current POST standards, legislative mandates, and instructional best practices.
	1.B.4 Centralize and maintain accurate training mandate information: Develop a regularly updated webpage that consolidates all relevant POST training mandates, improving access and ensuring law enforcement agencies can reliably comply with current requirements.
	1.B.5 Create and implement updated background investigation regulations, course content, and an Expanded Course Outline-aligned "Course in a Box" to ensure statewide consistency and instructional quality.

GOAL 2: Increase Efficiency in POST Systems and Operations

OBJECTIVE	STRATEGY
2.A **Establish a POST-wide internal audit and accountability function.**	**2.A.1** Create a dedicated bureau responsible for auditing and evaluating internal operations, ensuring agency-wide accountability, consistent policy application, and data-informed improvements across all POST functions, including training, certification, and professional standards.
2.B **Improve access to POST training tools and compliance information through user-centered technology solutions.**	**2.B.1** Develop and deploy a POST mobile app for field access to training and Continuing Professional Training (CPT) status.

OBJECTIVE	STRATEGY	
2.C **Update POST website to improve access to certification resources: Continuously update webpages to ensure ease of navigation, transparency, and access to up-to-date resources for law enforcement agencies and the public.**	**2.C.1**	Enhance accessibility of key information by continuously assessing the POSAD webpage to address common and frequent inquiries.
	2.C.2	Simplify navigation and provide quick access to resources, including easy-to-navigate links on the POSAD webpage.
2.D **Revisit software to ensure optimal case management system utilization from both external agencies to internal investigation and administrative processing. Leverage technology to enhance training and promote accountability**	**2.D.1**	Continuously enhance and streamline processes leveraging technology.
2.E **Expand the use of advanced technologies to support training, ensure accountable case management with professional standards, and strengthen accountability across POST and law enforcement agencies.**	**2.E.1**	Use data analytics to guide training and policy adjustments.
	2.E.2	Create clear and consistent policies for oversight and accountability.
2.F **Modernize POST processes through automation, leveraging technology, such as computer-based systems for testing and compliance tracking.**	**2.F.1**	Ensure technology systems effectively support business operations.
	2.F.2	Improve invoice tracking and processing by enhancing the accuracy of invoice management through automation.
	2.F.3	Enhance background investigation systems: Implement electronic background check systems to streamline the background investigation process, improving efficiency, accuracy, and consistency across operations.
	2.F.4	Improve compliance tracking and reporting: Strengthen compliance monitoring by expanding automated tools and dashboards.

OBJECTIVE	STRATEGY	
2.G **Leverage technology to ensure internally developed processes and procedures are readily available to onboard new staff and as a reference for existing staff.**	**2.G.1**	Establish then evolve an artificial intelligence (AI)-powered chatbot to assist users with navigating the Learning Portal (LP) and accessing Learning Technology Resources (LTR)-related support and resources.
	2.G.2	Establish a Learning Technology Resources office knowledge-base chatbot, using Artificial Intelligence (AI), for internal project processes and LP administrative duties.
2.H **Streamline business processes by developing standardized guidelines and tools for areas like record retention, course certification, and data management.**	**2.H.1**	Utilize process mapping to identify bottlenecks or redundant steps, simplify the process to reduce time and resources.
	2.H.2	Expand strategies to recruit, engage, and retain a qualified workforce to meet POST's mission and goals.
	2.H.3	Develop contract site visit review process.
	2.H.4	Centralize and standardize the new presenter/new course Training Needs Assessment (TNA) approval process, leverage technology.
	2.H.5	Increase training reimbursement rates: Adjust POST's reimbursement structure to better align with current operational costs and statewide standards.
2.I **Enhance internal communication and collaboration by improving project planning processes and utilizing centralized tools.**	**2.I.1**	Enhance internal communication processes across POST divisions and bureaus to improve collaboration and operational efficiency.
	2.I.2	Expand professional training and career development for POST staff.
	2.I.3	Support ongoing professional growth and increase staff engagement with POST's mission and values through targeted training and development opportunities.
	2.I.4	Create a structured feedback mechanism for employees to share continuous insights on process efficiency and identify areas for ongoing improvement.
	2.I.5	Ensure POST staff is knowledgeable and can communicate effectively about POST products, resources, and services.
	2.I.6	Expand POST research capacity by collaborating across bureaus to make data-informed policy.
	2.I.7	Increase efficiency in contracting process.

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OBJECTIVE	STRATEGY	
2.J **Ensure system usability and accessibility by continuously refining POST systems and incorporating user feedback to improve navigation and functionality.**	**2.J.1**	Update the functionality of feedback mechanisms (i.e., Course Evaluation Instrument - CEI) that are currently being used.
	2.J.2	Streamline EDI navigation and functionality: Identify and address usability challenges within the EDI system, such as resume builder and course modification navigation. Incorporate updates and guidance into Training Course Certification (TCC), Training Managers Course (TMC), and Training Administrators Course workshops to improve user understanding.
	2.J.3	Optimize EDI course certification processes: Enhance course certification and location approval workflows to simplify procedures for POST staff and field users. Improvements include better searchability, streamlined location matching, and reducing course-locking requirements.
	2.J.4	Continually enhance usability of EDI system.
	2.J.5	Improve course catalog accessibility and functionality: Upgrade the POST course catalog to support direct registration for POST-provided courses and improve course discovery for users, while ensuring proper agency and presenter access.
2.K **Support professional development and training for law enforcement personnel, including updates to curriculum, expanded training opportunities for professional staff, and guidelines for dispatcher and reserve officer development.**	**2.K.1**	Promote continuous professional development: Enhance training programs by identifying efficiencies and streamlining instructional delivery, with an emphasis on leadership, workplace management, evolving laws, and practical field application.

GOAL 3: Increase Awareness and Access to POST Services and Products

OBJECTIVE	STRATEGY
3.A **Expand outreach and communication efforts to promote POST services and resources to smaller agencies and new recruits through targeted campaigns.**	**3.A.1** Increase participation in the POST Instructor Development Institute (IDI) program.
	3.A.2 Increase participation in POST Command College.
	3.A.3 Continue to host an annual symposium specifically for POST capabilities and agency resources that are available.
	3.A.4 In collaboration with regional training centers, increase outreach to underrepresented agencies.
	3.A.5 Partner with internal and external stakeholders to elicit input on different ways to distribute Learning Portal products to the field.

GOAL 4: Enhance Law Enforcement's Ability to Serve Their Communities

OBJECTIVE	STRATEGY
4.A **Enhance collaboration and transparency with law enforcement and community stakeholders by increasing in-person engagement through regular presentations and implementing a structured feedback system to continuously improve certification and decertification processes.**	**4.A.1** Increase in-person engagement through regular presentations by POSAD staff at law enforcement agencies, including roll calls, union meetings, and other key gatherings.
	4.A.2 Implement a structured feedback system for continuous improvement: Develop a feedback system to gather input from law enforcement agencies, officers, and community stakeholders.
4.B **Promote organizational wellness initiatives by researching and developing strategies that address mental health, stress management, and overall wellness in law enforcement agencies.**	**4.B.1** Research and develop strategies and resources on organizational wellness.
	4.B.2 Guidelines and curriculum updates for dispatch wellness projects.
	4.B.3 Ongoing field engagement.
	4.B.4 Modular course format Improvements.

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OBJECTIVE	STRATEGY
4.C **Enhance training relevance and effectiveness by ensuring POST guidelines and curriculum reflect current laws, regulations, and best practices that directly support law enforcement operations.**	**4.C.1** Formalize a process for addressing instructor performance issues.
	4.C.2 Enhance training and resources for reserve officers: Improve and streamline training pathways for reserve officers by providing updated education and resources to help them maintain the skills and knowledge required for their roles.
	4.C.3 Identify and integrate contemporary training assets and customizable technology to train law enforcement more efficiently.
	4.C.4 Create an online instructor-led course for training managers to learn how to use and apply Learning Portal assets.
4.D **Streamline and improve selection and hiring through the use of contemporary research and technology, development of comprehensive guidance and relevant resources, and regulations that reflect current laws and best practices to assist law enforcement agencies with effectively and efficiently hiring high quality personnel.**	**4.D.1** Administer the POST Entry-Level Law Enforcement Test Battery (PELLETB) and Entry-Level Dispatcher Selection Test Battery (Dispatcher Exam) through an online format for more efficient and secure exam administrations.
	4.D.2 Conduct a fully updated Peace Officer Job Task Analysis in order to support effective and legally defensible selection practices.
	4.D.3 Provide guidance on conducting effective social media searches for peace officers and public safety dispatchers.

GOAL 5: Enhance Law Enforcement Certification Process

OBJECTIVE	STRATEGY
5.A **Enhance Law Enforcement Certification Process.**	**5.A.1** Provide targeted training on reporting processes: Conduct workshops and informational sessions for law enforcement agencies focused on the reporting process, emphasizing the importance of accuracy, transparency, and accountability in handling serious misconduct allegations.
	5.A.2 Develop an online training resource for Peace Officer Standards Accountability Advisory Board members: Create a self-paced training resource to orient POSAD board members, ensuring clarity around their responsibilities and engagement with POST processes.

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AGENDA ITEM REPORT

Title: REPORT ON PROPOSED ADOPTION OF COMMISSION REGULATION 1216 - DISCIPLINARY GUIDELINES - PUBLIC COMMENT RECEIVED

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Peace Officer Standards Accountability Division	
RESEARCHED BY Michelle Weiler	**REVIEWED BY**	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/18/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

Currently, POST does not have disciplinary guidelines to assist the Peace Officer Standards Accountability Advisory Board (Board), the Commission, and the Administrative Law Judges (ALJs) when considering the appropriate imposition of discipline for a peace officer who has committed one of the nine acts of serious misconduct and is subject to suspension or revocation. It is important for POST to consider establishing disciplinary guidelines to help guide these bodies, and ensure a fair and consistent approach to imposing discipline on a peace officer's certification for acts of serious misconduct that are similar in degree and nature. During the public comment period between June 20, 2025 and August 4, 2025, POST received public comments from the Peace Officers Research Association of California (PORAC).

BACKGROUND:

Senate Bill (SB) 2 (Stats 2021) sets forth due process through the Administrative Procedures Act (APA) which includes an opportunity for a peace officer, subject to decertification, to be afforded an evidentiary hearing before an ALJ. Currently, POST does not have disciplinary guidelines to assist the ALJ when considering the appropriate imposition of discipline.

The Office of Administrative Hearings (OAHs) is responsible for the administrative proceedings wherein a state oversight agency is seeking to revoke or otherwise restrict a person's license to serve in a regulated profession. ALJs oversee the administrative hearings and are responsible for issuing a proposed decision to the respective state agency. The

proposed decision typically includes a recommended sanction or penalty, e.g., suspension, probation, revocation, and these recommendations are formulated using the oversight agency's disciplinary guidelines. Disciplinary guidelines are developed to establish consistency in an agency's imposition of discipline for similar acts of misconduct.

In recent discussions with the OAH, the Division Chief Administrative Law Judge confirmed that ALJs will issue proposed recommended penalties with their decisions and therefore, rely heavily on agency disciplinary guidelines. By establishing the disciplinary guidelines, the ALJ will have a clearer understanding of the Commission's decisions when formulating their proposed decisions. Further, the disciplinary guidelines take into consideration the mitigating and aggravating factors outlined in Commission Regulation 1213 - Suspension and Revocation of Peace Officer Certification, otherwise known as the "1213 Factors."

At the meeting held on June 4, 2025, the Commission voted to approve the proposed text of Commission Regulation 1216 and the accompanying Disciplinary Guidelines as factors for consideration of penalty related to peace officer certification actions. During the public comment period between June 20, 2025 and August 4, 2025, POST received one public comment from PORAC in opposition to the proposed disciplinary guidelines.

ANALYSIS:

During the public comment period between June 20, 2025 and August 4, 2025, POST received one public comment from the Peace Officers Research Association of California (PORAC) and one public comment from Alliance San Diego in opposition to the proposed disciplinary guidelines. In their public comments, Alliance San Diego expressed concerns that the discussion of Bias in the proposed disciplinary guidelines does not align with the statutory definition of bias. However, POST created these guidelines with the understanding that they do not further define or add clarity to the existing definition. Rather, they are to provide the Board, Commission, and ALJs with a guide for the facts that are to be considered when determining whether suspension, revocation, or a different disciplinary action are the appropriate actions to be taken against a subject peace officer's certification during this phase of the disciplinary proceedings. As such, POST will not be making any additional revisions to the proposed regulation in regard to this matter.

In their public comments, PORAC expressed concerns that within the considerations for *Dishonesty*, the mitigating factors are in opposition to the definition of "Dishonesty" as

established in Penal Code section 13510.8(b)(1) and Commission Regulation 1205(a)(1), and potentially further define or clarify this definition. However, this is not the case.

As these guidelines indicate in the preface, at the point where consideration of the guidelines is appropriate, the Division has already reviewed the facts of the case and determined that clear and convincing evidence exists to show that the alleged serious misconduct occurred and is therefore, presenting the case before the Board and Commission for consideration of action against the subject peace officer's certification. POST created these guidelines with the understanding that they do not further define or add clarity to the existing definition. Rather, they are to provide the Board, Commission, and ALJs with a guide for the facts that are to be considered when determining whether suspension, revocation, or a different disciplinary action are the appropriate actions to be taken against a subject peace officer's certification during this phase of the disciplinary proceedings. As such, POST will not be making any additional revisions to the proposed regulation in regard to this matter.

PORAC suggested two revisions to the text of the "Considerations" section of Dishonesty:

PORAC Suggested Revision: Revise to read as,

"For this reason, dishonesty as defined in Commission Regulation 1205(a)(1), normally warrants revocation of an officer's certification. Commission Regulation 1205(a)(1) recognizes that if the dishonesty related to a material or significant fact in the context of the statement or omission alleged to be dishonest, ~~or~~ and was done willfully or intentionally, with the intent to deceive, revocation is typically the appropriate penalty.

For instance, lesser discipline may be considered if the statement ~~was not made willfully or with the intent to deceive,~~ was not part of a pattern of incomplete or less than honest statements, can be attributed to a demonstrable inability to properly recall events, was so insignificant or immaterial such that lesser care may have been used in ensuring the accuracy of the statement and sufficient mitigating circumstances exist, or where the officer voluntarily clarifies or corrects an earlier statement under circumstances indicating that the earlier statement was a foible of memory and not an intentional attempt to deceive."

Staff Response: PORAC's proposed revision – stating that revocation is typically appropriate only if the dishonesty *both* 1)

relates to a material or significant fact *and* 2) was done willfully or intentionally, with the intent to deceive - misstates the Regulatory text. The text – as seen below – discusses several factors that, if present, may be considered in making a determination as to the appropriate penalty. Accordingly, under Regulation 1205, the Commission would consider factors, if present, such as the materiality of the dishonesty and the degree of deception intended.

The text of Commission Regulation 1205(a)(1) states,

"For purposes of this subsection, in considering whether a suspension or revocation of certification is proper, the Commission will consider the extent to which the dishonesty related to a material or significant fact in the context of the statement or omission alleged to be dishonest and will also consider whether the dishonesty appears to have been done willfully or intentionally, with the intent to deceive."

The proposed disciplinary guidelines note several factors that may be considered in an appropriate case, if either or both are present. The proposed disciplinary guidelines do not provide that both factors *must be* present for revocation to be the appropriate sanction. PORAC's proposed revision would remove the Commission's discretion to revoke a subject peace officer's certification if only one factor was present, which is not the intention of the proposed regulatory language. Therefore, staff do not believe it is necessary to revise this segment of text.

PORAC's suggested revision also indicates that an officer may not be disciplined for a false representation if it was not made willfully or with the intent to deceive. Again, this would limit the Commission’s discretion to take action in an appropriate case, such as where a false statement was made recklessly or without a reasonable basis for believing it to be true. While willfulness and intent are factors that may be considered in determining discipline, there are times when an unintentional omission or misstatement of facts is such that the harm or potential harm that arises from the act is so egregious that it warrants disciplinary action. It is within the jurisdiction of the Board, Commission, and ALJs to determine what a sufficient penalty should be, if at all, in cases of this nature. Therefore, staff do not believe it is necessary to revise this segment of text.

RECOMMENDATION: Should the Commission approve the proposed text of Commission Regulation 1216 and the accompanying Disciplinary Guidelines as factors for consideration of penalty related to peace officer certification actions as previously

approved?

If the Commission concurs, the appropriate action would be a **MOTION** to approve the Disciplinary Guidelines as as proposed in the staff report.

ATTACHMENT(S):

PORAC_Public_Comments_and_Opposition_to_Proposed_Commision_Regulation _1216.pdf
POST_DISCIPLINARY_GUIDELINES_0825.pdf
Alliance_San_Diego_Public_Comment_POST_Regulation_1216.pdf

VIA EMAIL [Michelle.Weiler@post.ca.gov]

Commission on POST
Attention: Michelle Weiler
860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630

Re: Notice of Proposed Regulatory Action - Commission Regulation 1216
POST Disciplinary Guidelines; PORAC's Comments and Opposition

Dear Ms. Weiler:

The Peace Officers Research Association of California (PORAC) submits the following comments and opposition to the text of the proposed Commission Regulation 1216: POST Disciplinary Guidelines for Factors for Consideration of Penalty Related to Peace Officer Certification Actions, noticed on June 20, 2025 through Bulletin No. 2025-24.

Proposed Commission Regulation 1216 establishes guidelines for determining whether serious misconduct by a peace officer warrants suspension or revocation of their certification, incorporating by reference the proposed *POST Disciplinary Guidelines for Factors for Consideration of Penalty Related to Peace Officer Certification Actions* (March 2025). The proposed disciplinary guidelines appear to be modeled after similar guidelines that exist for paramedics and EMTs in California. The guidelines purport to provide clarity and consistency in disciplinary actions involving serious misconduct and, in large part, contain provisions to further that objective. The guidelines concerning dishonesty, however, are fundamentally problematic.

Notably, the mitigating factors identified within the Dishonesty "Considerations" subsection (at pp. 7-8) are in direct conflict with the Senate Bill 2 definition of dishonesty. (Pen. Code § 13510.8(b)(1); Commission Regulation § 1205.) The proposed guidelines improperly conflate the elements required to establish dishonesty with penalty factors, e.g., a mistake or lack of willfulness or intent to deceive are characterized as mitigations warranting a lesser penalty, rather than negating dishonesty altogether. This contravenes the well-established principle that dishonesty requires that a public employee's actions or statements be made with the *intent* to misrepresent known facts or the *intent* to deceive. (*Jack H. Tolchin* (1996) SPB Dec. 96-04, at p. 9 (citing *Marc Shelton* (1994) SPB Dec. 94-19, at p. 20) [emphasis added]; *Coomes v. State Personnel Board* (1963) 215 Cal.App.2d 770, 775.) Further, it contradicts the courts' consistent position that "[dishonesty] means fraud, deception, betrayal, faithlessness [citations] . . . [d]ishonesty denotes an absence of integrity; a disposition to cheat, deceive, or defraud; deceive and betray." (*Hogg v. Real Estate Comm'r* (1942) 54 Cal.App.2d 712, 717.) Dishonesty necessarily includes the element of bad faith. (*Id.* at p. 17.)

Treating an essential element for a finding of dishonesty under Penal Code section 13510.8(b)(1) as an aggravating factor implies that dishonesty could be sustained for a mere mistake or memory failure, which is improper. (See *Smith v. County of Riverside* (2006) Cal.App.Unpub. LEXIS 2344 ["[The employee] could not be untruthful 'willfully' unless, at a minimum, he knew what he was saying was false. Thus, the trial court correctly ruled that, if [the employee] was innocently mistaken, he was not subject to discipline"].) Without establishment of intent or willfulness, a dishonesty charge should not be sustained at all. Rather, the officer should be charged with neglect or poor performance, neither of which are considered "serious misconduct" under Penal Code section 13510.8(b).

These guidelines seek to provide a framework for administrative law judges (ALJs) who—by POST's own admission—"do not necessarily possess the experience or specialized knowledge of investigations into peace officer misconduct." (Bulletin No. 2025-24 at p. 3.) The inconsistent language concerning dishonesty has serious potential to both confuse and mislead ALJs, resulting in the unwarranted or disparate outcomes that the guidelines seek to prevent. Considering that a sustained dishonesty finding is likely to result in profound reputational and professional harm (up to and including revocation), it is imperative that *only* those officers who possess the requisite culpability are subjected to such a charge. Remediation of the above-cited issues is thus imperative.

PORAC objects to proposed Commission Regulation 1216 and respectfully requests reconsideration of the dishonesty language contained in the incorporated guidelines at pages 7-8. PORAC suggests the following changes to the proposed text:

> **Considerations**: Dishonesty is a serious offense in law enforcement. A peace officer's credibility is a key element in criminal cases, which rely upon their veracity in establishing the lawfulness of the actions taken by the peace officer and the guilt of the criminal defendant. A peace officer known to lie may be placed on a *Brady* list [FN 2 omitted], a fact that is disclosed to criminal defendants and may jeopardize the prosecution of a case. For this reason, dishonesty as defined in Commission Regulation 1205(a)(1), normally warrants revocation of an officer's certification. Commission Regulation 1205(a)(1) recognizes that if the dishonesty related to a material or significant fact in the context of the statement or omission alleged to be dishonest, ~~or~~ **and** was **done** willfully or intentionally, with the intent to deceive, revocation is **typically** the appropriate penalty.
>
> Some instances of dishonesty may warrant consideration of a lesser penalty under rare circumstances, even if it meets the statutory definition. For instance, lesser discipline may be considered if the

statement ~~**was not made willfully or with the intent to deceive,**~~ was not part of a pattern of incomplete or less than honest statements, can be attributed to a demonstrable inability to properly recall events, was so insignificant or immaterial such that lesser care may have been used in ensuring the accuracy of the statement and sufficient mitigating circumstances exist, or where the officer voluntarily clarifies or corrects an earlier statement under circumstances indicating that the earlier statement was a foible of memory and not an intentional attempt to deceive.

PORAC believes the above changes establish a more accurate definition of dishonesty as reflected in Penal Code section 13510.8(b)(1) and Commission Regulation section 1205. For this reason, we urge POST to adopt our recommended language.

Your consideration is greatly appreciated.

Very truly yours,



Brian R. Marvel
President
Peace Officers Research Association of California

cc: PORAC Board of Directors

POST DISCIPLINARY GUIDELINES

FACTORS FOR CONSIDERATION OF PENALTY RELATED TO PEACE OFFICER CERTIFICATION ACTIONS

PREFACE

The Commission on Peace Officer Standards and Training (Commission) establishes minimum standards for the physical, mental, and moral fitness of peace officers, adopts rules establishing minimum training standards for peace officers, and, as a part of its certification program, licenses peace officers and investigates and reviews allegations of serious misconduct in order to determine whether the peace officer's certification should be suspended or revoked.

Senate Bill 2 (Stats. 2021, c. 409, § 12, eff. Jan. 1, 2022) (SB 2) requires POST to review and investigate reports of "serious misconduct" by peace officers, as defined in Penal Code section 13510.8, which includes, but is not limited to, dishonesty, abuse of power, physical abuse (including, but not limited to, the excessive or unreasonable use of force), sexual assault, demonstration of bias, egregious or repeated acts that violate the law, participation in a law enforcement gang, failure to cooperate with an investigation into potential police misconduct, and failure to intercede. POST may suspend or revoke the certification of officers who are found to have engaged in serious misconduct. POST has also promulgated regulations (11 Cal Code Regs, § 1205) which further define serious misconduct.

California employs more than 85,000 peace officers, most of whom are subject to SB 2. One of the many goals of SB 2 was to address an issue involving officers who are accused of misconduct at one agency and react by moving to another agency in an attempt to avoid the imposition of discipline. Prior to SB 2, agencies would often discontinue an investigation if an officer resigned, as there was no longer an employment consequence that can be imposed upon an officer who no longer works for the agency. SB 2 now requires that agencies complete investigations even if the officer resigns, and SB 2's disclosure provisions, found in Penal Code section 13510.9, serve to ensure that such peace officer disciplinary records are shared amongst law enforcement agencies conducting background investigations for potential hires. Penal Code §13510.85(c) also requires POST to report its decertification actions to a national database, the National Decertification Index of the International Association of Directors of Law Enforcement Standards and Training, which is accessed by law enforcement entities across the country.

SB 2 required the creation of a new division, the Peace Officers Standards and Accountability Division (Division), within POST. The Division is responsible for the intake and investigation of serious misconduct allegations. Prior to the issuance of an Accusation to revoke or suspend a peace officer's certification, Penal Code section 13509.5(b) mandates that the Division review investigations of allegations that may provide grounds for suspension or revocation of a peace officer's certification based on serious misconduct, conduct additional investigations as necessary, and to present

findings and recommendations to the Peace Officer Standards Accountability Advisory Board (Board). During the Division's investigation, a thorough analysis of the allegations is conducted to determine whether there is clear and convincing evidence that an act (or acts) of serious misconduct occurred. This includes but is not limited to a review of the evidence; the agency's findings; the peace officer's service record, including patterns of prior related conduct; mitigating or aggravating circumstances; and interviews with the subject peace officer and witnesses. Once the analysis of facts is complete, the case moves through two levels of internal panel review – the first is with a panel of bureau chiefs, including those not assigned to the Division and the second is with executive management, including the Executive Director. POST legal counsel guide Division staff throughout the entirety of the process to ensure the findings are sound and hold up to established legal standards.

If the Division finds reasonable grounds for revocation or suspension of a peace officer's certification, following review and approval by the Executive Director or their designee, it shall provide the subject peace officer with a Notice of Intent to Revoke and include a detailed explanation of the decertification procedure and their rights to respond (Penal Code § 13510.85(a)(1)). Upon notification the division has found reasonable grounds for suspension or revocation, the peace officer may file a request for review by the Board and Commission. The request for review must be received or postmarked within 30 calendar days of the latest date of mailing of the notice of intent to revoke. If the peace officer fails to file a request for review, the peace officer's certification is suspended or revoked without further proceedings (Penal Code § 13510.85(a)(2)).

If a request for review is filed, the matter is set for an initial hearing before the Board.[1] Pursuant to Penal Code section 13510.85, the Board reviews the findings of investigations presented by the Division and makes a recommendation on what action should be taken against the certification of the subject peace officer. The Board is presented with a detailed investigative summary of the Division's findings along with relevant exhibits which serve as the Division's evidence in support of its findings of serious misconduct. This hearing is limited to a review of the Division's findings and recommendations; no witness testimony or presentation of additional evidence or argument is permitted. During the public comment period, the peace officer or the peace officer's representative may address the issue of the sufficiency of the division's findings before the Board (Title 11, Cal. Code Regs. § 1209(e)(2)(B)).

[1] It is important to understand at the outset that these initial proceedings by the Board and Commission are not evidentiary and, as discussed below, determine only whether the matter will be referred back to the Division for the initiation of proceedings for a formal hearing pursuant to the APA. This normally involves a referral by the Division, through its counsel, to the Attorney General's office for the preparation of an appropriate accusatory pleading and the initiation of proceedings under the APA. During these initial hearings, no factual determinations are made as to whether the subject peace officers engaged in serious misconduct or what penalty may be appropriate, as these determinations are only made after an administrative hearing has taken place before the Office of Administrative Hearings (OAH). Rather, the determinations at the initial stage are limited, as discussed below, to a review of the evidence found by the Division to determine whether that evidence would, if proven by the Division at a full hearing (and without regard to any additional evidence or defenses that may later be proven at that full hearing) establish clear and convincing evidence (a high probability) that serious misconduct occurred.

POST DISCIPLINARY GUIDELINES

If the Board finds the facts, as presented by the Division, would support clear and convincing evidence of serious misconduct at a full evidentiary hearing, it may recommend that a peace officer's certification be revoked or suspended for a period of up to three years (Cal. Penal Code § 13510.85(a)(4)). The Board's recommendation to the Commission requires a majority vote of the Board members present and is based on whether the record, as presented by the Division, supports the Division's conclusion that serious misconduct occurred, as established by clear and convincing evidence (Cal. Penal Code § 13510.85(a)(4)).

The Commission reviews all recommendations made by the Board. The Commission's decision to adopt a recommendation by the Board to seek revocation requires a two-thirds vote of the Commissioners present and is based on whether the record, in its entirety, supports the Board's conclusion that the facts as presented by the Division, would support clear and convincing evidence of serious misconduct at a full evidentiary hearing, serious misconduct occurred. Cal. Penal Code § 13510.85(a)(5)). The Commission returns any determination requiring action to be taken against an individual's certification to the Division to initiate proceedings for a formal hearing before an Administrative Law Judge (ALJ) in accordance with the Administrative Procedure Act Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, which is subject to judicial review as set forth in that Act (Cal. Penal Code § 13510.85(a)(6)).

POST DISCIPLINARY GUIDELINES

INTRODUCTION

Peace officers are vested with extraordinary powers by virtue of their position, which include the ability to detain and arrest, conduct searches and seizures, and to use force in the course of their duties, up to and including the use of deadly force. Penal Code section 13509.6(c) provides that the "protection of the public and all constitutional and statutory rights shall be the highest priority for the board as it upholds the standards for peace officers in California."

An act of serious misconduct committed by a peace officer is inconsistent with the powers with which they were entrusted by virtue of their position and may pose a grave risk to the public if the individual is permitted to continue to exercise such powers. However, the Commission recognizes that each case is unique and that variations from the proposed guidelines may be appropriate based upon mitigating and aggravating circumstances. For this reason, the Commission has established minimum and maximum penalties to assist in determining the appropriate level of discipline.

The Commission has adopted these Disciplinary Guidelines to provide uniform guidance for particular violations to Administrative Law Judges, attorneys, certified peace officers, the public, the Board, the Commission, and others involved in the Commission's disciplinary processes. These guidelines are incorporated by reference in regulation so that the processes used by the Board and Commission are readily available and transparent.

The Board and Commission carefully consider the totality of the circumstances of each case with the safety and protection of the public being paramount. Therefore, the Commission requests that the Administrative Law Judge clearly delineate the factual basis for reaching the decision. If an Administrative Law Judge finds that serious misconduct occurred but deviates from these Guidelines, the Commission requests that the Administrative Law Judge explain in full the circumstances and reasons for that decision so it may evaluate the appropriateness of the decision.

Suspension of certification may be appropriate if the Respondent has demonstrated that it is in the best interest of the public if their certification is suspended for a specified period in order to correct deficiencies in skills or education, or to attend to personal rehabilitation. The Respondent must also demonstrate the protection of the public will not be compromised by permitting them to return to work as a peace officer once these deficiencies have been addressed. The Commission has determined that the minimum penalty in serious misconduct cases should always include a recommendation for revocation or suspension, with the possibility for the revocation or suspension to be stayed if terms and conditions of probation are imposed. Probationary conditions shall minimally include standard terms and conditions imposed for all cases, and optional terms and conditions used for specific violations that may be warranted by the unique facts of the case.

POST DISCIPLINARY GUIDELINES

FACTORS TO BE CONSIDERED IN DETERMINING SUSPENSION OR REVOCATION

The Board and Commission have adopted a list of factors to be considered in determining whether suspension or revocation is appropriate. (Title 11, Cal. Code Regs, § 1213). These Disciplinary Guidelines are to be used *in connection with* the factors identified in Commission Regulation 1213 in order to understand the Board and Commission's positions regarding the weight to be given to the various factors that are relevant to any particular case. The Commission will not consider suspension, and will only consider revocation, in instances where the subject peace officer's misconduct would preclude the successful prosecution of any current or future arrest, such as is often the case in the dishonesty category.

Furthermore, the Commission will not consider suspension, and will only consider revocation, in instances where the subject peace officer's conduct is so serious or repeated that rehabilitation would not serve the public interest. For example, these Guidelines provide that a peace officer committing an on-duty, non-consensual, sexual assault would, in the Board and Commission's view, warrant revocation. This is because, without regard to the other enumerated factors, the Board and Commission believe that the nature and severity of the offense (factor one), the harm to the victim, the public, and the profession (factor two), and the fact that the offense was committed on duty (factor three) would outweigh any other factors.

POST DISCIPLINARY GUIDELINES

SPECIFIC CONSIDERATIONS BY PENAL CODE SECTION

A peace officer may have their certification suspended or revoked if the individual has been terminated for cause from employment as a peace officer for, or has, while employed as a peace officer, otherwise engaged in, any serious misconduct as described in Penal Code § 13510.8(b). (Cal. PC § 13510.8(a)(2)). The Commission has, by regulation, promulgated a definition of serious misconduct which governs these determinations. (Title 11, Cal. Code Regs. § 1205). Where the Commission has added to the definition of serious misconduct, as described in Penal Code § 13510.8(b), these guidelines include the expanded definition of the specified category of serious misconduct as defined in Commission Regulation 1205.

POST DISCIPLINARY GUIDELINES

SPECIFIC OFFENSES

DISHONESTY

Penal Code Section 13510.8(b)(1): Dishonesty relating to the reporting, investigation, or prosecution of a crime, or relating to the reporting of, or investigation of misconduct by, a peace officer or custodial officer, including, but not limited to, false statements, intentionally filing false reports, tampering with, falsifying, destroying, or concealing evidence, perjury, and tampering with data recorded by a body-worn camera or other recording device for purposes of concealing misconduct.

POST Regulation 1205(a)(1): Dishonesty relating to the reporting, investigation, or prosecution of a crime, or relating to the reporting of, or investigation of misconduct by, a peace officer or custodial officer, including, but not limited to, false statements, intentionally filing false reports, tampering with, falsifying, destroying, or concealing evidence, perjury, and tampering with data recorded by a body-worn camera or other recording device for purposes of concealing misconduct. For purposes of this subsection, in considering whether a suspension or revocation of certification is proper, the Commission will consider the extent to which the dishonesty related to a material or significant fact in the context of the statement or omission alleged to be dishonest and will also consider whether the dishonesty appears to have been done willfully or intentionally, with the intent to deceive.

Maximum Penalty: Revocation

Minimum Penalty: Revocation Stayed
Suspension up to Three Years
Three Years of Probation
Standard Terms and Conditions
Optional Terms and Conditions, as deemed appropriate

Considerations: Dishonesty is a serious offense in law enforcement. A peace officer's credibility is a key element in criminal cases, which rely upon their veracity in establishing the lawfulness of the actions taken by the peace officer and the guilt of the criminal defendant. A peace officer known to lie may be placed on a *Brady* list[2], a fact

[2] A "*Brady* list" refers to a system, index, list, or other record containing the names of peace officers whose personnel files are likely to contain evidence of dishonesty or bias. This list is maintained by a prosecutorial agency or office in accordance with the holding in *Brady v. Maryland* (1963) 373 U.S. 83. (Cal. Gov. Code §3305.5). The *Brady* obligation requires the prosecution to disclose material exculpatory evidence, including potential impeachment evidence, to the defense. This duty extends beyond the prosecutor's office to include evidence known to others acting on the government's behalf, such as police officers. (*Serrano v. Superior Court* (2017) 16 Cal.App.5th 759). The prosecution must share any information it has regarding whether the personnel records contain *Brady* material and let the defense decide whether to file a motion seeking discovery of potentially exculpatory information. (*People v. Superior Court* (Johnson) (2015) 61 Cal.4th 696). An officer's dishonesty can severely undermine their

that is disclosed to criminal defendants and may jeopardize the prosecution of a case. For this reason, dishonesty as defined in Commission Regulation 1205(a)(1), normally warrants revocation of an officer's certification. Commission Regulation 1205(a)(1) recognizes that if the dishonesty related to a material or significant fact in the context of the statement or omission alleged to be dishonest, or was done willfully or intentionally, with the intent to deceive, revocation is the appropriate penalty.

Some instances of dishonesty may warrant consideration of a lesser penalty under rare circumstances, even if it meets the statutory definition. For instance, lesser discipline may be considered if the statement was not made willfully or with the intent to deceive, was not part of a pattern of incomplete or less than honest statements, can be attributed to a demonstrable inability to properly recall events, was so insignificant or immaterial such that lesser care may have been used in ensuring the accuracy of the statement and sufficient mitigating circumstances exist, or where the officer voluntarily clarifies or corrects an earlier statement under circumstances indicating that the earlier statement was a foible of memory and not an intentional attempt to deceive.

credibility as a witness; honesty, integrity, and credibility are paramount attributes for police officers. (See Crawford v. City of Los Angeles (2009) 175 Cal.App.4th 249, 257, 95 Cal.Rptr.3d 550 ["Termination based upon a false statement by a peace officer is indisputably within the City's power."]; Ackerman v. State Personnel Bd. (1983) 145 Cal.App.3d 395, 400, 193 Cal.Rptr. 190 ["the credibility and honesty of an officer are the essence of the function"]; Kolender v. San Diego County Civil Service Com. (2005) 132 Cal.App.4th 716, 721, 34 Cal.Rptr.3d 1 [" 'A [police officer's] job is a position of trust and the public has a right to the highest standard of behavior from those they invest with the power and authority of a law enforcement officer.'"].)

POST DISCIPLINARY GUIDELINES

ABUSE OF POWER

Penal Code Section 13510.8(b)(2): Abuse of power, including, but not limited to, intimidating witnesses, knowingly obtaining a false confession, and knowingly making a false arrest.

Commission Regulation 1205(a)(2): Abuse of power, including, but not limited to, intimidating witnesses, knowingly obtaining a false confession, and knowingly making a false arrest. For purposes of this subsection, in considering whether a suspension or revocation of certification is proper, the Commission will consider the extent to which the abuse of power was a knowing abuse of the power and authority of a public office.

Maximum Penalty: Revocation
Minimum Penalty: Revocation Stayed
Suspension up to Three Years
Three Years of Probation
Standard Terms and Conditions
Optional Terms and Conditions

Considerations: Abuse of power may take many forms, and an evaluation of the totality of the circumstances is essential in determining the appropriate penalty. If an abuse of power is more appropriately characterized, for instance, as excessive force or sexual assault, those serious misconduct categories should be cited instead of abuse of power. On the other hand, there may be instances where a peace officer's conduct does not meet the definition of a serious misconduct category like excessive force or sexual assault, and yet the conduct demonstrates a clear abuse of a given peace officer's supervisory powers or status as a peace officer.

Aggravating factors when considering revocation may include, among other things, when a peace officer isolates or intimidates witnesses in order to interfere with the administration of justice or to satisfy a personal interest that is inconsistent with the duties and responsibilities of a peace officer, knowingly fails to report crimes or inaccurately reports crimes to avoid further investigation or referrals to the District Attorney's Office, knowingly misrepresents or misreports a victim's or witness's statements in reports, discourages truthful testimony or encourages false testimony, knowingly obtains a false confession, or knowingly makes a false arrest. Similarly, any intentional misuse of the power and authority given to a peace officer to subvert an investigation, for personal gain, or to cause harm to another, would normally warrant revocation. Any misuse of power and authority for such purposes indicates that the public would be at risk should the peace officer continue to have such power and authority.

Suspension may be warranted when the officer reasonably believed they were acting in good faith, that the conduct was permitted by law or departmental policy, or did not, in light of all of the circumstances, intentionally attempt to take an unjust advantage over

persons, property, or situations, by the improper exercise of power and authority granted to them by virtue of their position.

POST DISCIPLINARY GUIDELINES

PHYSICAL ABUSE

Penal Code Section 13510.8(b)(3): Physical abuse, including, but not limited to, the excessive or unreasonable use of force as described in Penal Code section 835a.

Maximum Penalty: Revocation
Minimum Penalty: Revocation Stayed
Suspension up to Three Years
Three Years of Probation
Standard Terms and Conditions
Optional Terms and Conditions

Considerations: Revocation is appropriate when excessive or unreasonable force results in death or serious bodily injury. Revocation is also appropriate when the officer has engaged in multiple acts of excessive or unreasonable force, even if death or serious bodily injury has not resulted from those uses of force.

Because agency policies vary to some degree regarding what may be considered unreasonable or excessive use of force, each case will be fact specific and depend in large part on the necessity for the type and degree of force used by the peace officer. Consideration shall be based upon the totality of the circumstances known by the peace officer at the time of the incident. For guidance, the California Penal Code outlines the legal framework detailing when a peace officer may use reasonable force to effect an arrest or overcome resistance. (See Penal Code section 835a).

Acts that may result in physical assault allegations often include inappropriate uses of take down techniques and restraint holds, deployment of batons, tasers, and officer involved shootings. The harm done to the victim or the potential harm that could have resulted from the peace officer's conduct is always a consideration.

An analysis of facts surrounding the use of force will be important in determining whether suspension is appropriate. For example, will similar behavior in the future likely be preventable with training, or was the act so severe or aggravated that additional training is unlikely to prevent recurrence. Another consideration includes whether there is any documented pattern of unreasonable or excessive force used by the peace officer. The peace officer's past conduct is also relevant in proving whether the peace officer knew, or should have known, the conduct at issue was excessive. Absent an established pattern, and depending on the nature of the force used, a single incident may potentially be resolved by means of suspension and additional training. However, revocation is not incumbent upon a pattern of behavior.

POST DISCIPLINARY GUIDELINES

SEXUAL ASSAULT

Penal Code Section 13510.8(b)(4): Sexual assault as described in subdivision (b) of Penal Code Section 832.7.

Cal. Penal Code § 832.7 (b)(1)(B)(ii)-(iii):

(ii) As used in this subparagraph, "sexual assault" means the commission or attempted initiation of a sexual act with a member of the public by means of force, threat, coercion, extortion, offer of leniency or other official favor, or under the color of authority. For purposes of this definition, the propositioning for or commission of any sexual act while on duty is considered a sexual assault.

(iii) As used in this subparagraph, "member of the public" means any person not employed by the officer's employing agency and includes any participant in a cadet, explorer, or other youth program affiliated with the agency.

Commission Regulation 1205(a)(4): Sexual assault as described in subdivision (b) of Penal Code Section 832.7, and shall extend to acts committed amongst members of any law enforcement agency.

Maximum Penalty: Revocation
Minimum Penalty: Revocation Stayed
Suspension up to Three Years
Three Years of Probation
Standard Terms and Conditions
Optional Terms and Conditions

Considerations: Non-consensual conduct which constitutes sexual assault as defined above warrants revocation, regardless of whether it occurs on or off-duty. Examples of non-consensual acts as described in section 832.7(b) include "commission or attempted initiation of a sexual act with a member of the public by means of force, threat, coercion, extortion, offer of leniency or other official favor or under the color of authority."

Since the law considers the propositioning for, or commission of, any sexual act on-duty a sexual assault, any instance involving any sexual act while on-duty, even if consensual, would constitute serious misconduct. Suspension may be warranted if the act occurred on duty but involved entirely consensual conduct, was limited in nature, and did not jeopardize public safety (for instance by an inability to respond to calls for service).

To the extent the consensual sexual act in question was committed solely amongst members of the law enforcement agency, the appropriate penalty may depend upon the respective job titles and supervisory responsibilities of the subject peace officer and the other consenting employee. Suspension may be warranted if the subject peace officer

and the other employee were in a similar job classification, whereas a more substantial penalty is justified if the peace officer supervised the other employee.

Similarly, when viewing the circumstances in their entirety, the negative impact that the sexual act has on the law enforcement agency, or the protection of the public, are important considerations. A consensual sexual act that has little to no adverse effect on the interests of justice may warrant suspension when compared to a consensual sexual act that directly prejudices an investigation. This would include, but not be limited to, inappropriate relationships with witnesses, victims, informants, or suspects.

POST DISCIPLINARY GUIDELINES

DEMONSTRATING BIAS

Penal Code Section 13510.8(b) (5): Demonstrating bias on the basis of actual or perceived race, national origin, religion, gender identity or expression, housing status, sexual orientation, mental or physical disability, or other protected status in violation of law or department policy or inconsistent with a peace officer's obligation to carry out their duties in a fair and unbiased manner. This paragraph does not limit an employee's rights under the First Amendment to the United States Constitution.

Commission Regulation 1205(a)(5): Demonstrating bias on the basis of actual or perceived race, national origin, religion, gender identity or expression, housing status, sexual orientation, mental or physical disability, or other protected status in violation of law or department policy or inconsistent with a peace officer's obligation to carry out their duties in a fair and unbiased manner. This paragraph does not limit an employee's rights under the First Amendment to the United States Constitution.

(A) An officer is “demonstrating” bias for purposes of this Regulation when the officer either shows or displays, by words, actions or other conduct, prejudice, intolerance, contempt, or hatred towards one or more persons due to that person’s membership within a class of persons identified in Penal Code section 13510.8(b)(5), when such words, actions or other conduct would lead a reasonable person to conclude that the officer has not fairly and impartially performed, or will not fairly and impartially perform, his or her law enforcement duties.

(B) An officer engaging in racial profiling in violation of Penal Code section 13519.4 is demonstrating bias because profiling casts suspicion on a class of people without individualized suspicion as to the person being stopped.

Maximum Penalty: Revocation
Minimum Penalty: Revocation Stayed
Suspension up to Three Years
Three Years of Probation
Standard Terms and Conditions
Optional Terms and Conditions

Considerations: Peace officers are granted extraordinary powers to deprive persons of their property, liberty, and even their life, and a peace officer that targets individuals for unfair treatment based upon membership in a protected class should not be entrusted with such powers. Serious misconduct is shown if the peace officer’s words, actions or conduct are: 1) inconsistent with the peace officer’s obligation to carry out the their duties in a fair and unbiased manner, 2) violates applicable law, or 3) violates department policy.

A peace officer shows or displays, by their words, actions or other conduct, prejudice, intolerance, contempt or hatred towards one or more persons due to that person’s membership within a class of persons identified in Penal Code section 13510.8(b)(5),

when such words, actions or other conduct would lead a reasonable person to conclude that the peace officer has not, or will not, fairly and impartially perform his or her law enforcement duties. Under these circumstances, revocation is the appropriate penalty.

A peace officer engaging in racial profiling in violation of Penal Code section 13519.4 is demonstrating bias because profiling casts suspicion on a class of people without individualized suspicion as to the person being stopped. It is important to note that the peace officer's demonstration of bias must be either in violation of the law or department policy or be inconsistent with a peace officer's obligation to carry out their duties in a fair and unbiased manner. The degree to which this is true may be a factor in considering a lesser penalty.

The peace officer's role and level of participation in the act of demonstrating bias may also warrant suspension. Whether the incident was isolated or demonstrated a pattern of biased behavior may help to determine whether a lesser penalty is appropriate. However, revocation is not incumbent upon a pattern of behavior.

POST DISCIPLINARY GUIDELINES

ACTS THAT VIOLATE THE LAW

Penal Code Section 13510.8(b) (6): Acts that violate the law and are sufficiently egregious or repeated as to be inconsistent with a peace officer's obligation to uphold the law or respect the rights of members of the public, as determined by the Commission.

Maximum Penalty: Revocation
Minimum Penalty: Revocation Stayed
Suspension up to Three Years
Three Years of Probation
Standard Terms and Conditions
Optional Terms and Conditions

Considerations: The law provides that discipline is appropriate where an act is *either* sufficiently egregious *or* repeated so as to be inconsistent with a peace officer's obligation to uphold the law or respect the rights of members of the public. Therefore, a single act may be sufficient to impose discipline, notwithstanding the Legislature's use of the term "acts," either because it is itself sufficiently severe, or where, upon consideration of other relevant factors (such as a prior pattern of behavior or a history of engaging in improper acts) the act is considered egregious based upon a consideration of the individual's pattern or history of behavior.

In accordance with Government Code section 1029, a peace officer's certification shall be revoked in cases involving disqualification, generally resulting from convictions for felonies and certain misdemeanors. However, separate from the question of a GC § 1029 disqualification, an act may be grounds for revocation as serious misconduct even if it does not meet the section 1029 threshold. As to those acts, the Legislature did not make every violation of the law grounds for discipline, and instead qualified that those acts that are considered serious misconduct must be either inconsistent with a peace officer's obligation to uphold the law or inconsistent with the peace officer's obligation to respect the rights of members of the public.

Generally, revocation is appropriate when a peace officer's violation of the law results in a serious risk of harm to the public, whether the officer is on or off duty. The nature of the violation, whether the conduct would meet the elements of a felony or misdemeanor, should also be considered in determining whether a lesser penalty is warranted.

Another factor to consider is whether the act has been repeated, and whether the repeated nature demonstrates a likelihood of recurrence. The length of time between repeated acts is also a factor. Acts that occur within a shorter amount of time may warrant a stronger penalty, such as revocation, while acts that are remote or further apart may warrant a lesser penalty.

In cases where alcohol or substance use has resulted in, or contributed to, a violation of law, even in some instances of repeated or egregious violations of law, a term of

suspension and/or probation with optional terms and conditions related to abstaining from alcohol and substance use and participating in regular testing may be appropriate based on the rehabilitative efforts of the subject officer and the lapse of time since the alcohol or substance use and violation(s) of law.

Crimes committed while on-duty (such as an assault under color of authority or other act where the peace officer uses or is aided by his or her position in the commission of a crime) are presumptively revocation cases.

POST DISCIPLINARY GUIDELINES

LAW ENFORCEMENT GANG

Penal Code Section 13510.8(b) (7): Participation in a law enforcement gang. For the purpose of this paragraph, a "law enforcement gang" means a group of peace officers within a law enforcement agency who may identify themselves by a name and may be associated with an identifying symbol, including, but not limited to, matching tattoos, and who engage in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing, including, but not limited to, excluding, harassing, or discriminating against any individual based on a protected category under federal or state antidiscrimination laws, engaging in or promoting conduct that violates the rights of other employees or members of the public, violating agency policy, the persistent practice of unlawful detention or use of excessive force in circumstances where it is known to be unjustified, falsifying police reports, fabricating or destroying evidence, targeting persons for enforcement based solely on protected characteristics of those persons, theft, unauthorized use of alcohol or drugs on duty, unlawful or unauthorized protection of other members from disciplinary actions, and retaliation against other officers who threaten or interfere with the activities of the group.

Maximum Penalty: Revocation
Minimum Penalty: Revocation Stayed
Suspension up to Three Years
Three Years of Probation
Standard Terms and Conditions
Optional Terms and Conditions

Considerations: In cases where the subject peace officer's activities have resulted in wrongful convictions, harm to an individual(s), or have created a culture within the law enforcement agency that prevents other peace officers from reporting misconduct or interceding when witnessing misconduct for fear of being retaliated against, are factors to consider for revocation.

Revocation may be warranted when the peace officer's participation in a law enforcement gang has resulted in a violation of the law, such as a provable felony or misdemeanor, injury to a person(s), or damage to property. The peace officer's level of participation, such as whether they had an active or passive role in the illegal act should also be considered in determining whether suspension is warranted. For example, suspension may be appropriate if there is sufficient evidence to demonstrate that the subject peace officer was coerced into participation in the law enforcement gang through intimidation, retaliation, or threats to the safety of the subject peace officer or their family. Similarly, suspension may be appropriate if the evidence demonstrates that the subject peace officer became a member of the gang because of the pressures of organizational culture, but did not actively participate in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing. Both of these should be weighed against whether the subject peace officer reported the gang to appropriate supervisors and if not, why they did not do so. However, organizational pressure or coercion does not preclude revocation.

POST DISCIPLINARY GUIDELINES

FAILURE TO COOPERATE

Penal Code Section 13510.8(b)(8): Failure to cooperate with an investigation into potential police misconduct, including an investigation conducted pursuant to Chapter 1 of Title 4 of Part 4 of the Penal Code. For purposes of this paragraph, the lawful exercise of rights granted under the United States Constitution, the California Constitution, or any other law shall not be considered a failure to cooperate.

Maximum Penalty: Revocation
Minimum Penalty: Revocation Stayed
Suspension up to Three Years
Three Years of Probation
Standard Terms and Conditions
Optional Terms and Conditions

Considerations: The central objective of any investigation is to expose the truth. As the Law Enforcement Code of Ethics recognizes, peace officers must remain "[h]onest in thought and deed…." A failure to cooperate with an investigation is antithetical to the very core of a peace officer's responsibilities. A peace officer who fails to cooperate with an investigation has made a conscious decision to obstruct the objectives of law enforcement. For this reason, a peace officer's failure to cooperate with an investigation into potential police misconduct normally warrants revocation.

As is true for all citizens, peace officers may exercise their individual rights under the United States Constitution, the California Constitution, or any other law. California law expressly recognizes that the *lawful* exercise of those rights does not constitute serious misconduct. The key word here is "lawful."

One concern a peace officer may reasonably have when deciding whether to cooperate with an investigation into peace officer conduct is whether any statements they make will incriminate themselves, thereby implicating the peace officer's right to assert their peace officer privileges under both the Fifth Amendment to the United States Constitution and article I, section 15, clause 6 of the California Constitution. The California Supreme Court addressed this concern in a case entitled *Lybarger v. City of Los Angeles.* This case resulted in a common admonition known as the *Lybarger* admonition, which is frequently provided to peace officers who believe their cooperation in an investigation into misconduct could be self-incriminating. The *Lybarger* admonition notifies the peace officer subject to questioning that their statements cannot be used against them criminally.

Once this admonition is given, a peace officer's decision to remain silent and refuse to cooperate with an investigation is not a lawful exercise of a constitutional right. As the California Supreme Court emphasized in *Lybarger*, a peace officer has "…neither a constitutional nor a statutory right to remain *free of administrative sanction*…." (Emphasis in original.) Indeed, the Public Safety Officers Procedural Bill of Rights Act

specifically provides that the failure to answer questions directly related to an investigation may result in punitive action. (Cal. Gov. Code §§ 3304(a)).

Accordingly, once a peace officer receives the *Lybarger* admonition, their refusal to cooperate for fear of self-incrimination is unjustified as a matter of law and therefore cannot be considered as a circumstance justifying a lesser penalty.

A failure to cooperate may arise when a peace officer refuses to comply with a lawful order to turn over agency or personal equipment that may, or does, contain incriminating evidence in a criminal, civil, or administrative investigation. Alternatively, a failure to cooperate may arise when a peace officer destroys agency or personal equipment or data that they knew, or should have known, contained evidence that was relevant to a pending investigation. Failure to cooperate may further arise where a peace officer alters or destroys evidence before turning it over to misdirect an investigation, cover up wrongdoing, or to implicate another peace officer. In such cases, the extent to which the peace officer's failure to cooperate prevents an investigation from moving forward and determining what occurred should be considered in determining whether revocation or suspension is appropriate.

POST DISCIPLINARY GUIDELINES

FAILURE TO INTERCEDE

Penal Code Section 13510.8(b)(9): Failure to intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.

Maximum Penalty: Revocation
Minimum Penalty: Revocation Stayed
Suspension up to Three Years
Three Years of Probation
Standard Terms and Conditions
Optional Terms and Conditions

Considerations: The preservation of life is one of the most elementary duties of a peace officer. Life's value exists in equal measure for both the innocent as well as those suspected of criminal activity. Every peace officer, by virtue of the badge, stands in a unique position to prevent unnecessary harm to others. This is especially true when confronted with a fellow peace officer engaged in excessive use of force. If a peace officer observes another peace officer using force clearly beyond that which is necessary under the circumstances, the presence of that peace officer on the scene accentuates their responsibility to intercede and protect lives.

When determining the appropriate penalty for a peace officer who fails to intercede, consideration of the totality of the circumstances is especially important. As the use of force becomes increasingly unreasonable from an objective peace officer's point of view, the penalty for failure to intercede increases accordingly. Where the use of force is objectively unreasonable, but to a low degree, the failure to intercede may warrant a lesser penalty.

The totality of the circumstances can be important in other ways as well. For example, other peace officers may have additional information about a subject that is unknown to the peace officer who is later subject to decertification proceedings. Under these circumstances, what the subject peace officer knows or reasonably should know about a subject may tend to work in favor of a greater or lesser penalty. The opposite is equally true. When a peace officer is unfamiliar with a suspect, it is crucial to consider what an objectively reasonable peace officer would do under the totality of the circumstances known to that peace officer considering their unfamiliarity with the suspect.

POST DISCIPLINARY GUIDELINES

PROBATION TERMS AND CONDITIONS

The Commission's primary responsibility is protection of the public. The Commission believes that in disciplinary matters where probation has been imposed, terms and conditions should be established to provide for public protection while allowing the probationer to demonstrate rehabilitation. The following terms and conditions of probation provide for public protection while establishing a mechanism for monitoring the progress of a probationer's rehabilitation.

POST DISCIPLINARY GUIDELINES

LISTING OF PROBATION CONDITIONS – STANDARD AND OPTIONAL

Standard Terms and Conditions for All Decisions and Orders

1. **Certification Revoked.** Respondent's certification is revoked.

2. **Certification Revoked, Revocation Stayed.** It is hereby ordered that (insert certificate type and number), issued to Respondent (name of responded) is/are revoked. However, the revocation(s) is/are stayed and Respondent is placed on probation for ____ years on the following conditions:

3. **Certification Suspension.** Respondent's certification shall be suspended for _____ days/months/years.

4. **Severability Clause.** Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

5. **Obey All Laws.** Respondent shall obey all federal, state, and local laws. A full detailed account of any and all alleged violations of law and any arrests shall be reported by Respondent to the Commission in writing withing seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, notwithstanding any provision of law, Respondent agrees that the Commission can receive notification of an arrest and/or conviction from any federal, state, and/or local agency.

6. **Submit Quarterly Reports.** The respondent shall submit quarterly to the Commission, or its designee, under penalty of perjury, on forms provided by the Commission, stating whether there has been compliance with all terms and conditions of probation. Omission or falsification in any manner of any information on these reports shall constitute a violation of probation and shall result in summary revocation of Respondent's restricted certification. If the final written quarterly report is not made as directed, the period of probation shall be extended until the final report is received by the Commission. Any period(s) of delinquency in submitting a report as directed may be added to the total period of probation.

   Quarterly reporting periods and due dates are as follows:

   Quarter I (January 1 to March 31)
   Quarter II (April 1 to June 30)
   Quarter III (July 1 to September 30)
   Quarter IV (October 1 to December 31)

7. **Serious Misconduct.** Respondent shall not engage in any acts of serious misconduct as defined under Penal Code section 13510.8, subdivision (b), including but not limited to, any acts that involve substance abuse related incidents. Any acts of serious misconduct shall be deemed a violation of these probation conditions and may result in the filing of an accusation and/or petition to revoke probation.

8. **Interview with the Commission.** Within 30 days of the effective date of the Decision, Respondent shall appear in person or via video conference, if approved by the Commission for an interview with its designated probation monitors to review the terms and conditions of probation. Thereafter, the respondent shall, upon reasonable request, report or appear in person as directed. The interview with the Commission shall not be tolled.

9. **Personal Appearances.** Upon reasonable notice by the Commission, the respondent shall report to and make personal appearances at times and locations as the Commission may reasonably direct.

10. **Cooperation with Commission Staff.** Respondent shall cooperate with the Commission's staff as needed to ensure Respondent is complying with the terms of probation. The respondent shall communicate directly with the Commission, or its designee; written communications from the Commission, or its designee, will only be sent to the Respondent.

11. **Changes of Employment or Address.** The respondent shall notify the Commission in writing of any and all changes of peace officer employment and residence address within fourteen (14) calendar days of such change.

    Respondent will at all times comply with the California Code of Regulations, title 11, section 1215, and maintain a physical address of record with the Commission for three (3) years after separation of service from peace officer employment in California. In addition, Respondent will ensure that the Commission has their current home address and preferred method of contact (i.e., phone number, email address) during the period of probation. This information will be maintained confidentially in accordance with the Information Practices Act, Civil Code section 12798 et seq. and California Penal Code section 832.7.

12. **Notice to Employers.** Respondent shall provide any current, future, or potential law enforcement employer with the terms and conditions of this stipulation. Respondent understands and agrees that this stipulation, once adopted, will be a public document and will be subject to public release. Respondent further understands and agrees that the Commission shall have the right to provide any and all records showing compliance or lack of compliance with the terms of this stipulation to any current, past, future, or potential law enforcement employer of Respondent, upon the employer's request.

POST DISCIPLINARY GUIDELINES

13. **Comply with Probation.** Respondent shall fully comply with the conditions of probation and cooperate with representatives of the Commission in its monitoring and investigation of the Respondent's compliance with probation.

14. **Continuance of Probationary Term and Completion of Probation**. If Respondent violates the terms of this probation in any respect, the Commission, after giving Respondent notice and the opportunity to be heard, may set aside the stay order, and impose the revocation or suspension of Respondent's certification.

    If Respondent disputes the Commission's determination that a violation of probation has occurred, Respondent shall have 35 calendar days from the date of mailing of the notification letter to file with the Commission a dispute to the action being taken on Respondent's certification. The Respondent shall fully explain the factual and legal basis of their dispute to the asserted probation violation, and supply at that time any evidence supporting the dispute as to the probation violation. The Commission shall consider Respondent's argument and evidence before taking action on the Respondent's certification. If Respondent fails to respond, this action shall become final, and the file will be closed.

    If during the period of probation, an accusation or petition to revoke probation has been filed against Respondent's certification, or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against Respondent's certification, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Commission.

    Upon successful completion of probation, Respondent's certification shall be fully restored.

15. **Certification Surrender.** During Respondent's term of probation, Respondent may surrender their certification to the Commission under Penal Code section 13510.8, subdivision (f). Upon formal acceptance of the surrendered certification, Respondent will no longer be subject to the conditions of probation.

    Surrender of Respondent's certification shall be considered a disciplinary action and shall become part of Respondent's certification history with the Commission.

POST DISCIPLINARY GUIDELINES

Optional Terms and Conditions of Probation. In addition to the standard terms and conditions of probation, optional terms and conditions of probation are assigned based on the nature of the serious misconduct violations and the fact pattern specific to individual cases.

16. **California POST Supplemental Training Requirement**. Within _____ days of the effective date of this Decision or _____, Respondent shall take and successfully complete POST-certified training in one or more of the following areas:
    _____
    _____
    _____
    _____

    The respondent is responsible for all costs associated with completing the required POST-certified courses. (Examples of areas to require training in include use of force, report writing, ethics, bias, diversity, LGBTQI, gender awareness, sexual harassment, workplace harassment, anger management, decision-making, de-escalation, duty to intercede, emotional intelligence/survival, problem solving, and stress management.)

17. **Criminal Probation Reports.** Respondent shall provide the Commission with a copy of the standard terms and conditions of Respondent's criminal probation, as well as copies of all criminal probation reports and the name of their probation officer. If the Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions and may result in the filing of an accusation and/or petition to revoke probation.

18. **Counseling/Psychotherapy.** Within 30 days of the effective date of this Decision, Respondent shall submit to the Commission, for its prior approval, the name, license number, and qualifications of one or more culturally competent[3] licensed psychologists or therapists with a PhD, PsyD, MS or LCSW who have experience in treating the underlying mental health condition(s) that may have contributed to the serious misconduct actions of the subject peace officer. The selected practitioner(s) shall be licensed in good standing in the State of California and shall not have been subjected to formal discipline by a licensing board in or outside of California within the preceding seven years and shall demonstrate experience in providing culturally competent examination and counseling of first responders. The selected practitioner(s) shall have had no prior professional or personal relationship with the respondent. Within 60 days of the Decision, Respondent shall begin seeing their provider, following their treatment plan, and engaging in the therapeutic process. The purpose of the therapy is to assist the Respondent with amassing tools and

[3] A culturally competent therapist for law enforcement is a mental health professional who is trained to work with police officers and understand their unique needs and challenges. These therapists can provide support, treatment, and interventions tailored to the specific context of law enforcement work, addressing issues such as stress, trauma, and mental health conditions.

skills that can be used to mitigate any barriers to engaging in sound police work and maintaining a healthy home life. The Respondent shall have the selected practitioner submit the treatment plan to the Commission which shall include number of prescribed sessions. If applicable, the practitioner shall provide quarterly status reports to the Commission noting if the respondent is attending and participating in treatment. At no time shall the practitioner send protected health information to the Commission without the written consent of the Respondent. Should the practitioner believe the Respondent is not making progress in therapy, and believes the Respondent poses potential harm to the public, they will recommend to the Commission the Respondent be sent to a Fitness for Duty evaluation. All costs shall be borne by the Respondent.

19. **Fitness for Duty Evaluation[4].** Within 60 days of the effective date of this Decision, Respondent shall submit to the Commission, for its prior approval, the name, license number, and qualifications of one or more culturally competent licensed psychiatrists or psychologists with experience in conducting fitness for duty evaluations for peace officers, pursuant to Government Code section 1031(f)(2). The selected practitioner(s) shall be licensed in good standing in the State of California and shall not have been subjected to formal discipline by a licensing board in or outside of California within the preceding seven years and shall demonstrate experience in providing culturally competent examination of first responders. The selected practitioner(s) shall have had no prior professional or personal relationship with the respondent. Within 60 days of the Decision, Respondent shall undergo a mental health evaluation by the selected licensed practitioner(s). The respondent shall have the selected practitioner submit their evaluation to the Commission within 14 calendar days after the completed evaluation. The evaluation provided to the Commission shall advise whether the respondent is able to safely return to the profession with or without continued therapy/treatment or requires time away from the profession while undergoing therapy/treatment. If applicable, the respondent shall undergo treatment as prescribed until the selected practitioner deems the respondent is able to independently, and safely, return to the profession with or without continued therapy/treatment. If applicable, the respondent shall cause the approved culturally competent practitioner to provide quarterly status reports to the Commission. The quarterly status reports shall report whether the respondent is attending and participating in treatment. All costs shall be borne by the Respondent.

20. **Alcohol or Drug Counseling.** Within 30 days of the effective date of this Decision, Respondent shall enter, attend, and participate in an alcohol/drug rehabilitation program for _____. Respondent shall submit written proof from the selected program confirming attendance and participation in the program to the

[4] Law enforcement fitness for duty evaluations are specialized mental health examinations designed to assess whether an officer may have a psychological condition that impairs their ability to perform essential job functions or poses a direct threat. These evaluations are ordered by the department when there is objective evidence that an employee may be unable to safely perform their job due to a psychological condition or impairment.

Commission in Respondent's quarterly written reports. All costs for attending said program shall be borne by the Respondent.

21. **Proof of Completion.** Respondent shall provide the Commission with proof of completion and/or participation in all _____ abuse treatment and counseling programs taken to date, as well as the results of any _____ testing they have taken to date.

22. **Submit to Alcohol or Drug Testing.** Respondent shall participate in a random, biological fluid testing program approved by the Commission. The length of time and frequency will be up to ___ times per year on a random basis. Respondent is responsible for keeping the Commission informed at all times of Respondent's current telephone number. In the event Respondent's telephone number changes, Respondent shall update the Commission within 48 hours.

    Respondent shall also ensure that messages may be left at the telephone number when they are not available and ensure that reports are submitted directly by the testing agency to the Commission, as directed. Any confirmed positive finding shall be reported immediately to the Commission by the program, Respondent shall be considered in violation of probation, and the Commission may, in its discretion, order additional testing or screening, over and above the time and frequency listed above.

    If Respondent has a confirmed positive finding for _____ and the Commission files a petition to revoke probation or an accusation, the Commission may suspend Respondent's Certification pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

23. **Abstain from Controlled Substances.** Respondent shall abstain from the personal use or possession of controlled substances, as defined in the California Uniform Controlled Substances Act (Health and Safety Code section 11000 et seq.), and dangerous drugs as defined in Business and Professions Code section 4022, except for medication lawfully prescribed to Respondent by a licensed practitioner for a bona fide illness. Upon request of the Commission or its designee, Respondent shall provide documentation from the licensed practitioner that the prescription for the drug was legitimately issued and is a necessary part of the Respondent's treatment.

24. **Abstain from Alcohol Use.** Respondent shall abstain from the use of products or beverages containing alcohol.

25. **Tolling.** This term shall not apply until Respondent secures appointment to a new peace officer position. Regardless of the effective date of this agreement, this term shall be tolled until Respondent is appointed to a peace officer position, if not currently employed, after which this term shall be operative for _____ years, during which time Respondent will remain on probation.

POST DISCIPLINARY GUIDELINES

Periods of residency outside of California shall not apply toward a reduction of the period of probation. Respondent's probation is tolled when they reside outside of California and the period of probation shall be automatically extended for the same period they reside outside of California. Any period of tolling will not apply to the reduction of the probationary term and will relieve Respondent of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws, Criminal Court Orders, Comply with Probation, Violation of Probation, and Certification Surrender.

August 4, 2025

Commission on Peace Officer
Standards & Training (POST)
State of California
Via email

Re: Concerns about proposed POST Regulation 1216 and the incorporation of the *POST Disciplinary Guidelines: Factors for Consideration of Penalty Related to Peace Officer Certification Actions* (2025)

To Whom It May Concern:

I write to raise concerns about the gaps between the proposed POST Regulation 1216, through its incorporation of the *POST Disciplinary Guidelines* ("Guidelines"), and state law in Penal Code section 13519.4. I urge the Commission to close those gaps. I submit these comments in my capacity as the executive director of Alliance San Diego, a community organization working on accountability in law enforcement to enhance public trust and public safety. My comments are also informed by my service as the co-chair of the Racial and Identity Profiling Advisory Board.

1. **The Regulation should align fully with the definition of bias in state law.** The proposed regulation rightly references racial profiling as a form of demonstrating bias, but it falls short of aligning with state law. To align, it should explicitly incorporate the full scope of conduct prohibited under Penal Code section 13519.4(e), which includes "the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop."

2. **Bias should include conduct based on *perceived* race and identity.** The language in the Guidance upon which the proposed Regulation relies does not make clear that conduct based on perception is enough to constitute bias. Subsection (A) of the Demonstrating Bias section describes bias as conduct based on "a person's membership within a class of persons." Under state law, demonstrating bias can include conduct based on perception and the Regulation should reflect that throughout. Subsection (B) references "racial profiling," and should include "racial *and identity* profiling," as required by law.

3. **Acts or omissions should be stated as grounds for decertification.** The same acts or ommission that would render an individual ineligible as a peace officer under Government Code section 1031.3 should be included as grounds of decertification. That code section deals with screening for implicit and explicit bias concerns during the peace officer hiring process.

4. **Consideration of "serious misconduct" must be sufficiently inclusive and expansive.** The SB 2 statutory framework grants POST discretion in determining whether serious misconduct warrants decertification. To meaningfully use this discretion, POST should adopt broad and clear definitions that put peace officers on notice about the full range of conduct that may result in decertification and empower POST to act when justified by the facts.

The recommendations above were also made in the attached RIPA Board letter sent to POST, dated April 18, 2022. The recommendations were not adopted in the Guidelines, but should be incorporated into the Regulation now. As the RIPA Board noted at the end of its letter, several other jurisdictions have adopted broad regulatory language to similar ends that provide greater clarity to law enforcement and to the public. California should do the same, especially given the racial and identity-based disparities that persist in policing outcomes across the State.

Thank you for your consideration.

Sincerely,



Andrea Guerrero
Executive Director, Alliance San Diego

State of California Racial and Identity Profiling Advisory Board

RIPA BOARD c/o
1515 CLAY STREET, 20TH FLOOR
P.O. BOX 70550
OAKLAND, CA 94612-0550

Public: (510) 879-3311
Facsimile: (510) 622-2270

April 18, 2022

Via Email - manny.alvarez@post.ca.gov

Commission on Peace Officer Standards and Training
c/o Manuel Alvarez, Jr.
Executive Director
860 Stillwater Road, Suite 100
West Sacramento, CA 95605

Re: Recommendations regarding SB 2

Dear POST Commissioners:

Thank you for inviting the Racial and Identity Profiling Advisory (RIPA) Board to participate in the Senate Bill 2 (S.B.2) Stakeholder Meeting in January 2022. We are writing to memorialize our recommendations to the Peace Officer's Standards and Training (POST) Commission on the regulations pertaining to the definition of "serious misconduct" under Penal Code section 13510.8.

"The RIPA Board was formed as part of the Racial and Identity Profiling Act of 2015 (AB 953), and began its work in July 2016. The Legislature charged the Board with an ambitious purpose: to eliminate racial and identity profiling, and improve diversity and racial and identity sensitivity in law enforcement. By unifying a diverse group of individuals from across different sectors – law enforcement, civil and human rights, and academia – in a shared cause, the RIPA Board aims to improve law enforcement-community relations in California through collaboration, transparency, and accountability."[1]

The imposition of mandatory stop data collection and the creation of the RIPA Board are among the many steps the Legislature has taken to help identify and shield the public from the effects of biased policing. One of the Legislature's most recent efforts to reform policing was Senate Bill 2: The Kenneth Ross Jr. Police Decertification Act of 2021, a bill named in the memory of Kenneth Ross Jr., a Black man shot and killed by a Gardena police officer who was employed by the Gardena Police Department after being involved in three prior "questionable" shootings in his previous agency.[2]

[1] Racial and Identity Profiling Advisory Board, 2021 Annual Report (2018), p. 4 <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2018.pdf> [as of March 28, 2022].
[2] Chabria, *How a Black Lawmaker From L.A. Won a 'Mammoth Fight' to Oust Bad Cops*, L.A. Times (Oct. 1, 2021) <https://www.latimes.com/california/story/2021-10-01/how-black-los-angeles-lawmaker-won-fight-to-oust-bad-cops> [as of March 28, 2022].

In passing S.B.2, the Legislature acknowledged that "Black and Latino families and communities of color are disproportionately vulnerable to police violence,"[3] and it committed to creating a system to "ensure that officers who abuse their authority by committing serious or repeated misconduct, or otherwise demonstrate a lack of fitness to serve as peace officers, are removed from the streets."[4] To that end, this bill was passed to end the too-common practice of allowing officers who have been fired or resigned from one agency due to misconduct to be re-hired at new agencies, only to "go on[] to commit further serious acts of misconduct."[5] An agency's determination that an officer is unfit for duty is powerful evidence they are unfit for any community, but through SB 2 the Legislature additionally acknowledged the "nearly universal recognition across the country that local law enforcement cannot be relied upon to protect our residents from people that should not be peace officers."[6] Given the importance of rooting out unfit officers, the Legislature went further by providing a decertification process where the public, Commission, or Board may also identify officers to be investigated for disqualifying conduct even if those officers are not found guilty of misconduct by their employing agencies.[7] The Legislature further mandates that the decertification process "maintain independence from law enforcement" so that it may effectively "hold peace officers accountable for misconduct . . .[against] standards . . . [that] reflect community values."[8]

Altogether, the goal of the decertification process is to ensure that police officers are "held to the *highest standard of accountability*" and "that individual peace officers who abuse their authority are held" to that standard.[9] The Legislature's statements along with the overall decertification scheme makes clear its intent that decertification serve as an *additional* form of accountability, not limited by the measures that policing agencies have already taken to address misconduct by their employees, to ensure that officers meet the "highest standards" of community values and is not limited to addressing only the most egregious acts of police misconduct.

Senate Bill 2 tasks the POST Commission with creating criteria for determining when officers have committed "serious misconduct" and may be "considered for ineligibility for, or revocation of, certification."[10] The statute identifies as exemplars of "serious misconduct" nine categories, including "demonstrating bias," which is defined as "bias on the basis of race, national origin, religion, gender identity or expression, housing status, sexual orientation, mental or physical disability, or other protected status in violation of law or department policy or inconsistent with a peace officer's obligation to carry out their duties in a fair and unbiased manner."[11]

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[3] Sen. Bill No. 2 (2021-2022 Reg. Sess.), §§ 1, 2, subd. (c).
[4] *Id.* at §§ 1, 2, subd. (d).
[5] Sen. Com. on Pub. Safety, Rep. on Sen. Bill 2 (2021-2022 Reg. Sess.) Apr. 13, 2021, p. 10.
[6] *Id*.
[7] Sen. Bill No. 2 (2021-2022 Reg. Sess.), § 13, subd. (c)(3)(A-B); § 8, subd. (d).
[8] Sen. Bill No. 2 (2021-2022 Reg. Sess.), §§ 1, 2, subd. (e).
[9] *Id*. at §§ 1, 2, subds. (a), (d).
[10] Pen. Code, § 13510.8, subd. (b).
[11] *Id.* at §. 13510.8, subd. (b)(5).

With respect to the definition of "demonstrating bias," the RIPA Board recommends that the regulations reflect the following:

1. **Clarify that bias based upon an officer's perception of an individual's identity, not only their actual identity, would be a basis for decertification**. The Racial and Identity Profiling Act recognizes that individuals are often treated differently on the basis of their perceived identity, even if it conflicts with their actual identity, and requires officers to track their actions taken on the basis of their perceptions of the identities of members of the public. The definition of racial and identity profiling created by that Act also includes profiling based upon "actual or perceived" identities.[12] It would be consistent with this expressed legislative intent and the reality of how members of the public are acted upon by law enforcement if the definition of bias under the S.B.2 regulations reflected bias-based conduct based upon an individual's actual or perceived identity.

2. **The definition of bias should explicitly include, but not be limited to, conduct that would constitute illegal profiling as defined by Penal Code Section 13519.4.** The definition of racial or identity profiling within this section includes "the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest."[13] Violation of these tenets to subject an individual to police action in part because of their identity characteristics is undoubtedly an "abuse of authority" that reflects a "lack of fitness to serve as peace officers" that strikes directly to the heart of the bias the Legislature sought to address, and should be grounds upon which POST may decertify.

3. **Acts or omissions that would render an individual ineligible as a peace officer under Government Code Section 1031.3 should be included as grounds for decertification.** The Legislature recently passed A.B. 846, which required POST to incorporate into its screening materials for assessing the fitness of individuals who apply to be peace officers guidelines for identifying explicit or implicit bias "against race or ethnicity, gender, nationality, religion, disability, or sexual orientation."[14] In discussing the need for a more intensive process to screen out officer biases, the Legislature cited existing "disparities in stop, search, and arrest rates across demographic groups" and acknowledged that "bias among law enforcement is especially dangerous because of the positions of power they hold."[15] It further reasoned that it

[12] *Id.* at §. 13519.4, subd. (e).
[13] *Id.* at §. 13519.4, subd. (e).
[14] *Id.* at § 1031.3.
[15] Sen. Com. on Pub. Safety, Rep. on Assem. Bill 846 (2019-2020 Reg. Sess.) July 31, 2020, p. 4.

was "critical that we require screening of bias during the hiring process and recognize how to take steps to counteract their influence . . . [and] make sure that officers are trained and acting on facts, not biases."[16] These concerns are equally, if not more, valid when applied to officers that have already been hired and are actively policing our communities. While POST is currently in the process of finalizing regulations to guide the bias assessments of investigators and evaluators, these guidelines should be incorporated into the decertification process, such that individuals who would be deemed ineligible for employment as an officer under these screening guidelines as a result of implicit or explicit bias should also be eligible for decertification.

With these recommendation, we want to underscore that the regulations clarifying what conduct constitutes serious misconduct be sufficiently inclusive to incorporate the spirit of recent state legislation pertaining to hiring/screening and the definition of bias in policing. Under the statute, acts that constitute "serious misconduct" serve only as "criteria to be considered for" decertification, but do not mandate decertification. Other jurisdictions utilize very broad language to ensure that officers are aware of the range of conduct that may result in their decertification and provide the certifying agencies with maximal authority to remove officers if the facts justify such action. For instance, in Georgia, its authority can refuse certification or discipline certified peace officers for "any act or omission which is indicative of bad moral character or untrustworthiness,"[17] and in Mississippi, officers' certificates can be revoked for "an act of malfeasance."[18] POST should follow this trend to ensure that the California regulations similarly provide sufficient notice to officers and range of discretion to the POST Commission.

Thank you for your time and attention.

Regards,





Steven Raphael
Professor of Public Policy
Goldman School of Public Policy
University of California, Berkeley
RIPA Board Co-Chair

Melanie Ochoa
Director of Police Practices
ACLU of Southern California
RIPA Board Co-Chair

[16] *Id.*
[17] Ga. Code, § 35-8-7.1, subd. (8).
[18] Miss. Code, § 45-6-11, subd. (7)(e).

AGENDA ITEM REPORT

Title: CORRESPONDENCE SENT BY POST

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Executive Office	
RESEARCHED BY	**REVIEWED BY**	
REPORT DATE	**APPROVED BY**	**DATE APPROVED**
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

BACKGROUND:

ANALYSIS:

RECOMMENDATION: The following correspondence was sent from POST to:

- Robert Lopez, Chief, Baldwin Park Police Department; expressing deep sympathy over the tragic on-duty death of Officer Samuel Riveros.
- Jim McDonnell, Chief, Los Angeles Police Department; expressing deep sympathy over the tragic on-duty death of Sergeant Shiou Deng.
- Jeff Macomber, Secretary, California Department of Corrections and Rehabilitation, expressing deep sympathy over the tragic on-duty death of Agent Joshua Lemont Byrd.
- Robert G. Luna, Sheriff, Los Angeles County Sheriff's Department, expressing deep sympathy over the tragic on-duty deaths of Deputies Joshua Kelley-Eklund, Victor Lemus and William Osborn.

ATTACHMENT(S):
Baldwin_Park_PD-Officer_Samuel_Riveros.pdf
CondolenceLtr_LASD_07252025-Eklund_Lemus_Osborn.pdf
Sgt_Shiou-Deng_LAPD_MA.pdf
Jeff_Macomber_CDCR_Condolence_Ltr__Joshua_Byrd.pdf

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

POST

GAVIN NEWSOM
GOVERNOR

ROB BONTA
ATTORNEY GENERAL

June 09, 2025

Robert Lopez, Chief
Baldwin Park Police Department
14403 Pacific Avenue
Baldwin Park, CA 91706

Dear Chief Lopez:

On behalf of the California Commission on Peace Officer Standards and Training (POST), and POST staff, please accept our deepest sympathy and condolences upon the tragic on-duty death of Officer Samuel Riveros.

In these troubling times of law enforcement scrutiny, the health and well-being of our officers is crucial. All who have ever worn the badge feel your loss. Our communities share your pain. Ultimately, society feels the tremor of the tragic death of one who commits their life to holding the thin line between peace and chaos, for standing for something good.

I never met Officer Riveros. However, I know he stood the line between right and wrong, darkness and light. He faced challenges and danger. He gave order to chaos and hope to despair. He was quick to defend and frequently chose action over caution.

He railed against injustice. I know he stood in loyalty and faced conflict shoulder-to-shoulder with his brothers and sisters and proudly committed to being a small part of a greater cause.

His absence will forever be a void in the lives that he touched. We commit ourselves to the eternal memory and honor of his life.

It is with great sadness in our hearts that we offer our support to you and your department at this tragic time.

Sincerely,

MANUEL ALVAREZ, JR.
Executive Director

MA:be

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

POST

GAVIN NEWSOM
GOVERNOR

ROB BONTA
ATTORNEY GENERAL

July 25, 2025

Robert G. Luna, Sheriff
Los Angeles County Sheriff's Department
211 West Temple Street
Los Angeles, CA 90012

Dear Sheriff Luna,

On behalf of the California Commission on Peace Officer Standards and Training (POST) and all our staff, please accept our heartfelt condolences on the tragic loss of Deputies Joshua Kelley-Eklund, Victor Lemus, and William Osborn.

We are deeply saddened by this profound loss. Their service and sacrifice reflect the highest ideals of the law enforcement profession. Their dedication to protecting the community will be remembered with honor and gratitude.

We recognize that such a loss deeply affects not only your department but also the broader law enforcement family across the state. Please know that POST stands in solidarity with you during this time of sorrow.

We extend our sincere support to you and your agency as you navigate this period of grief and remembrance.

Sincerely,

MANUEL ALVAREZ, JR.
Executive Director

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COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

POST

GAVIN NEWSOM
GOVERNOR

ROB BONTA
ATTORNEY GENERAL

June 30, 2025

Jim McDonnell, Chief
Los Angeles Police Department
100 West 1st Street
Los Angeles, CA 90012

Dear Chief McDonnell:

On behalf of the California Commission on Peace Officer Standards and Training (POST), and POST staff, please accept our deepest sympathy and condolences upon the tragic on-duty death of Sergeant Shiou Deng.

In these troubling times of law enforcement scrutiny, the health and well-being of our officers is crucial. All who have ever worn the badge feel your loss. Our communities share your pain. Ultimately, society feels the tremor of the tragic death of one who commits their life to holding the thin line between peace and chaos, for standing for something good.

I knew Sergeant Deng. He stood the line between right and wrong, darkness and light. I saw him face challenges and danger with unwavering resolve. He brought order to chaos and offered hope in times of despair. He was always quick to defend, often choosing action over caution.

He railed against injustice. I know he stood in loyalty and faced conflict shoulder-to-shoulder with his brothers and sisters and proudly committed to being a small part of a greater cause.

His absence will forever be a void in the lives that he touched. We commit ourselves to the eternal memory and honor of his life.

It is with great sadness in our hearts that we offer our support to you and your department at this tragic time.

Sincerely,

Manuel Alvarez, Jr.

MANUEL ALVAREZ, JR.
Executive Director

MA:be

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

POST

GAVIN NEWSOM
GOVERNOR

ROB BONTA
ATTORNEY GENERAL

July 18, 2025

Jeff Macomber, Secretary
California Department of
Corrections and Rehabilitation
9272 Laguna Springs
Elk Grove, CA 94283-0001

Dear Secretary Macomber:

On behalf of the California Commission on Peace Officer Standards and Training (POST) and all our staff, please accept our heartfelt condolences on the tragic loss of Parole Agent Joshua Lemont Byrd.

We are deeply saddened by this profound loss. Parole Agent Byrd's service and sacrifice reflect the highest ideals of the law enforcement profession. His dedication to protecting the community will be remembered with honor and gratitude.

We recognize that such a loss deeply affects not only your agency but also the broader law enforcement family across the state. Please know that POST stands in solidarity with you during this time of sorrow.

We extend our sincere support to you and your agency as you navigate this period of grief and remembrance.

Sincerely,

MANUEL ALVAREZ, JR.
Executive Director

MA:be

860 Stillwater Road, Suite 100 · West Sacramento, CA 95605-1630 · 916 227-3909 · Fax 916 227-3895 · www.post.ca.gov

AGENDA ITEM REPORT

Title: POST2305110 - BRIAN KAWAMOTO (POST ID: C34-D38)
**LAST EMPLOYING AGENCY: TORRANCE POLICE DEPARTMENT **

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Professional Conduct Los Angeles Bureau	
RESEARCHED BY Robert Bringolf		**REVIEWED BY** Mike Radford
REPORT DATE	**APPROVED BY**	**DATE APPROVED**
PURPOSE		**FINANCIAL IMPACT** No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Commission for review and action regarding the subject peace officer's certification status. The Commission shall return any determination requiring action to be taken against an individual's certification to the Peace Officer Standards Accountability Division (Division), which shall initiate proceedings for a formal hearing before an administrative law judge in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), which shall be subject to judicial review as set forth in that Act.

BACKGROUND:

Respondent Brian Kawamoto began his employment with Torrance Police Department (TPD) on November 17, 2014, as a full-time Police Officer. At the time of the events at issue, Respondent was employed as a Police Officer with the TPD. Respondent was discharged from his position with TPD on October 4, 2022. The Respondent is not currently employed as a peace officer in the State of California.

This position is a peace officer position defined under California Penal Code §830.1(a) and is required to be certified pursuant to California Penal Code §13510.1(a). The case before the Commission alleges the Respondent, on five separate occasions, either sent or replied to text messages which were deemed as demonstrating bias as defined in Commission Regulation 1205(a)(5).

ANALYSIS:

The Division found that the clear and convincing evidence substantiated that Respondent's conduct amounted to demonstrating bias as described in Commission Regulation 1205(a)(5), in that on five separate occasions, Respondent either sent or replied to text messages, which are inconsistent with Respondent's obligation to carry out his duties in a fair and unbiased manner. The Division finds all of the messages were examples of the Respondent's repetitive misconduct which confirms the Respondent violated TPD's policies on several occasions relating to inappropriate speech and unprofessional conduct. In addition to violating the Department's policies with regard to prohibited speech, expression, and conduct, clear and convincing evidence exists that Respondent violated California Penal Code section 13510.8(b)(5) and Commission Regulation 1205(a)(5) - Demonstration of Bias.

RECOMMENDATION:

The Commission shall review recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) regarding, what action if any, should be taken, suspension or revocation, on the certification of the subject peace officer. The Commission's decision to adopt a recommendation by POSAAB to seek revocation shall require a two-thirds vote of Commissioners present and shall be based on whether the record, in its entirety, supports POSAAB's conclusion that serious misconduct has been established by clear and convincing evidence. In any case in which the Commission reaches a different determination than POSAAB's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

ATTACHMENT(S):

BR01_POST2305110_Kawamoto_Brian_ISF.pdf
BR02_POST2305110_Kawamoto_Brian_Attachment_A_ExecReviewDivisionRec (1).pdf
BR03_POST2305110_Kawamoto_Brian_Attachment_B_POSTProfile (1).pdf
BR04_POST2305110_Kawamoto_Brian_Attachment_C_Termination Letter.pdf
BR05_POST2305110_Kawamoto_Brian_Attachment_D_TranscriptExcerpts.pdf
BR06_POST2305110_Kawamoto_Brian_Attachment_E_TextMessages.pdf
BR07_POST2305110_Kawamoto_Brian_Attachment_F_TorrancePolicies.pdf
POST2305110_Kawamoto_Brian_July_2025_POSAAB_Agenda_Record.pdf.pdf
POST2305110_Kawamoto_Brian_Board_Recommendation_Signed.pdf
POST2305110_Kawamoto_Brian_Transcript_Board_07.16.25.pdf



INVESTIGATIVE SUMMARY AND FINDINGS

PEACE OFFICER NAME: Brian Keith Kawamoto

POST ID NUMBER: C34-D38

EMPLOYING AGENCY: Torrance Police Department

POST CASE NUMBER: POST2305110

WRITTEN BY: LEC Robert Bringolf

DATE: 04/11/2025

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I. Executive Summary

This case was submitted by the Torrance Police Department (TPD) which alleged the subject officer, Officer Brian Keith Kawamoto, hereinafter, "Respondent," was involved in serious misconduct when he sent text messages that contained racist, homophobic and transphobic sentiments which demonstrated his bias and inability to fairly and impartially perform his duties as a peace officer.

II. Background Information

a. Identity of Respondent

At the time of the events at issue, Respondent was employed as a Police Officer with the TPD. The Respondent was terminated from the TPD on October 4th, 2022.

b. Respondent's Service Record, Relevant Training, and Prior Complaints and Discipline

When evaluating whether suspension or revocation is appropriate, Penal Code section 13510.8(c)(5) and California Regulation section 1213(a)(5) authorize the Commission to consider Respondent's prior conduct, discipline and service record. The relevance and weight the Commission may choose to assign to a peace officer's prior conduct and service record will depend on the facts in each case.

Respondent had no disciplinary actions on file with the Torrance Police Department and his most recent performance review indicated that his performance was generally meeting standards or above standards.

While employed as a peace officer, or deputy trainee, Respondent received the following training relevant to this allegation:

- Basic Police Academy
- Racial Profiling

- Racial Profiling Update – 4 Hours – 03/12/2019

c. Prior Employment History

Respondent began his law enforcement career with the San Bernardino County Sheriff's Office as a deputy sheriff on March 12, 2011; Respondent was hired by the Torrance Police Department on November 17, 2014. Respondent was terminated from the Torrance Police Department on October 4, 2022.

d. Peace Officer Certification

Respondent is assigned POST ID C34-D38. He received the following peace officer certificates from the Peace Officer Standards and Training (POST):

- Basic #145522 (Issued: March 26, 2012)
- Intermediate #122441 (Issued: March 19, 2013)
- Advanced #113286 (Issued: March 20, 2017)

e. The Present Allegations of Serious Misconduct

1. ***Penal Code Section 13510.8(b)(5), as clarified by Commission Regulation 1205(a)(5)[1] – Demonstrating Bias:***

> (a)(5) Demonstrating bias on the basis of actual or perceived race, national origin, religion, gender identity or expression, housing status, sexual orientation, mental or physical disability, or other protected status in violation of law or department policy or inconsistent with a peace officer's

[1] See 11 Cal. Code Regs. § 1205(a)(5) (as modified on April 18, 2024).

obligation to carry out their duties in a fair and unbiased manner. This paragraph does not limit an employee's rights under the First Amendment to the United States Constitution.

(A) An officer is “demonstrating” bias for purposes of this Regulation when the officer either shows or displays, by words, actions or other conduct, prejudice, intolerance, contempt, or hatred towards one or more persons due to that person's membership within a class of persons identified in Penal Code section 13510.8(b)(5), when such words, actions or other conduct would lead a reasonable person to conclude that the officer has not fairly and impartially performed, or will not fairly and impartially perform, their law enforcement duties.

(B) An officer engaging in racial profiling in violation of Penal Code section 13519.4 is demonstrating bias because profiling casts suspicion on a class of people without individualized suspicion as to the person being stopped.

III. Investigative Methodology

This report summarizes the findings related to allegations of serious misconduct. This investigation was conducted in accordance with the regulations and policies of POST. The investigation included the review of TPD’s administrative investigation which contained interviews of witness officers and the subject officer. The TPD also provided the Peace Officer Standards Accountability Division (Division) the raw data seized from the cellular telephones of other Torrance Police Officers during a criminal investigation.

Information obtained was analyzed using the clear and convincing evidence standard. For purposes of this report, clear and convincing evidence means "evidence of a charge is clear and convincing so long as there is a 'high probability' that the charge is true. The evidence need not establish a fact beyond a reasonable doubt."

This report is necessarily summary in nature and does not include every fact or issue that might be found in the underlying investigation and attachments.[2] It does, however, contain reference to that evidence that I believe establishes the requisite facts, and proves the serious misconduct charged, by clear and convincing evidence.

IV. Factual Summary

On March 26, 2023, Torrance Police Department (TPD) reported allegations of serious misconduct against Respondent to POST pursuant to California Penal Code Section 13510.9(a)(3). The allegations stemmed from the discovery of homophobic, transphobic and racist texts sent between members of the TPD between May 2018 and February 2022.

On January 27, 2020, two other Torrance Police Officers, Christopher Tomsic and Cody Weldin, were the subject of a criminal investigation wherein it was alleged they had vandalized an arrestee's vehicle by, among other means, spray painting a swastika and a smiley face on the interior of the arrestee's vehicle during an inventory/search.[3]

[2] The Division, as described further below, received information concerning approximately 390 messages exchanged between several peace officers. Respondent both received and responded to a certain subset of these 390 messages. The Division also reviewed instances where Respondent's words, acts or other conduct did **not** demonstrate bias by clear and convincing evidence. The Division's Investigative Summary and Findings in this case does not attempt to summarize every single instance in which Respondent sent or received a message, however. Instead, the Division's Investigative Summary and Findings addresses specific messages where Respondent's words, acts or other conduct demonstrated bias within the meaning of Penal Code section 13510.8(b)(5).

[3] On Thursday April 10, 2025, Officers Tomsic and Weldin plead guilty to felony vandalism. They will spend two years on probation and must give up their right to serve as law enforcement officers in California as well as complete 100 hours of community service and 15 hours of anti-racism training.

As a result of the criminal investigation, Torrance Police Detectives obtained a search warrant for Tomsic's and Weldin's DNA and their personally owned cellular telephones.

The data from the cellular telephones was provided to an analyst at the Los Angeles County District Attorney's Office for review and with the intent to determine whether the two suspect officers had any ties to white supremacy.

During the review of the data, the District Attorney's analyst discovered around 390 messages that were believed to contain or reference antisemitic, homophobic, racist, or transphobic remarks. Those messages were sent between Tomsic, Weldin and several other officers, including Respondent.

On **March 25, 2019**, in a direct text with Officer Weldin, Officer Weldin texted, "Just had a shooting." Respondent replied, "Fuck," and, "I trust y'all have them moon crickets[4] in custody in no time!"

On **May 2, 2019**, Officer Weldin texted Respondent directly, "If it's any consolation, I like sober 'beating-up-savage monkeys' Brian, and I also like drunk 'hood-rat-shit-with-my-friends' Brian." Respondent replied, "Well I appreciate that lol."

On **September 10, 2019**, Respondent texted officers Weldin, Tomsic, and Alonso a photo of coffins saying, "This is from the coffin display at rice mortuary. Look at the one on the bottom." Weldon responded, "For all them nigglets we put down." Respondent replied, "Haha yeah, I got a water heater box that's just as good I can sell you for the half the price if you're interested though."

On **November 19, 2019**, Respondent texted Officer Weldin, "Happy birfday, nigga!" Weldin responded, "Just making sure you don't go to that location due to the fact that they have 7 fewer employees now to serfe up some spicy chicken sandwiches[.]" Respondent

[4] "Moon Cricket is a racial slur against black people. The exact origin is obscure. One theory suggests it began with US slaves, who sang as a pastime – an act of community and resistance- at night after their labor – Source: dictionary.com

sent, “Good call. What’s the game plan for your birthday?” Weldin texted, “Make money, beat niggas[.]” Respondent replied, “I know nothing puts a bigger smile on yo grill.”

On **December 24, 2019**, Respondent texted an image meme[5] to Officers Alonso, Tomsic, and Weldin. In that image meme there were three Christmas-related images (a star for the top of a Christmas tree, a Christmas ornament, and a candy cane) and an old black and white image of a Black person (appearing to be a slave). On the top of the image meme were the words, “Which one doesn’t belong?” at the bottom of the meme were the words, “That’s right, you don’t hang the star”.

On April 1, 2022, Respondent was interviewed as part of a large-scale internal affairs investigation stemming from the discovery of the above-mentioned messages. During the interview Respondent was advised of his Constitutional Rights per 3303(h) of the Government Code. Respondent invoked his right to remain silent and was compelled to provide a statement. The interviewer admonished Respondent pursuant to *Lybarger*[6] and then the interview continued.

During the internal affairs investigation Respondent provided his cellular telephone number to the investigator[7]. Respondent advised he had a work cell phone for an abbreviated time while he worked for TPD. Respondent stated his wife would occasionally use his phone, but it was safe to say that all the messages were his[8]. Respondent told investigators that he did not allow others to send text messages from his phone and that he used the cell phone to send and receive text messages to and from Torrance Police Department co-workers.

[5] an image, video, piece of text, etc., typically humorous in nature, that is copied and spread rapidly by internet users, often with slight variations.
[6] *Lybarger v. City of Los Angeles,* 40 Cal. 3d 825 (1985).
[7] Attachment D: Respondent Transcripts 4/01/22 Interview Pg 7.
[8] Attachment D: Respondent Transcripts 4/01/22 Transcript Pg 7.

City of Torrance and TPD Policies

Penal Code Section 13510.8(b)(5) and Commission Regulation 1205(a)(5) both establish that the demonstration of bias in violation of department policy constitutes serious misconduct. The City of Torrance and the TPD enforce several policies relating to the conduct of their employees. What follows is a summary of some of the most relevant policies which relate directly to Respondent's conduct in this case:

- The Law Enforcement code of Ethics, Policy 104 states "I WILL keep my private life unsullied as an example to all…. I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service."

- The City's Anti-Harassment Policy 34.10a, Protected Classifications prohibits harassment or discrimination because of an individual's protected classification. This classification includes race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation. Harassment can consist of virtually any form or combination of verbal, physical, visual or hostile work environment conduct. It need not be explicit, nor even specifically directed at the victim.

- The City's Anti-Harassment Policy 34.10d, Visual or Written Harassment prohibits the display or circulation of offensive or derogatory visual or written material related to race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation. This may

include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

- The City's Anti-Harassment Policy 134.05 requires that all City employees shall immediately report any evidence of discriminatory harassment or complaints regarding sexual harassment made to them or which they have directly observed whether or not reported by the employee who is the object of the harassment to their supervisor, manager, or to the Human Resources Division.

- The City's Anti-Harassment Policy 134.15 states it is the employee's responsibility to report any conduct which fits the definition of discriminatory harassment to their immediate supervisor or appropriate authority figure.

- General Orders 1.10.3(B), 2.01.1(A), 2.33.1(D) explain the Department's philosophy and expectations of personnel in their service to the community. Section 1.10.3(B) Service to the Community, emphasizes the rules and regulations of the Department such as maintaining a professional attitude and demeanor that will not in any manner communicate any personal prejudices. In addition, members of the Department shall avoid behavior which would tend to bring about criticism of the Department. Conduct, whether on or off duty, shall be such as to merit the respect and confidence of the public. General Order 2.01.1(A) explains it is the duty of all employees to familiarize themselves with and abide by Department rules and regulations. Employees who fail to comply are subject to disciplinary action up to and including termination. General Order 2.33.1(D) defines prohibited speech, expression, and conduct which tends to compromise or damage the mission, function, reputation, or professionalism of the TPD or its employees, such as speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as

a witness, and additionally speech or expression that is contrary to the Mission Statement or Core Values of the TPD.

- TPD policies 319.4, 319.5.7(i), 319.5.8, 319.5.9, 401.2, 401.3, 1021.4 - TPD Policy Manual 319.5.8(i) prohibits any act on or off duty that brings discredit to the department. TPD Policy 319.5.9(g) prohibits the use of obscene, indecent, profane or derogatory language while on duty or in uniform; and 319.5.9(m) prohibits any other on duty or off duty conduct which any member knows or reasonably should know is unbecoming a member of the department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members. Furthermore, TPD Policy Manual 401.2 states the TPD is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of the TPD to provide law enforcement services and to enforce the law equally, fairly, and objectively and without discrimination toward any individual group. TPD Policy Manual 401.3 prohibits bias based policing.

On October 4, 2022, the City of Torrance, CA sent Respondent a letter of intent to terminate his employment as a police officer with TPD. In the letter, authored by then-Assistant City Manager Danny E. Santana, Respondent's involvement in the above-listed messages was classified as racist, and TPD terminated Respondent based on Respondent's violation of several Torrance Police Department Policies.

On May 8, 2023, the Commission on POST's Assistant Executive Director, Annemarie Del Mugnaio issued an immediate temporary suspension for Respondent's POST Certification.

V. Analysis and Findings

a. Establishing Jurisdiction

The Commission on POST may initiate proceedings to revoke or suspend a peace officer's certification for conduct which occurred before January 1, 2022 if the employing agency makes a final determination regarding its investigation of the misconduct after January 1, 2022.[9]

The final determination in this allegation of serious misconduct resulted in Respondent's termination, which occurred on October 4, 2022.[10] The investigation was still ongoing after January 1, 2022 as evidenced by Respondent's internal affairs investigation interview on April 1, 2022.[11] Because the TPD made its final determination regarding its investigation of Respondent after January 1, 2022, the Commission on POST has jurisdiction to consider this serious misconduct action.

b. Does the alleged conduct violate Penal Code 13510.8(b)(5) and California Regulation 1205(a)(5) – Demonstration of bias on the basis of race?

When analyzing the serious misconduct allegation of Penal Code section 13510.8(b)(5) and Regulation 1205(a)(5), "demonstrating bias," the Division evaluates whether the subject officer, through words, action or other conduct showed prejudice, intolerance, contempt or hatred towards a protected class of persons. If the subject officer did show prejudice, intolerance, contempt or hatred towards a protected class of persons, the Division then considers whether the words, action or conduct would lead a reasonable person to conclude that the officer has not or will not fairly and impartially perform the

[9] California Penal Code section 13510.8(g)(1)(B).
[10] Termination letter dated October 4, 2022, Pg 1.
[11] Compendium file, Respondent's Interview Transcripts.

officer's law enforcement duties. If so, serious misconduct is shown if the officer's words, action or conduct either: 1) violates applicable law, 2) violates department policy, or 3) is inconsistent with the officer's obligation to carry out the officer's duties in a fair and unbiased manner.

During the analysis of each instance of potentially biased behavior, the conduct was analyzed based on the above guidelines to determine whether the allegation of bias was true to a clear and convincing standard.

Regarding the **March 25, 2019** message between Respondent and Officer Weldin, Weldin texted Respondent stating, "Just had a shooting". Respondent replied, "Fuck" and, "I trust y'all have them moon crickets in custody in no time!" During Respondent's internal affairs interview, when asked about his use of the term "moon crickets," Respondent stated the following: "So moon crickets is a word that…I heard it like in training or something once that I thought was funny, but refers to Black people and I don't know why specifically I said that, but yeah, I shouldn't have sent that either, sir. It's offensive."[12] When the internal affairs investigator asked if the March 25, 2019 message represented the only time when Respondent ever used the term "moon cricket" when referring to Black people, Respondent answered: "Probably not sir."[13]

As Respondent acknowledged during his internal affairs interview, the exchange between Officer Weldin and Respondent is inherently offensive. It is also racist. Respondent's conduct, in sending the message "I trust y'all have them moon crickets in custody in no time!" shows prejudice and intolerance towards a protected class of persons. Respondent's message also violated

[12] Attachment D: Respondent Transcripts 4/01/22 Interview Pg 43.
[13] Attachment D: Respondent Transcripts 4/01/22 Interview Pg 45.

several of the Torrance Police Department's policies, including but not limited to: TPD's Anti-Harassment Policies (34.10 through 34.25, and 134.05 through 134.20), and General Orders 1.10.1, 1.10.3(B) and 2.33.1(D). Even when viewed in the light most favorable to Respondent, the racist epithet used to describe the suspects in a shooting who might be subject to enforcement action from the Torrance Police Department necessarily erodes the public's confidence in Respondent's ability to fairly perform his law enforcement duties. A reasonable person would conclude that Respondent's message shows Respondent has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community, specifically because Respondent makes a statement indicating he assumed the suspects in the shooting would be black without possessing any other information about the crime.

Regarding the **May 2, 2019** text in which Officer Weldin texted Respondent directly, "If it's any consolation, I like sober 'beating-up-savage monkeys' Brian, and I also like drunk 'hood-rat-shit-with-my-friends' Brian." Respondent replied, "Well I appreciate that lol." This message is another example of the use of a racist epithet and an indication of a use of force on a protected class of persons. When Respondent was asked what Officer Weldin meant when he texted: "…I like sober beating up savage monkeys…", Respondent answered: "*Sounds like he's referring to beating up black people, sir.*"[14]

While the racist epithet was not used by Respondent, his reply to Officer Weldin "[w]ell I appreciate that lol" indicates a tacit approval of the use of dehumanizing and racist language and shows intolerance and prejudice toward black people. It is also reasonable to believe that Officer Weldin is indicating Respondent is

[14] Attachment D: Respondent Transcripts 4/01/22 Interview Pg 66.

known for using physical force against black people, or that using physical force against black people is a foregone conclusion between these two officers. This message exchange violated several of the Torrance Police Department's policies, including but not limited to: TPD's Anti-Harassment Policies (34.10 through 34.25, and 134.05 through 134.20), and General Orders 1.10.1, 1.10.3(B) and 2.33.1(D). After reading this message exchange, a reasonable person would conclude that Respondent has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

Regarding the **September 10, 2019** text in which Respondent texted Officers Weldin, Tomsic and Alonso a photo of coffins saying, "This is from the coffin display at rice mortuary. Look at the one on the bottom." Weldon responded, "For all them nigglets we put down." Respondent replied, "Haha yeah. I got a water heater box that's just as good I can sell you for half the price if you're interested though". When asked during his internal affairs interview what Officer Weldon meant when he texted "[f]or all the nigglets we put down," Respondent answered: "[i]t sounds like [Officer Weldin is] talking about being for all the black children that he said we've put down."[15] The internal affairs investigator then asked what Respondent believed the term "nigglets" meant. Respondent answered: "I think it refers to black children. I think he's mixing the N word with piglet type of thing."[16]

I find this is another example of a pervasive theme among Respondent and several of his coworkers. I find that a reasonable person would consider the use of the term "nigglets" to be racist and an explicit demonstration of bias.

[15] Attachment D: Respondent Transcripts 4/01/22 Interview Pg 39.
[16] Attachment D: Respondent Transcripts 4/01/22 Interview Pg 39.

Further, the officers make jokes about a cardboard box being used for all the "nigglets [they] put down." I find a reasonable person here would infer that the officers were saying the cardboard coffins were for all of the black children the officers have killed or will kill. The fact that Respondent laughed, agreed, and then offered a "water heater box" as an alternative shows participation in joking about killing black children and using cardboard coffins to bury the decedents. Further, it is inferred they are making light of fatal police enforcement contacts involving black people. I find this text and perpetuation of the discourse to be an explicit demonstration of bias, which is inconsistent with Respondent's obligation to carry out his duties in a fair and unbiased manner. This message exchange also violated several of the Torrance Police Department's policies, including but not limited to: TPD's Anti-Harassment Policies (34.10 through 34.25, and 134.05 through 134.20), and General Orders 1.10.1, 1.10.3(B) and 2.33.1(D). A reasonable person, after viewing the disparaging communications between these officers, would conclude that Respondent has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

Regarding the **November 19, 2019**, text conversation in which Respondent texted Officer Weldin, "Happy birfday, nigga!" Weldin responded, "Just making sure you don't go to that location due to the fact that they have 7 fewer employees now to serfe up some spicy chicken sandwiches[.]" Respondent sent, "Good call. What's the game plan for your birthday?" Weldin texted, "Make money, beat niggas[.]" Respondent replied, "I know nothing puts a bigger smile on yo grill."

I find this is another example of a pervasive theme among Respondent and several of his coworkers in which they mock black people. These messages are inherently offensive and racist. The messages also violated several of the Torrance Police Department's policies, including but not limited to: TPD's Anti-

Harassment Policies (34.10 through 34.25, and 134.05 through 134.20), and General Orders 1.10.1, 1.10.3(B) and 2.33.1(D). Respondent's conduct, in sending the message shows prejudice and intolerance towards a protected class of persons. Even when viewed in the light most favorable to Respondent this message erodes the public's confidence in Respondent's ability to fairly perform his law enforcement duties. A reasonable person would conclude that Respondent's message shows Respondent has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

These types of statements and messages discredit the Torrance Police Department in potentially irreparable ways and violated several of the Torrance Police Department's policies, including but not limited to: TPD's Anti-Harassment Policy (34.05, et seq.), and General Orders 1.10, 1.10.3(B) and 2.33.1(D).[17] Accordingly, the Division finds that Respondent demonstrated bias within the meaning of Penal Code section 13510.8(b)(5) and Regulation 1205(a)(5) when he sent the above-listed text messages.

Regarding the **December 24, 2019** text in which Respondent sent an image meme to Officers Alonso, Tomsic and Weldin which referenced hanging a person. In that image meme there were three Christmas-related images (a star for the top of a Christmas tree, a Christmas ornament, and a candy cane) and an old black and white image of a Black person (appearing to be a slave). On the top of the image meme were the words, "Which one doesn't belong?" at the

[17] Attachment F: Torrance Policies

bottom of the meme were the words, “That’s right, you don’t hang the star.” After Officer Weldin replied “I done nearly pissed myself”, Respondent texted “Happy kwanza (sic)”. When asked by the internal affairs investigator if he remembered sending the messages, Respondent replied: “*Yes, sir, I do. There’s no excuse. I understand it’s offensive…*”[18] The internal affairs investigator subsequently asked Respondent whether this message was disparaging or discriminatory towards Black people. Respondent replied: “*I feel like it was offensive to Black people…Because it’s making references to when Black people had been hung in the perspective*.”[19]

This image and the messaging associated with the image is inherently offensive and racist. The image and messages also violated several of the Torrance Police Department’s policies, including but not limited to: TPD’s Anti-Harassment Policies (34.10 through 34.25, and 134.05 through 134.20), and General Orders 1.10.1, 1.10.3(B) and 2.33.1(D). Respondent himself acknowledged that he knew the message “was offensive to Black people.” Respondent’s conduct, in sending the message shows prejudice and intolerance towards a protected class of persons. Even when viewed in the light most favorable to Respondent, sending a picture of a black person and suggesting that the black person should be hanged, followed by the message “Happy kwanza (sic)” is unequivocally racist and erodes the public’s confidence in Respondent’s ability to fairly perform his law enforcement duties. A reasonable person would conclude that Respondent’s message shows Respondent has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

[18] Attachment D: Respondent Transcripts 4/01/22 Interview Pg 22.
[19] Attachment D: Respondent Transcripts 4/01/22 Interview Pg 23.

These types of statements and messages discredit the Torrance Police Department in potentially irreparable ways and violated several of the Torrance Police Department's policies, including but not limited to: TPD's Anti-Harassment Policy (34.05, et seq.), and General Orders 1.10, 1.10.3(B) and 2.33.1(D).[20] Accordingly, the Division finds that Respondent demonstrated bias within the meaning of Penal Code section 13510.8(b)(5) and Regulation 1205(a)(5) when he sent the above-listed text messages.

VI. Supporting Evidence and Documentation

Attachment "A" – Executive Review and Peace Officer Standards Accountability Division Recommendation

Attachment "B" - Respondent's EDI Report

Attachment "C" - Termination Letter

Attachment "D" – Excerpts from Respondent Transcripts 4/01/22 Interview

Attachment "E"- Text messages – sorted by date

Attachment "F" - Applicable Torrance Policies

VII. Findings

Based on the evidence that Respondent sent discriminatory texts in violation of TPD policies, and because a reasonable person would conclude that Respondent has not or will not perform his duties fairly and impartially as a result, the Division finds there is clear and convincing evidence that Respondent engaged in serious misconduct, to wit demonstrating bias in violation of Penal Code section 13510.8(b)(5) and Commission Regulation 1205(a)(5). Therefore, reasonable grounds exist to submit this case to the Peace Officer Standards Accountability Advisory Board and the POST Commission for consideration of suspension or

[20] See Torrance Policies

revocation of Respondent's POST certification in accordance with the Executive Review and Peace Officer Standards Accountability Division Recommendation.[21]

[21] See Attachment "A".

Commission on Peace Officer Standards and Training
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EXECUTIVE REVIEW & PEACE OFFICER STANDARDS ACCOUNTABILITY DIVISION RECOMMENDATION

DATE: May 1, 2025

CASE #: POST2305110

PEACE OFFICER: Brian Keith Kawamoto

POST ID#: C34-D38

AGENCY: Torrance Police Department

POST CONSULTANT / BC: Robert Bringolf / Mike Radford

ALLEGATION(S):

This case was submitted by the Torrance Police Department (TPD) which alleged the subject officer, Officer Brian Keith Kawamoto, hereinafter, "Respondent," was involved in serious misconduct when he sent text messages that contained racist, homophobic and transphobic sentiments which demonstrated his bias and inability to fairly and impartially perform his duties as a peace officer.

The Peace Officer Standards Accountability Division, Certification Executive Review Panel has reviewed the above referenced case involving alleged serious misconduct and has determined the following:

☒ There are reasonable grounds for suspension or revocation of a peace officer's certification.

POST determined clear and convincing evidence exists to show Respondent sent discriminatory messages in violation of TPD policies, and such messages contain bias speech wherein a reasonable person would conclude that Respondent has not or will not perform his duties fairly and impartially. As such, the Division finds there is clear and convincing evidence that Respondent engaged in serious misconduct, to wit demonstrating bias in violation of Penal Code section 13510.8(b)(5) and Commission Regulation 1205(a)(5).

☐ There is insufficient evidence to support a recommendation of revocation or suspension of certification.

William Darden Chief Legal Counsel	Signature	5/6/25 Date
Annemarie Del Mugnaio Assistant Executive Director	Signature	5/8/25 Date
Manny Alvarez Executive Director	Signature	05/09/2025 Date

cc: Bureau Chief Mike Radford

cc: Jason Morlock

cc: Chandler Knapp

cc:

POST PROFILE NAME:

KAWAMOTO, BRIAN KEITH

AKA: N/A

DATE: 04/23/2025

CALIFORNIA COMMISSION ON **POST**

Certification Status: Temporary Suspension

PERSONAL IDENTIFICATION

POST I.D.	Agency	Birth Date	Gender	Race/Ethnicity
C34-D38		[redacted]	[redacted]	[redacted]

CERTIFICATES AWARDED

Cert No.	Type	Awarded	Education	T	T+	Comments
145522	B	03/26/2012	0	46.00	0.00	Invalid
122441	I	03/19/2013	BS	46.00	4.00	Invalid
113286	A	03/20/2017	BS	0.00	0.00	Invalid

Total Number of Certificates: 3

EMPLOYMENT

Hired From	To	R*	Rank	Rank Date	Agency	Agency Name	F/P	P/U	Seas
03/12/2011	11/05/2014	1	DPTY	03/12/2011	36000	SAN BERNARDINO CO SD	F	P	
11/17/2014	10/04/2022	2	PO	11/17/2014	19720	TORRANCE PD	F	P	

***Reason for Separation: 1 = Resigned, 2 = Discharge**

POST CERTIFIED TRAINING

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
12/29/2010	K	2330-21165-10-007	8		Y	36000	S BRNDO SD	*	DRIVER TRNG (EVOC) UPD (PIT)
03/10/2011	A	2330-00100-10-001	920		Y	36000	S BRNDO SD		BASIC COURSE-INTENSIVE
03/23/2011	K	2330-21185-10-172	8		Y	36000	S BRNDO SD	*	USE OF FORCE UPDATE
07/20/2011	K	2330-21769-11-013	4		Y	36000	S BRNDO SD		FIRST AID REFRESHER
07/20/2011	C	2330-00300-11-013	4		Y	36000	S BRNDO SD		ADVANCED OFFICER COURSE
11/30/2011	C	2330-00300-11-095	2		Y	36000	S BRNDO SD		ADVANCED OFFICER COURSE
11/30/2011	K	2330-23093-11-017	2		Y	36000	S BRNDO SD		ELECTRONIC WEAPONS UPDATE
11/30/2011	K	2330-29501-11-017	4		Y	36000	S BRNDO SD	*	FIREARM(PSP)
03/05/2012	K	2330-29502-11-023	4		Y	36000	S BRNDO SD	*	DRIVING(PSP)
03/19/2012	C	2330-00300-11-160	4		Y	36000	S BRNDO SD		ADVANCED OFFICER COURSE
03/19/2012	K	2330-29503-11-011	4		Y	36000	S BRNDO SD	*	ARSTCTL(PSP)
07/17/2012	C	2330-00300-12-008	4		Y	36000	S BRNDO SD		ADVANCED OFFICER COURSE
07/17/2012	K	2330-21769-12-008	4		Y	36000	S BRNDO SD		FIRST AID REFRESHER
08/20/2012	K	9180-25554-12-051	2	X	Y	36000	POST	*	COMMUNICATION: KEEPING YOUR EDGE (WEB)
11/20/2012	C	2330-00300-12-083	8		Y	36000	S BRNDO SD		ADVANCED OFFICER COURSE
03/12/2013	C	2330-00300-12-143	8		Y	36000	S BRNDO SD		ADVANCED OFFICER COURSE
07/23/2013	C	2330-00300-13-013	4		Y	36000	S BRNDO SD		ADVANCED OFFICER COURSE
07/23/2013	K	2330-21769-13-013	4		Y	36000	S BRNDO SD		FIRST AID REFRESHER
12/09/2013	C	2330-00300-13-094	4		Y	36000	S BRNDO SD		ADVANCED OFFICER COURSE
12/09/2013	K	2330-23093-13-023	2		Y	36000	S BRNDO SD		ELECTRONIC WEAPONS UPDATE
12/09/2013	K	2330-29501-13-023	4		Y	36000	S BRNDO SD	*	FIREARM(PSP)
06/13/2014	C	2330-00300-13-206	4	X	Y	36000	S BRNDO SD		ADVANCED OFFICER COURSE
06/13/2014	K	2330-29503-13-065	4		Y	36000	S BRNDO SD	*	ARSTCTL(PSP)
07/29/2014	C	2330-00300-14-016	4	X	Y	36000	S BRNDO SD		ADVANCED OFFICER COURSE
07/29/2014	K	2330-21769-14-016	4	X	Y	36000	S BRNDO SD		FIRST AID REFRESHER
02/27/2015	K	2800-22405-14-001	8		Y	19720	TPD		OFFICER SAFETY/FIELD TACTICS UPDATE
05/30/2015	K	2800-29502-14-005	8		Y	19720	TPD	*	DRIVING(PSP)
08/27/2015	K	2800-21771-15-002	8		Y	19720	TPD		FIRST AID/CPR REFRESHER
09/07/2015	K	9180-25554-15-069	2	X	Y	19720	POST	*	COMMUNICATION: KEEPING YOUR EDGE (WEB)
09/17/2015	K	2800-29503-15-001	8		Y	19720	TPD	*	ARSTCTL(PSP)

POST PROFILE NAME:

KAWAMOTO, BRIAN KEITH

CALIFORNIA COMMISSION ON **POST**

Certification Status: Temporary Suspension

AKA: N/A

DATE: 04/23/2025

POST CERTIFIED TRAINING *continued*

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
09/18/2015	K	2800-23500-15-001	8	X	Y	19720	TPD		WEAPONLESS DEFENSE AND BATON
04/22/2016	K	2800-29501-15-010	8		Y	19720	TPD	*	FIREARM(PSP)
04/04/2017	K	9180-25554-16-278	2	X	Y	19720	POST	*	COMMUNICATION: KEEPING YOUR EDGE (WEB)
04/06/2017	K	2800-29503-16-007	8		Y	19720	TPD	*	ARSTCTL(PSP)
04/07/2017	K	2800-23500-16-006	8	X	Y	19720	TPD		WEAPONLESS DEFENSE AND BATON
05/19/2017	K	2540-31725-16-007	40	R	Y	19720	SOBAYRTC		FIELD TRAINING OFFICER
05/24/2017	K	4010-20899-16-028	16	R	Y	19720	LACDA	*	MENTAL ILLNESS AWARENESS
06/03/2017	K	2800-29502-16-014	8		Y	19720	TPD	*	DRIVING(PSP)
07/13/2017	K	2800-29501-17-001	8		Y	19720	TPD	*	FIREARM(PSP)
03/08/2018	K	2800-21798-17-006	8		Y	19720	TPD		FIRST AID/CPR UPDATE
05/03/2018	K	2800-22405-17-003	8	X	Y	19720	TPD		OFFICER SAFETY/FIELD TACTICS UPDATE
08/21/2018	K	2800-20315-18-001	8	X	Y	19720	TPD		DRUG ALCOHOL RECOGNITION UPDATE
10/06/2018	K	9180-25587-18-098	2	X	Y	19720	POST		VEHICLE PURSUIT POLICY (WEB)
10/16/2018	K	1820-20301-18-007	4	X	Y	19720	LASD		BREATH ALCOHOL TESTING DEVICE
12/15/2018	K	9180-25580-18-168	4	X	Y	19720	POST		DOMESTIC VIOLENCE: IT'S YOUR CALL, VOL. 1 (WEB)
03/12/2019	K	4890-23287-18-026	4	X	Y	19720	M TOLERNCE		RACIAL PROFILING UPDATE
04/11/2019	K	2800-29501-18-008	8		Y	19720	TPD	*	FIREARM(PSP)
09/28/2019	K	2800-29502-19-002	8		Y	19720	TPD	*	DRIVING(PSP)
12/01/2019	K	9180-25587-19-154	2	X	Y	19720	POST		VEHICLE PURSUIT POLICY (WEB)
02/20/2020	K	2060-31715-19-005	24	R	Y	19720	ORANGE SD		FIELD TRAINING OFFICER UPDATE
03/02/2020	K	1279-21519-19-006	8		Y	19720	STAS		HUMAN TRAFFICKING INVESTIGATIONS
07/30/2020	K	2800-21797-20-001	8		Y	19720	TPD		FIRST AID/CPR/AED REFRESHER
10/11/2020	K	9180-25589-20-103	2	X	Y	19720	POST		DV RESPONSE & LETHALITY ASSESSMENT (WEB)
11/06/2020	K	9180-25587-20-129	2	X	Y	19720	POST		VEHICLE PURSUIT POLICY (WEB)
03/26/2021	K	9180-25575-20-269	3	X	Y	19720	POST		SEARCH WARRANT FUNDAMENTALS (WEB)
06/23/2021	K	2800-29501-20-009	8		Y	19720	TPD	*	FIREARM(PSP)

***Meets Perishable Skills**

FOOTNOTES

NO FOOTNOTE ON FILE.

PLEASE REFER TO THE ENCLOSED EXPLANATION SHEET FOR ADDITIONAL INFORMATION.

COMMISSION ON POST – PROFILE REPORT

The Profile Report contains confidential information.

EXPLANATION SHEET

PERSONAL IDENTIFICATION: Subject's personal information as indicated in POST database (EDI system)	
POST ID:	Unique identification number assigned to subject by POST.
Agency:	Indicates the agency (or one of the agencies) where subject is currently employed. An "*" indicates that the subject is employed in more than one position within the same agency.
Birth Date/Gender:	Self-explanatory.
Race/Ethnicity:	**A** = Asian **B** = African American (Black) **N** = Native American **S** = Spanish/Hispanic **W** = White **O** = Other

CERTIFICATES AWARDED	
Cert:	Certificate serial number.
Type:	**B** = Basic **I** = Intermediate **A** = Advanced **S** = Supervisory **M** = Management **E** = Executive **R** = Reserve **D** = Public Safety Dispatcher **SX**= Specialized X (example: SA = Specialized Advanced)
Awarded:	Date certificate was issued.
Education:	Educational points or degree used for earning a certificate.
T:	Training points used for awarding the certificate.
T+:	Additional training points.
Comments:	Comments regarding training or institute(s) where subject received education.
Total Number of Certificates:	Number of certificates awarded to subject as indicated in POST database.

EMPLOYMENT: Subject's employment history as indicated in POST database	
Hired From:	Date subject was hired or sworn into the agency.
To:	Date subject left agency (if applicable).
R*:	Reason for separation as indicated by number in the Report description.
Rank / Rank Date:	Indicates rank as translated by POST database and date subject made rank.
Agency / Agency Name:	Agency code number and name where subject is currently working or previously worked.
F/P:	Time base: **F** = Full time **P** = Part time
P/U:	Wage status: **P** = Paid **U** = Unpaid
Seas:	Provisional or seasonal employment.

POST TRAINING: Courses attended or completed as indicated in POST database	
Comp Date:	Date course ended.
Cat:	General course category (for POST use only).
CCN:	Course Control Number.
Hrs:	Hours completed in course.
Rmb:	Reimbursement indicator: **R** = Reimbursed *(before FY 83/84 reimbursable agency not necessarily reimbursed)* **J** = Job specific * = Job specific, SALARY NOT PAID **Blank** = None or no data available
Cmp:	Completion indicator: **Blank or Y** = Course completed **N** = Course not completed **?** = Prior to 1979
Agency:	Agency where subject was employed at time of course enrollment.
School:	Training institute offering the course.
Course Name:	Course name as shown in POST database.

NON-CERTIFIED COURSES
This section will only appear if applicable.

FOOTNOTES
This section reserved for additional information.

CITY OF
TORRANCE

OFFICE OF THE CITY MANAGER

Aram Chaparyan
City Manager

Danny E. Santana
Assistant City Manager
310/618-5880
DSantana@TorranceCA.Gov

October 4, 2022

Officer Brian Kawamoto
[redacted]

RE: LETTER OF FINDINGS

Dear Officer Kawamoto:

Upon the authority of the City Manager, I am the designated Administrative Conference Chair in this matter. The purpose of this letter is to inform you that I concur with the recommendation of the Police Chief that you should be terminated. Your termination is effective October 4, 2022.

I. AUTHORITIES UPON WHICH THE DISCIPLINE IS BASED

I concur with the Chief's recommendation that your employment be terminated based on your violation of the following rules, regulations, orders, and/or policies, any of which, standing alone, or in combination with any other, would be sufficient to warrant your termination:

A. RULES THAT APPLY REGARDLESS OF DATE CONDUCT OCCURRED

1. Torrance Municipal Code, Chapter 4, Article 47, Section 14.47.1

A department head, with approval of the City Manager, for misconduct, incompetency, inefficiency, failure to perform duties or to observe the rules and regulations of his [or her] department or of the City: c) May discharge any such employee.

2. Law Enforcement Code of Ethics, Policy 104

I WILL keep my private life unsullied as an example to all…

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service.

3. City of Torrance Anti-Harassment Policies, Procedures, Protocols, and Events

a. 34.10a- Protected Classifications

> …Harassment can consist of virtually any form or combination of verbal, physical, visual or hostile work environment conduct. It need not be explicit, nor even specifically directed at the victim…

b. 34.10d- Visual or Written Harassment

> The display or circulation of offensive or derogatory visual or written material related to race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

c. 134.05- Anti-Harassment Procedure

> All persons shall immediately report any evidence of discriminatory harassment or complaints regarding sexual harassment made to them or which they have directly observed, whether or not reported by the employee who is the object of the harassment to their supervisor, manager, or to the Human Resources Division…

d. 134.15- Employees' Responsibilities

> Report any conduct which fits the definition of discriminatory harassment to their immediate supervisor or appropriate authority figure.

B. RULES APPLICABLE TO CERTAIN CONDUCT OCCURRING ON OR BEFORE APRIL 7, 2019

1. General Order 1.10 – Policing Philosophy

a. 1.10.3(B)- Service to the Community

The rules and regulations of the Department regarding police service in general, and public contact specifically, shall be as follows:

2. A police department employee shall maintain a professional attitude and demeanor that will not in any manner communicate any personal prejudices.

4. Members of the Department shall avoid behavior which would tend to bring about criticism of the Department. Conduct, whether on or off duty, shall be such as to merit the respect and confidence of the public.

2. General Order 2.01.1(A) – Employee Rules and Regulations

It is the duty of all employees to familiarize themselves with and abide by Department rules and regulations. Employees who fail to comply are subject to disciplinary action up to and including termination. Department employees shall:

4. Conduct themselves in a manner that does not create a conflict of interest with or is detrimental to the Department.

3. General Order 2.33 – Social Media

a. 2.33.1(D)- Prohibited Speech, Expression, and Conduct

To meet the Department's safety, performance, and public-trust needs, the following is prohibited unless the speech is otherwise protected…:

2. Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Torrance Police Department and tends to compromise or damage the mission, function, reputation, or professionalism of the Torrance Police Department or its employees.

3. Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.

5. Speech or expression that is contrary to the Mission Statement or Core Values of the Torrance Police Department.

C. RULES APPLICABLE TO CERTAIN CONDUCT OCCURRING ON OR AFTER APRIL 9, 2019

1. Standards of Conduct (General Standards) Policy 319.4

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California Constitutions and all applicable laws, ordinances and rules

enacted or established pursuant to legal authority. Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

2. **Standards of Conduct (Causes for Discipline) Policy 319.5.1(a) – Laws, Rules and Orders**

   (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.

3. **Standards of Conduct (Performance) Policy 319.5.7(i) – Actions that Discredit Torrance Police Department**

   Any act on or off duty that brings discredit to this department.

4. **Standards of Conduct (Conduct) Policy 319.5.8**

   (f) Discourteous, disrespectful, or discriminatory treatment of any member of the public or any member of this department or the City.

   (g) Use of obscene, indecent, profane, or derogatory language while on-duty or in uniform.

   (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency, or morale, or tends to reflect unfavorably upon this department or its members.

5. **Employee Speech, Expression, and Social Networking Policy 1021.4 [1]-- (Prohibited Speech, Expression and Conduct)**

   (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Torrance Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Torrance Police Department or its employees.

   (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.

[1] From January 14, 2020 – May 5, 2020, this policy was re-numbered as 1022.4. All text remained identical.

(e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Torrance Police Department.

II. FACTS SUPPORTING THE CHARGES

Between February and March 2020, detectives from the Torrance Police Department (TPD) conducted an investigation into a vandalism report filed by an individual whose vehicle was vandalized in the process of being impounded. Detectives determined that two TPD officers - Cody Weldin and Christopher Tomsic - were suspects for the vandalism. On March 3, 2020, the investigation was reassigned to Crimes against Persons Sergeant J. Masalcas who was assisted by Special Investigations Unit Sergeant J. Taylor. During Sergeant Masalcas' investigation, he obtained a search warrant for the contents of the personal cellphones of Weldin and Tomsic. Upon the successful extraction of information from the phones, Sergeants Masalcas and Taylor found evidence implicating both officers in the vandalism incident. Detectives submitted the completed criminal investigation to the Los Angeles District Attorney's Office and requested the filing of criminal charges on both officers.

On or about August 16, 2021, the Los Angeles County District Attorney's Office ("LADA") notified TPD that concerning electronic messages were discovered on officers' cellphones. Allegedly, multiple TPD officers exchanged these concerning electronic messages. The LADA's analysis revealed approximately 390 messages containing or referencing discriminatory topics, including but not limited to anti-Semitic, racist, homophobic, and transphobic remarks. The LADA identified you as one of the officers involved in the exchange of these messages. TPD subsequently opened an administrative investigation into the LADA's concerns.

The data revealed that during the period from approximately March 2019 through February 2020, while both on and off duty, you sent or interacted with (for example, by 'liking', commenting upon, or otherwise reacting to) approximately sixteen text messages that contained biased, discriminatory, racially/ethnically insensitive, and otherwise inappropriate text messages to other members of TPD. The texts were as follows:[2]

3/25/2019	Officer Cody Weldin texted you saying he "Just had a shooting". You responded, "Fuck" and "I trust y'all have them moon crickets in custody in no time!"
4/19/2019	You sent a YouTube video titled "MeowMewNig" to Officers Weldin and Tomsic, where the person in the video yells, "*meow meow nigga*".

[2] I agree that this does not represent an exhaustive list of the text messages that you exchanged or that are inappropriate on multiple levels. This is however a list of messages that were most clearly inappropriate and in which you actively participated.

4/19/2019	You sent a YouTube video titled "The cat behind the slaughter" which depicts photos of sets of cats with multiple uses of the "N" word to describe each set based on their characteristics.
5/2/2019	Officer Weldin texted you saying "If it's any consolation, I like sober 'beating-up-savage monkeys' Brian, and I also like drunk 'hood-rat-shit-with-my-friends' Brian". You replied, "Well I appreciate that lol"
7/18/2019	Officer Weldin texted you a photo of a small Black child in a fish tank, with the caption "Pet niguana $50 Detroit, MI (48202) This must go. Today. HMU," with a comment, "Brian, looks like a pet monkey can be affordable for you." You replied, "Oh Omar lol," "I mean Christopher." And shortly after followed up with, "Hahahaha … the best part is she didn't learn it from me!"
9/10/2019	You texted Officers Weldin, Tomsic, and Alonso a photo of coffins saying, "This is from the coffin display at rice mortuary. Look at the one on the bottom." Weldin responded, "For all them nigglets we put down." You then replied, "Haha yeah. I got a water heater box that's just as good I can sell you for half the price if you're interested though."
9/12/2019	Officer Weldin texted you and Officers Tomsic and Alonso a cartoon that referenced racial stereotypes and depicted a Black male stabbing a white female and stealing her purse. You responded with a gif of the actor Jack Nicholson laughing.
10/7/2019	Officer Weldin texted you a video involving different photos of Johnny Depp, where the narrator uses the "N" word to describe each photo. The "N" word is used over a dozen times in the video. You replied, "Johnny has a lot of hits."
10/12/2019 (on-duty)	You sent a photo to Officers Tomsic, Weldin, and Alonso saying, "I, (and a ninja face in the shape of a heart) ninjas." On the photo the "n" and the "j" are crossed out and below them is a double "g" handwritten in to spell out the word "nigga." Weldin responded "my man" and you reply, "Hahahaha, never pass up an opportunity like dat."
10/18/2019 (on-duty)	Officer Weldin texted you and Alonso "Got this nigga". You 'liked' the text.
11/5/2019	You texted Officer Weldin saying, "Nigga C-dub, you need anything for your party? Should be available, my nigga…"
11/10/2019	You texted Officer Weldin, "Nigga, you got Netflix?"
11/19/2019	You texted Officer Weldin, "Happy birfday, nigga!" Weldin responded, "Just making sure you don't go to that location due to the fact they have 7 fewer

	employees now to serve up some spicy chicken sandwiches." You texted back, "Good call. What's the game plan for your birthday?" Weldin responded, "Make money, beat niggas." To which you replied, "I know nothing puts a bigger smile on yo grill."
11/21/2019	Officer Weldin texted you, "Happy Birthday big nigga. Hope yo day is filled with collard greens, fights over the last Popeyes spicy chicken sandwich, and all the government cheee yo big black heart desires." You texted back, "I appreciate it, brotha. The seal on the henny is already broken!"
12/24/2019	You texted Officers Tomsic, Weldin, and Alonso a photo with a star, a Christmas ornament, a candy cane, and a picture of an African American person. The image title stated, "Which one doesn't belong?" and at the bottom of the image stated, "That's right. You don't hang the star." You sent an additional text message that read, "Happy Kwanza."
2/17/2020	You texted Officer Weldin stating, "I believe the word I used was "unruly mob" followed by "You can't say savages in a report lol."

Investigators interviewed you on April 1, 2022. You admitted that you sent electronic communications, including texts and photos, which include discriminatory content based on race, ethnicity, religion, and/or sexual orientation to Officers Alonso, Weldin and Tomsic. You also admitted you received electronic communications, including texts, WhatsApp messages, and photos, which include discriminatory content based on race, ethnicity, religion, and/or sexual orientation from Officers Weldin and Tomsic. After receiving the inappropriate text messages, you did not speak out against or otherwise report the behavior to a superior.

Regarding the 3/25/2019 text message listed above, you admitted that the term "moon crickets", which you said that you learned when you attended a cultural awareness training, is a phrase used to refer to Black individuals that could be disparaging. You stated that even though you did not know the race of the individual involved in the shooting, based on your use of the term "moon crickets" you may have been stereotyping that the individual involved in the shooting was Black.

Regarding the 5/2/2019 text message listed above, you also admitted that the phrase "beating up savage monkeys" appeared to you to refer to beating up Black people, which you interpreted as "predatory, unruly Black people or whatever." Specifically, you stated that the use of the term "monkeys" led you to believe that Officer Weldin was referring to Black people. You admitted that the message was not appropriate, even if used jokingly, and could be disparaging to Black people.

In the interview, the investigator also discussed with you several messages that utilized the "N" word. You admitted that oftentimes you and certain coworkers would use the word "Ninja" as a play on words, instead of using the "N" word because the "N" word can be

offensive. You also admitted that you received departmental training on cultural diversity, and that you understood the "N word" is inappropriate, offensive, and should not be used professionally. Notwithstanding your training, you stated that the "N" word was used colloquially and as a term of endearment (akin to "brother" or "man"), and that in context, you took it as a joke. You stated that you did not know at the time that you were doing something wrong and/or violating applicable policies.

One exception was regarding Officer Weldin's use of the term "nigglets," which you assumed referred to Black children. You stated that you felt that term was offensive even when you initially received the text from Weldin, but you did not report it to anyone. You also acknowledged that with regard to the 11/21/2019 text sent by Weldin, "[i]n hindsight, I probably should have [reported it]. As the older guy, as a senior officer, I should have said something to him. It didn't personally offend me, so I just let it ride and I shouldn't have, sir."

In reference to the 9/12/2019 text message cartoon depicting a Black male stabbing and robbing a white female, you admitted your perception of the cartoon was to affirm "the stereotype's true that Black people commit crimes". You admitted that while it is potentially offensive to a lot of people, you did not report or attempt to curtail it because it was not personally offensive to you.

Regarding the 12/24/2019 meme comparing a Black person to winter holiday decorations that you "hang", you admitted to sending the photo because you thought the others receiving the text "might find it funny", even though you understood that the premise of the meme was a reference to lynching.

III. ANALYSIS

In *Skelly v. State Personnel Board* (1975) 15 Cal.3d 194, the California Supreme Court stated that the "overriding consideration" when addressing whether a public employer has imposed an appropriate level of discipline is "the extent to which the employee's conduct resulted in, or if repeated, is likely to result in, 'harm to the public service.'" (*Id.* at 218.) "Other relevant factors include the circumstances surrounding the misconduct and the likelihood of its recurrence." (*Id.*) In your particular case, the principles set forth in *Skelly* amply support your proposed discipline. In fact, the period between April 2019 and February 2020 establishes an ongoing pattern of misconduct and policy violations.

A. YOU ENGAGED IN INEXCUSABLE MISCONDUCT

Your involvement in discriminatory text messaging with other TPD officers demonstrates a lack of sound decision-making and unbecoming conduct that calls into question your fitness for duty as a police officer. You sent, received, and otherwise interacted with/responded to over a dozen blatantly discriminatory text messages from other members of TPD over the course of eleven months. By your own admissions, these messages were offensive, inappropriate, and unprofessional. You referred to Black people as "savage monkeys", used the "N" word in conversation with your colleagues, and laughed at "jokes" involving the violent, extrajudicial execution of Black people.

The casual use of these discriminatory terms between you and the other officers indicates that this type of conduct was not unusual between you. Such racist language has no place in this Department. Whether or not you intended these messages as "jokes" does not exempt them from the City's harassment policies. In fact, the policy clearly defines visual/ written harassment as "The display or circulation of offensive or derogatory visual or written material related to race, religious creed, color, national origin, ancestry…" among other protected classifications, and expressly enumerates "cartoons, drawings, … computer graphics or electronic transmissions."

The content of the text messages in question here clearly falls within these parameters. By engaging in these messages, you engaged in inappropriate speech and unprofessional conduct in violation of multiple City policies, including Policy Nos. 319.5.1(a), 319.5.7(i), 319.5.8(f),(g), (m), and 1021.4(b) and then-current General Orders 1.10.3(B), 2.01.1(A), and 2.33.1(D). This conduct also violated the City's Anti-Harassment Policy. Once again, by your own admission, you should have reported the discriminatory messages you received from a fellow officer as soon as you received them.

This Department relies on its officers to uphold the highest standards of conduct to maintain positive relationships and preserve the trust we have with the community we serve. You demonstrated bias here that erodes that trust and smears the reputation of this Department. This Department already experienced the damage to its reputation when the news media published what were then unverified accounts of these text messages starting in August 2021. Now that the investigation has substantiated at least some of the allegations, the breach in community trust is cemented.

B. YOUR MISCONDUCT WARRANTS TERMINATION OF YOUR EMPLOYMENT

Peace officers are held to the highest standards of conduct. (See, e.g., *Ackerman v. State Personnel Board* (1983) 145 Cal.App.3d 395, 440. Your conduct in this case causes irreparable harm to the public service and reveals that you are unfit to serve as a peace officer.

Torrance Police Department Policy 401.2 notes that it is the policy of this Department to serve the community equally, fairly, and objectively in both the enforcement of the law and provision of law enforcement services. Policy 401.3 strictly prohibits bias-based policing. These provisions are consistent with the growing number of laws being enacted by the California Legislature that also aim to curtail bias in peace officers. Notably, SB 2[3] modifies the definition of "serious misconduct" to include at a minimum, "Demonstrating bias on the basis of any legally protected status, in violation of law or department policy, or in a manner inconsistent with a peace officer's obligation to carry out their duties in a fair and unbiased manner".

Though you stated in your administrative interview that you are not biased against Black individuals, based on the record of text messages you sent, received, and responded to, coupled

[3] Penal Code Section 13510.8(a)(5).

with your own admissions that you sent and received discriminatory messages, your assertion is unreliable at best, and dishonest at worst. As a result, I concur with the Police Chief that the public and the Department can no longer rely on your fitness to serve in a bias-free manner. I further concur with the Chief that serious concerns now exist that there are discriminatory motivations behind all your actions, which could open the Department to liability, and subject innocent members of the public to unfair treatment due to your own personal prejudices. You and certain other officers openly discussed, in dehumanizing terms, beating up and even killing Black individuals, and found humor in racial stereotypes and lynchings.

It is self-evident that messaging like that which you participated in is inconsistent with peace officer employment. You also admitted that you already received cultural awareness training covering this type of conduct, including use of the "N" word, and that your takeaway from the training was, "In a nutshell, it is offensive and shouldn't be used professionally." Notwithstanding the training, you proceeded to engage in discriminatory messaging on numerous occasions throughout an eleven-month period, including making "jokes" at the expense of Black people and perpetuating racial stereotypes. Sadly, you admitted that you actually learned one of the racially inappropriate terms you used- "moon crickets"- *by attending this very cultural awareness training*. This amply demonstrates that lesser disciplinary measures, such as trainings, are inadequate under the circumstances.

Furthermore, the content of these messages damages your credibility as a witness and therefore your usefulness as an officer. An officer who lacks the ability to be a credible witness is unable to perform one of the essential functions of the job, i.e., to testify truthfully and competently in a court of law. Because the records of an officer's bias are potentially discoverable pursuant to a *Pitchess* motion under Evidence Code sections 1043-1045, and even potentially pursuant to a Public Records Act request under Penal Code section 832.7(b)(1)(D), it is reasonable to conclude that your conduct renders you ineffective as a prosecution witness.

In sum, you have breached the public's trust and I concur with the Police Chief that you can no longer be counted on you to engage in professional conduct or to act in an unbiased-manner when carrying out your duties, and that termination is therefore the appropriate level of discipline. You have demonstrated a willingness to engage in inappropriate, unprofessional, and offensive conduct despite admittedly knowing it was a violation of your training.

IV. WORK HISTORY

You were hired by the City on November 17, 2014 as a Police Officer. Your last performance review indicates that your performance has been rated as "outstanding".

V. DISCIPLINARY RECORD

No discipline on file.

VI. EMPLOYEE'S RESPONSE AND ADMINISTRATIVE CONFERENCE CHAIR ASSESSMENT

An in person administrative conference was held on this matter on September 7, 2022. You, your attorney, Maurice Sinsley of the Law Offices of Stone Busailah, LLP, Police Chief Jeremiah Hart, Lt. Charles Fisher and Senior Human Resources Analyst Robert Weinmeister, were all in attendance. At the administrative conference, I offered both you and your attorney an opportunity to provide me with additional information to consider before making my decision. Your attorney provided me with a document entitled *Police Officer Brian Kawamoto - Response To Proposed Dismissal*, which set forth your position regarding this matter. The letter also included several attachments, including performance evaluations and reviews, commendations, and thank you letters from residents and others.

Mr. Sinsley made a number of contentions which began with challenging the warrant that was associated with the origin of the text messages and his concerns that the Police Chief and the Torrance Police Department violated the California Electronic Communications Act. However, my understanding is that all of the arguments raised by Mr. Sinsley were set forth in a Motion to Suppress which was recently denied in its entirety by the Court in *Anthony Chavez, et al. v. Torrance Police Department (Case No. BH014005* Memorandum of Decision). A true and correct copy of the Memorandum of Decision is attached hereto as Attachment A and incorporated by reference herein. In summary, the Court found that Penal Code section 1546.4 does not require suppression of the evidence in this matter, that the search warrant at issue did not violate section 1546.1(d)(1), that the Department's pending administrative investigation does not violate section 1546.1(d)(2), and that the City did not violate Judge Carter's order by reviewing messages or providing the messages to the DA's office. The Court also ruled that Attorney Corey Glave was not entitled to the return of his attorney-client communications which were captured in the search warrant data.[4]

I reviewed the letter and all of the documents presented by Mr. Sinsley in detail. Even if the terms "savages", as used in your 2/17/2020 text to Officer Weldin, is somehow not linked to any protected class (unless, by your admission, used with a qualifier such as "monkeys"), that does not change the fact that you sent and/or responded to numerous other discriminatory messages. Likewise, your own background as a mixed-race individual is not an "extenuating circumstance" that in any way mitigates your conduct; jokes based on racial stereotypes, slurs, and lynchings are not made less offensive by the race of the person making the reference. I therefore am unpersuaded that the recommended termination should be mitigated or overturned.

VII. ADMINISTRATIVE CONFERENCE CHAIR FINDING

Officer Kawamoto, I am wholeheartedly disappointed as the Administrative Conference Chair in rendering this decision in a case involving a Torrance Police Department Police Officer

[4] It should be noted that the Administrative Conference Chair did not rely upon any attorney-client privileged communications in making the decision to terminate your employment.

receiving and responding to discriminatory messaging as well as failing to report discriminatory messaging. In your role as a police officer, the City and the public entrusted you to follow the regulations and policies of the Torrance Police Department, and the City of Torrance. All members of the public, no matter, their race, religion, creed or sexual orientation (among other protected classifications), rely on police officers for assistance in emergencies and life-threatening situations. Your engagement in the above-described behavior calls into question your ability to deliver such services in an unbiased manner. You betrayed the trust placed in you as a Police Officer and displayed a blatant disregard of your duty to uphold values so paramount to law enforcement and basic human dignity. As a Police Officer, you swore to protect and serve not just select members of the Torrance community, but the entire community, all differences aside. Your conduct is unacceptable and unbecoming of a Police Officer. Therefore, I concur with the recommendation of the Police Chief that you be terminated from employment as a Police Officer effective October 5, 2022.

VIII. ATTACHMENT

Attachment A: *Anthony Chavez, et al. v. Torrance Police Department, Case No. BH014005* Memorandum of Decision

IX. APPEAL RIGHTS

You have the right to appeal this decision to the Civil Service Commission pursuant to Section 14.47.8 of the Torrance Municipal Code. A request to have this matter reviewed must be submitted to Ms. Brianne Cohen, Civil Services Manager, in writing within ten (10) days of the date of this letter.

Sincerely,

Danny E. Santana

cc: Jeremiah Hart, Police Chief
Martin V. Vukotic, Captain – Special Operations Bureau Commander (Acting Chief)
Hedieh Khajavi, Human Resources Manager
Brianne Cohen, Civil Services Manager
Maurice E. Sinsley, Attorney for Employee

About work-related info?

Brian Kawamoto (00:10:01):
Sometimes, sir. Yes, sir.

Craig Junginger (00:10:03):
Okay. Do you use your cell phone to exchange or get messages from any other coworkers?

Brian Kawamoto (00:10:10):
Yes, sir.

Craig Junginger (00:10:10):
Okay. Are they personal in nature or work?

Brian Kawamoto (00:10:14):
Both, sir.

Craig Junginger (00:10:15):
Okay. What's your personal cell phone number?

Brian Kawamoto (00:10:18):
[redacted]

Craig Junginger (00:10:25):
How long have you had that cell phone or that cell phone number?

Brian Kawamoto (00:10:33):
Maybe since college, sir. So maybe 2004, 2005.

Craig Junginger (00:10:44):
Okay. Does anyone else use your phone to text messages or anything like that?

Brian Kawamoto (00:10:54):
Maybe my wife periodically, but it's primarily me, sir.

Craig Junginger (00:10:57):
So it's safe say that most all messages and everything are yours?

Brian Kawamoto (00:11:03):
Yes, sir.

Craig Junginger (00:11:04):
Okay. Do you have a work cell phone?

Yes, sir.

Craig Junginger (00:24:27):

So In 2019 on Christmas Eve, you sent this message to Tomsic, Weldin, and Alonso. Do you remember sending that.

Brian Kawamoto (00:24:49):

Yes, sir-

Craig Junginger (00:24:50):

This is the photo that was from that message.

Brian Kawamoto (00:24:56):

Yes, sir, I do. There's no excuse. I understand it's offensive and ...

Craig Junginger (00:25:04):

Okay. So there's no disputing that you sent that text message-

Brian Kawamoto (00:25:08):

No disputing it, sir.

Craig Junginger (00:25:08):

... with that photo?

Brian Kawamoto (00:25:10):

Yes, sir.

Craig Junginger (00:25:11):

Okay. And then Weldin responds, "I done nearly pissed myself." And then you followed it up with, "Happy Kwanzaa." What were your thoughts when you sent that photo and followed it up with, "Happy Kwanzaa?"

Brian Kawamoto (00:25:40):

I sent the photo because I thought they might find it funny. I understand now it's extremely inappropriate, and I shouldn't have done it.

Craig Junginger (00:25:52):

Why did you think they would find it funny?

Brian Kawamoto (00:25:58):

All of us had somewhat of a dark sense of humor. I guess it's just one of those things where it's just so egregious if you have a dark sense of humor, you might find it funny, but ...

Craig Junginger (00:26:22):
Do you think the text message containing that photograph was disparaging or discriminatory towards Black people?

Brian Kawamoto (00:26:32):
I feel like it was offensive to Black people.

Craig Junginger (00:26:36):
Why do you believe it would be offensive to Black people?

Brian Kawamoto (00:26:41):
Because it's making references to when Black people had been hung in the perspective.

Craig Junginger (00:27:00):
Made references to maybe lynching of Black people?

Brian Kawamoto (00:27:03):
Yes, sir.

Craig Junginger (00:27:03):
Okay. Do you think that photo or that text message was appropriate to send to any coworkers?

Brian Kawamoto (00:27:11):
No, sir. It wasn't appropriate.

Craig Junginger (00:27:12):
Why don't you think it was appropriate?

Brian Kawamoto (00:27:15):
Unprofessional, offensive. Unprofessional and offensive, sir.

Craig Junginger (00:27:31):
Okay.

Brock Avery (00:27:32):
Can I ask a question? I wanted to get the definition of your dark sense of humor. What does that mean?

Brian Kawamoto (00:27:39):
Dark humor is, to me, when I guess people make light of events that could be negative events or things that are potentially politically correct. That's, I guess, what it means to me, sir.

Brock Avery (00:28:25):
Okay.

No, sir.

Craig Junginger (00:53:43):

Okay. Then you responded, "Ha-ha. Yeah, I got a water heater box, that's just as good. Can sell you that for half the price if you want." So is there any doubt by you responding that you saw this message from... was it Weldon?

Brian Kawamoto (00:54:11):

Looks like it's from Weldon, sir.

Craig Junginger (00:54:12):

From Weldon?

Brian Kawamoto (00:54:12):

No, it looks like I received it, sir.

Craig Junginger (00:54:13):

Okay. What was your thoughts when you read that? For all the nigglets we put down.

Brian Kawamoto (00:54:40):

I mean, I understand that he was trying to be funny, but-

Craig Junginger (00:54:44):

How do you interpret that comment?

Brian Kawamoto (00:54:49):

It sounds like he's talking about being for all the black children that he said we've put down.

Craig Junginger (00:55:01):

Okay. How do you interpret the use of the word, nigglet?

Brian Kawamoto (00:55:07):

It's offensive, sir.

Craig Junginger (00:55:09):

No. How do you interpret it? What does it mean?

Brian Kawamoto (00:55:12):

I think it refers to black children. I think he's mixing the N word with piglet type of thing.

Craig Junginger (00:55:20):

Do you refer to them at work with coworkers?

Okay. So let me ask you about this text message exchange on March 25th, 2019. Weldon sent you a text message, just had a shooting and then you responded by saying, fuck, and then I didn't get a good picture of that, but this is right after you sent that. Read to me what that says.

Brian Kawamoto (00:59:07):

I trust you all have them moon crickets in custody in no time.

Craig Junginger (00:59:12):

What did you mean by that? Well, first of all, is there any doubt that you sent those messages?

Brian Kawamoto (00:59:20):

I don't think so.

Craig Junginger (00:59:23):

You don't think you sent them, or you don't think there's any doubt?

Brian Kawamoto (00:59:25):

I don't think there's any doubt. I'm sorry, sir.

Craig Junginger (00:59:26):

Okay. So you did send it. What did you mean by that?

Brian Kawamoto (00:59:34):

So moon crickets is a word that... I heard it like in training or something once that I thought was funny, but refers to black people and I don't know why specifically I said that, but yeah, I shouldn't have sent that either, sir. It's offensive.

Craig Junginger (01:00:00):

Okay. So you think moon crickets, you were referring to black people?

PART 2 OF 4 ENDS [01:00:04]

Craig Junginger (01:00:00):

Okay. So you think moon crickets, you were referring to black people?

Brian Kawamoto (01:00:06):

Yeah, I think so, sir.

Craig Junginger (01:00:07):

Do you use that amongst your coworkers?

Brian Kawamoto (01:00:10):

Not frequently.

Craig Junginger (01:01:42):
Do you think the term's disparaging or discriminatory towards black people?

Brian Kawamoto (01:01:50):
Yes, sir. It could be.

Craig Junginger (01:01:52):
Have you ever looked up on the internet what moon cricket means?

Brian Kawamoto (01:01:55):
No. Or not that I remember released.

Craig Junginger (01:01:58):
Okay. But they told you in the training that it was a racial slur against black people or did they?

Brian Kawamoto (01:02:04):
I don't know if you said it was a slur. I think it was a class participation exercise where you were just asking for different names. You've heard different races called over the years.

Craig Junginger (01:02:17):
Did anybody in that training say that they thought moon cricket was an offensive term to black people?

Brian Kawamoto (01:02:23):
No, not that I remember. I think it got a laugh from the classroom. To be honest with you, sir.

Craig Junginger (01:02:30):
Have you been involved in other messages with coworkers where the moon cricket's been involved?

Brian Kawamoto (01:02:36):
I don't know, sir.

Craig Junginger (01:02:37):
Okay. Do you think you have?

Brian Kawamoto (01:02:40):
I don't know, sir. Maybe, maybe not.

Craig Junginger (01:02:42):
Do you think this is the only time that you ever used the term moon cricket when you're referring to black people?

Brian Kawamoto (01:02:51):
Probably not sir.

If it's any consolation, I like sober beating up savage monkeys, Brian and I also like drunk hood rat shit with my friends, Brian.

Craig Junginger (01:34:44):
Okay. And then you followed up, well, I appreciate that, bro. Do you remember that?

Brian Kawamoto (01:34:56):
Yeah, I'm not disputing that I received it, but I don't specifically remember it, sir.

Craig Junginger (01:34:59):
Okay. Is there any disputing that you were involved in this...

Brian Kawamoto (01:35:03):
No.

Craig Junginger (01:35:03):
Text message exchange?

Brian Kawamoto (01:35:04):
No, sir.

Craig Junginger (01:35:07):
Okay. Tell me how you interpreted that message from Weldon, if it's any consolation and I like sober beating up savage monkeys, what does that mean? How did you interpret that?

Brian Kawamoto (01:35:22):
Sounds like he's referring to beating up black people, sir.

Craig Junginger (01:35:27):
Okay. Is that how you interpreted that?

Brian Kawamoto (01:35:29):
Yes, sir.

Craig Junginger (01:35:31):
Okay. When he says, beating up savage monkeys, you interpreted that to mean beating up black people?

Brian Kawamoto (01:35:40):
Yeah. I guess predatory, unruly black people or whatever, but either way, not necessarily a good thing.

Craig Junginger (01:35:48):
Okay. So you already said that savage doesn't specifically refer to black people?

[redacted] Cody Weldin

Just had a shooting

Status: Sent

Delivered: 3/25/2019 2:13:58 AM(UTC-7)

3/25/2019 2:13:55 AM(UTC-7)

Source Info: [redacted]

[redacted] Officer Brian Kawamoto

Fuck

Status: Read

Read: 3/25/2019 2:35:56 AM(UTC-7)

3/25/2019 2:14:17 AM(UTC-7)

Source Info: [redacted]

[redacted] Officer Brian Kawamoto

I trust y'all have them moon crickets in custody in no time!

Status: Read

Read: 3/25/2019 2:35:56 AM(UTC-7)

3/25/2019 2:15:05 AM(UTC-7)

Source Info: [redacted]

[redacted] Officer Brian Kawamoto

Do you have my hooks, brotha?

Status: Read

Read: 4/8/2019 4:08:01 AM(UTC-7)

4/8/2019 4:07:49 AM(UTC-7)

Source Info: [redacted]

[redacted] Cody Weldin

Downstairs waiting for ya

Status: Sent

Delivered: 4/8/2019 4:08:26 AM(UTC-7)

4/8/2019 4:08:25 AM(UTC-7)

Source Info: [redacted]

[redacted] Officer Brian Kawamoto

Thx

Status: Read

Read: 4/8/2019 4:23:56 AM(UTC-7)

4/8/2019 4:23:55 AM(UTC-7)

Source Info: [redacted]

[redacted] Officer Brian Kawamoto

I don't know if I should be offended people don't like me sober, or flattered people enjoy hanging out with me... part of the time at least lol

Status: Read

Read: 5/2/2019 1:13:42 PM(UTC-7)

5/2/2019 1:13:05 PM(UTC-7)

Source Info: [redacted]

[redacted] Cody Weldin

If it it's any consolation I like sober "beating-up-savage-monkeys" Brian, and I also like drunk "hood-rat-shit-with-my-friends" Brian

Status: Sent

Delivered: 5/2/2019 1:42:56 PM(UTC-7)

5/2/2019 1:42:55 PM(UTC-7)

Source Info: [redacted]

[redacted] Officer Brian Kawamoto

Well I appreciate that lol

Status: Read

Read: 5/2/2019 1:43:31 PM(UTC-7)

5/2/2019 1:43:28 PM(UTC-7)

Source Info: [redacted]

[redacted] Cody Weldin

What'd you end up decide on doing?

Status: Sent

Delivered: 5/2/2019 4:59:18 PM(UTC-7)

5/2/2019 4:59:17 PM(UTC-7)

Source Info: [redacted]

[redacted] Officer Brian Kawamoto

I'm driving lol

Status: Read

Read: 5/2/2019 5:03:11 PM(UTC-7)

5/2/2019 5:02:54 PM(UTC-7)

Source Info: [redacted]

[redacted] Officer Brian Kawamoto

190 / Inglewood now. Where you at?

Status: Read

Read: 5/2/2019 5:03:11 PM(UTC-7)

5/2/2019 5:03:08 PM(UTC-7)

Source Info: [redacted]

[redacted] Officer Brian Kawamoto

This is from the coffin display at rice mortuary. Look at the one on the bottom.

Attachments:



Size: 2467590
File name: IMG_2150.jpeg
IMG_2150.jpeg

Status: Read
Read: 9/10/2019 6:15:46 PM(UTC-7)

9/10/2019 6:07:44 PM(UTC-7)

Source Info:
[redacted]

[redacted] Cody Weldin

For all them nigglets we put down

Status: Sent

9/10/2019 6:17:24 PM(UTC-7)

Source Info:
[redacted]

[redacted] Officer Omar Alonso

75 dollars for cardboard box?

Status: Read
Read: 9/10/2019 6:17:27 PM(UTC-7)

9/10/2019 6:17:27 PM(UTC-7)

[redacted]

[redacted] Cody Weldin

Status: Sent

9/10/2019 6:17:28 PM(UTC-7)

Source Info:
[redacted]

[redacted] Officer Brian Kawamoto

Haha yeah. I got a water heater box that's just as good I can sell you for half the price if you're interested though.

Status: Read
Read: 9/10/2019 6:18:19 PM(UTC-7)

9/10/2019 6:18:12 PM(UTC-7)

Source Info:
[redacted]


Sebring
$795.00
First Step
$495.00
Cardboard Box

[redacted] Officer Brian Kawamoto

I'm trying.

Status: Read

Read: 12/21/2019 7:46:14 PM(UTC-8)

12/21/2019 7:46:13 PM(UTC-8)

Source Info:
[redacted]

[redacted] Officer Brian Kawamoto

Couldn't without being caught. He was with a bunch of OMG looking mother fuckers

Status: Read

Read: 12/21/2019 7:50:30 PM(UTC-8)

12/21/2019 7:49:55 PM(UTC-8)

Source Info:
[redacted]

[redacted] Officer Brian Kawamoto

Attachments:



Size: 44330
File name: PHOTO-2019-12-24-16-26-35.jpg
PHOTO-2019-12-24-16-26-35.jpg

Status: Read

Read: 12/24/2019 4:48:21 PM(UTC-8)

12/24/2019 4:48:09 PM(UTC-8)

Source Info:
[redacted]

[redacted] Cody Weldin

Status: Sent

12/24/2019 4:49:15 PM(UTC-8)

Source Info:
[redacted]

[redacted] Cody Weldin

I done nearly pissed myself

Status: Sent

12/24/2019 4:49:36 PM(UTC-8)

Source Info:
[redacted]

Which one doesn't belong?



Thats right, you don't hang the star

Law Enforcement Code of Ethics

104.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all peace officers are aware of their individual responsibilities to maintain their integrity and that of their department at all times.

104.2 POLICY

The Law Enforcement Code of Ethics shall be administered to all peace officer trainees during the Basic Academy course and to all other persons at the time of appointment (11 CCR 1013).

104.3 LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before god to my chosen profession... law enforcement.

104.3.1 OBJECTION TO RELIGIOUS AFFIRMATION

Reference to religious affirmation in the Law Enforcement Code of Ethics may be omitted where objected to by the officer.

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34.05 **ANTI-HARASSMENT POLICY**

The City is committed to providing a workplace free of discriminatory harassment. This Policy defines discriminatory harassment and sets forth a companion procedure for the investigation and resolution of such complaints by or against any City employee, applicant or contractor. This Policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunity and compensation.

Discriminatory harassment will not be tolerated and employees who violate this Policy may be subject to appropriate disciplinary action. Retaliation against any individual for making a complaint of such harassment or for participating in a harassment investigation constitutes a violation of this Policy. However, knowingly false accusations of retaliation or harassment similarly will not be tolerated.

34.10 **Definitions**

34.10a Protected Classifications: This Policy prohibits harassment or discrimination because of an individual's protected classification. "Protected Classification" includes race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation.

Harassment can consist of virtually any form or combination of verbal, physical, visual or hostile work environment conduct. It need not be explicit, nor even specifically directed at the victim. Sexually harassing conduct can occur between people of the same or different genders.

Harassment includes, but is not limited to the following misconduct:

34.10b Verbal Harassment

Inappropriate or offensive remarks, slurs, jokes or innuendoes based on race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation.

This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status, pregnancy or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation of a sexual nature; or sexist,

patronizing or ridiculing statements that convey derogatory attitudes about a particular gender.

34.10c Physical Harassment

Inappropriate or offensive touching, assault, or physical interference with free movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation.

This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, massaging, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures.

34.10d Visual or Written Harassment

The display or circulation of offensive or derogatory visual or written material related to race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

34.10e Work Environment

A work environment that is permeated with sexually oriented talk, innuendo, insults or abuse not relevant to the subject matter of the job. A hostile work environment can arise from the following circumstances:

A. An unwarranted focus on sexual topics or sexually suggestive statements.
B. An unwelcome sexual behavior directed specifically at an individual.
C. The individual merely witnesses unlawful harassment in his or her immediate surroundings.

The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as:

A. The frequency of the conduct.
B. The severity of the conduct.
C. Whether the conduct is humiliating or physically threatening.
D. Whether the conduct unreasonably interferes with an individual's work.

By definition, sexual harassment is not within the course and scope of an individual's employment with the City of Torrance.

34.15 **Relationships between Supervisors and Subordinate Employees**

Romantic or sexual relationships between supervisors and employees are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships which may create an appearance of impropriety and lead to charges of favoritism by other employees. A welcome sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing.

34.20 **Prohibited Supervisory or Managerial Behavior**

No supervisor, manager or other authority figure shall:

A. Condition any employment, employee benefit or continued employment in the City of Torrance on an applicant's or employee's acquiescence to any of the behavior defined above.

B. Retaliate against any applicant, or employee, because that person has opposed a practice prohibited by this policy or has filed a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing conducted by an authorized investigator.

C. Destroy evidence relevant to an investigation of harassment.

34.25 **Behavior Prohibited by All Persons**

No employee in the City of Torrance shall:

A. Create a hostile or offensive work environment for any other person by engaging in any discriminatory harassment or by tolerating it on the part of another employee.

B. Assist any individual in doing any act which constitutes discriminatory harassment against any other employee of the City of Torrance.

134.05

ANTI-HARASSMENT PROCEDURE

All persons shall immediately report any evidence of discriminatory harassment or complaints regarding sexual harassment made to them or which they have directly observed, whether or not reported by the employee who is the object of the harassment, to their supervisor, manager, or to the Human Resources Division. Any supervisor or manager who receives a complaint regarding discriminatory harassment shall immediately report it to the Human Resources Division, followed by written documentation of the complaint.

134.10

Supervisors/Managers Responsibilities for Preventive Action

A. A copy of the Anti-Harassment Policy shall be provided to all employees in the City of Torrance, as well as displayed in prominent locations throughout the City.

B. A copy of the information sheet on sexual harassment prepared by the Department of Fair Employment and Housing is available to all City of Torrance employees upon request.

C. New employees shall be provided a copy of the Anti-Harassment Policy during New Employee Orientation.

D. The Human Resources Division shall make available information from the Department of Fair Employment and Housing and the Equal Employment Opportunity Commission about filing claims of sexual harassment with these entities.

E. A copy of the Anti-Harassment Policy and Procedure is in the City of Torrance Policy, Procedure and Protocol Manual posted on the Policies and Procedures web page on the Torrance Employee Network (TEN).

F. Employees of the City of Torrance shall receive periodic training on the policy.

134.15

Employees' Responsibilities

A. Report any conduct which fits the definition of discriminatory harassment to their immediate supervisor or appropriate authority figure. This includes conduct of non-employees, such as sales representatives or service vendors or harassing conduct toward such contractors. Under no circumstances shall an employee of the City of Torrance who believes that he or she has been the victim of discriminatory harassment be required to first report that harassment to a supervisor or other authority figure who has done the harassing.

B. Cooperate with any investigation of any alleged act of harassment conducted by the City of Torrance.

C. Maintain confidentiality to the extent possible in investigating any claims of alleged harassment.

134.20

Human Resources Reporting Procedures for Investigative/Corrective Action

A. Human Resources shall conduct a fair, timely and thorough investigation of any incident of alleged discriminatory harassment reported to them. The investigation shall be conducted in a way to maintain confidentiality, to the extent possible.

B. The person designated to investigate shall report in writing the findings of any investigation to the Human Resources Division. The Human Resources Administrator shall determine whether there is a violation of Policy and communicate the conclusion to the complainant.

C. Remedial action including discipline taken by any supervisor or manager shall be decided in accordance with Policy and after consultation with the Human Resources Administrator.

Employees who have questions about their rights and obligations described within this policy should contact the Human Resources Division.

Historical Record

Original Publication

04/2001

Revisions

07/2001 Reformat

06/2002

05/2009 Reformat

11/2012

12/2017

03/2018 Updated

04/2018 Updated

TORRANCE POLICE DEPARTMENT

GENERAL ORDER 1.10 POLICING PHILOSOPHY

DATE ISSUED: January 14, 2010

JOHN J. NEU
CHIEF OF POLICE

PURPOSE

This General Order establishes the Department's policing philosophy and the expectations of personnel in their service to the community.

1.10.1 FOCUS BASED POLICING

A. Philosophy: Focus Based Policing is a distinct management philosophy based upon the need for continuous improvement through employee growth and development, as well as a general dissatisfaction with the status quo. Focus Based Policing empowers Area Commanders and Division Commanders to look for opportunities to address crime problems, quality of life issues and unexpected challenges in conjunction with their everyday responsibilities. We promote fresh thinking and creativity by pushing down the organization chart and distributing power to the line level officers. This philosophy enables our managers to formulate and assess new methods and approaches to not only how we police, but also how we handle routine tasks, with the goal of truly expanding the future of policing in the City of Torrance. In short, our belief and approach is simply "things can always be done better throughout the entire organization."

Our Focus Based Policing philosophy provides the following fundamental benefits:

1. Mission and vision clarification
2. Enhanced service to the community
3. Results orientation with a focus on outcomes rather than outputs
4. Resource flexibility
5. Focus on problem solving and relentless follow-up
6. Information exchange driven decision making
7. Employee growth and development

1.10.2 TEAM POLICING

A. GENERAL: In support of our Focus Based Policing management philosophy, the Patrol Division is deployed on a Team Policing model. The four basic components of Team Policing are:

1. A deployment model that meets organizational needs for accountability and consistency.
2. A beat system that creates consistent and equitable areas for patrol officers to work.
3. A scheduling system that balances the needs of the employees and workload demands.
4. An effective patrol structure to meet increased demands and expectations while supporting our historical patrol practices.

The Department structures its Patrol operations around fixed Police Teams assigned to a specific region of the City during a team-specific day and hourly schedule. Patrol personnel are committed to their team, area and schedule for an entire deployment cycle. Police Teams report to an Area Commander who is responsible for monitoring all activities occurring within the area of the City that Team patrols. Area Commanders act as Patrol's central liaison to the community, actively participating in or organizing community meetings and events within the Area Commander's designated area of the City.

Our Team Policing model allows us to deploy officers in a more efficient and effective manner while addressing the ongoing need to respond to calls for service, creating additional opportunities for proactive work where and when it is needed, and providing sufficient time and support for officers to complete and implement operation plans; all of which enhances our Focus Based Policing efforts.

1.10.3 SERVICE TO THE COMMUNITY

A. GENERAL: The most important factor in gaining the goodwill and confidence of the people is an attitude of courtesy and objectivity toward them. It is important that the Department, through its personnel, demonstrate the ability and capacity to provide the type of police service that the people have a right to expect.

Each member of the Department should be prepared to meet the responsibility of police service through continuous education and training. Self-confidence comes from experience gained through the diligent performance of duty. Courtesy, patience and tact are characteristics expected of each employee.

To most people, the individual employee is representative of the entire Department, and to residents and visitors, is the public representative of the City. Demeanor in dealing with the public creates favorable or unfavorable impressions of the employee, the Department, and the City.

Employees must realize that their activities are matters of particular interest, not only to those with whom there are direct dealings, but also the general public, because official duties are closely related to every phase of community life. Employees must maintain habits of acceptable conduct that will merit public approval.

The use of offensive language by department employees is objectionable and as demoralizing to human dignity as physical abuse. Everyone is entitled to respect and dignity in the treatment they receive.

B. POLICY: The rules and regulations of the Department regarding police service in general, and public contact specifically, shall be as follows:

1. Tact, patience, and courtesy shall be strictly observed in all cases of public contact.
2. A police department employee shall maintain a professional attitude and demeanor that will not in any manner communicate any personal prejudices.
3. Managers and supervisors shall, by example, demonstrate, and instruct subordinates in proper demeanor and desirable attitudes in dealing with the public.
4. Members of the Department shall avoid behavior which would tend to bring about criticism of the Department. Conduct, whether on or off duty, shall be such as to merit the respect and confidence of the public.
5. Officers shall diligently perform their duties with impartiality, uphold the constitution, and be mindful that they are the protectors of the people's lives and property.
6. Officers shall be aware of the problems that exist in various areas and take appropriate, affirmative action to correct them without indifference or neglect.

JOHN J. NEU
CHIEF OF POLICE

TORRANCE POLICE DEPARTMENT

GENERAL ORDER 2.01 EMPLOYEE RULES AND REGULATIONS

JOHN J. NEU
CHIEF OF POLICE

DATE ISSUED: April 6, 2009

PURPOSE

Department personnel are expected to conduct themselves in a manner that reflects the Mission, Vision, and Core Values of our Department. This General Order establishes rules and regulations governing employee conduct.

2.01.1 EMPLOYEE RULES AND REGULATIONS

A. EMPLOYEE RESPONSIBILITY. It is the duty of all employees to familiarize themselves with and abide by Department rules and regulations. Employees who fail to comply are subject to disciplinary action up to and including termination. Department employees shall:

1. Obey all local, state, and federal laws.
2. Render service to the community with pride, integrity, compassion, and excellence.
3. Enforce the law equitably and without regard to race, color, religion, sex, marital status, sexual orientation, national origin, age, disability, or veteran status. Laws and regulations issued by the United States and the State of California require equal treatment of all persons.
4. Conduct themselves in a manner that does not create a conflict of interest with or is detrimental to the Department.
5. Perform their duties in a manner that will not reasonably result in the impairment or disruption of public service or Department business. This includes the knowing and willful failure to perform a required duty or task.
6. Maintain in good working order the equipment and supplies issued to them, taking all reasonable care to prevent loss or damage.

B. FALSE REPORT PROHIBITED. No employee shall make false official reports, or knowingly enter, or cause to be entered, in any Department book, record, report, or log, any inaccurate, false, or improper information, evidence or material.

2.01.2 WORKPLACE CONDUCT

A. DEPARTMENT IDENTIFICATION CARD. The primary, official means of identifying Department members is the Torrance Police Department identification card. The issuance of an identification card is only authorized by the Chief of Police, or a designee, and is intended to be used only for official authorized purposes. Department members shall relinquish their identification card upon the direction of the Chief of Police or designee.

1. WEARING IDENTIFICATION. All personnel not in uniform are required to wear identification while inside the Police facility. Police Officers and Services Officers shall wear badges or Department identification cards. All other employees and volunteers shall wear Department identification cards. Identification shall be conspicuously worn on the employee's person, using a clip or lanyard.
2. POSSESSION OR USE. All personnel are required to have their identification card in their possession when they are on duty and displayed when there is a need to identify themselves as a Department member. The Identification Card is to be worn, displayed and/or offered only for Department business.

B. EFFICIENCY. Employees shall direct and coordinate their efforts in such a manner as will tend to establish and maintain the highest standard of efficiency.

C. PUNCTUALITY. Employees shall be punctual in reporting for duty, and shall work their complete tour of duty, unless relieved by a supervisor.

D. SMOKE-FREE ENVIRONMENT. Smoking is prohibited in the Police station. Outside the Police station, smoking is prohibited within 25 feet of the building. Smoking in City Vehicles is prohibited. Any disputes or grievances on the no-smoking policy shall go first to the Administrative Bureau Commander for resolution. In any dispute arising under this no-smoking policy, the rights of the non-smoker shall be given precedence.

E. ALCOHOL CONSUMPTION. Alcoholic beverages shall not be consumed by on-duty personnel. Exceptions can be authorized only by the Chief of Police or his designee.

F. EMPLOYEE PARKING. Employees shall park their personal vehicles only in designated spaces. Personal vehicles shall not be parked in spaces reserved for City vehicles. Long-term storage of personal vehicles on City property is prohibited.

G. KEYS. Upon transfer or reassignment, employees shall submit their programmable keys to the Services Division for reprogramming. All regular keys for offices or work areas shall be relinquished to the Commander of the concerned Division upon reassignment. Missing or damaged keys shall be reported to the Services Division on a TPD 41. Upon separation of employment, employees shall return all keys to the Personnel Division.

2.01.3 RESPECT FOR COMMAND

A. ADDRESSING RANKING OFFICER. When in the presence of the public, employees of the Department shall address supervisors by their proper titles.

B. OBEDIENCE TO ORDERS. Employees shall obey the lawful orders of any Department supervisor.

C. INSUBORDINATION. Insubordination is the refusal to follow a lawful work order, or a challenge to authority. Additionally, insubordination includes the use by any employee of coarse, profane, or insolent language or behavior toward any supervisor, or willfully lying to any supervisor in any matter having to do with the course and scope of employment.

2.01.4 DEPARTMENT SENIORITY

A. SWORN. Seniority of officers is determined by Classified Service rating and further by the length of continuous service in the Classified Service Rate, according to Departmental service. If date of appointment is the same for two or more officers, the one occupying the higher position on the Classified Service eligible list is considered the senior officer.

B. CIVILIAN. Seniority of civilian employees is according to the Classified Service rating whereby one position is classified as being higher in grade than another, and the length of continuous service in that class.

2.01.5 TAKING CHARGE OF A SCENE

A. OFFICER IN CHARGE. The officer assigned to an incident shall take charge. In routine performance of duties, or at the scene of a police incident, officers shall recognize and respect the position of the officer-in-charge by effectively and efficiently carrying out lawful orders issued by that authority.

B. SENIOR OFFICER ASSUMING COMMAND. A senior officer may take command of a situation by informing the officer in charge and others involved in the incident of his intent. Such assumption of command shall be undertaken whenever the situation appears to the senior officer to be beyond the control of the officer in charge, or when both officers are involved in the same duty.

C. JUNIOR OFFICER ASSUMING COMMAND. An officer of equal or junior rank may take command by informing the officer then in charge of his intent. Such assumption of command shall be undertaken only when the officer in command is unable to perform his duties because of physical or mental inability. An officer, regardless of rank, shall assume command of a situation when so instructed by an officer of superior rank. An officer in command of an operation shall maintain that responsibility until relieved by competent authority.

2.01.6 CIVILIAN PERSONNEL

A. PERFORMING POLICE DUTIES. A civilian employee shall not be assigned to duties of police nature, except for Services Officers assigned to specific duties. This section does not restrict any employee from assisting, defending, or protecting other employees who are in need of emergency assistance in the performance of their duties. If an emergency exists and a female officer is not immediately available, a female civilian employee may:

1. Temporarily act as an observer during the care or detention of a female.
2. Act as a witness during the photographing of a female crime victim.

2.01.7 EMPLOYEE ORGANIZATION

A. EMPLOYER-EMPLOYEE RELATIONS. Employees have the right to form, join, and participate in activities of employee organizations for the purpose of representation on all matters of employer-employee relations. No employee shall be interfered with, intimidated, restrained, coerced, or discriminated against because of his exercise of these rights.

B. MOU PROVISIONS. Wages, hours, and working conditions are governed by the existing Memorandum of Understanding provisions for each of the various employee organizations.

2.01.8 SWORN MEAL AND BREAK PERIODS

A. Uniformed officers may take a thirty-minute meal, exclusive of transportation, during the course of the employee's normal working hours.

1. Meals shall be taken only after receiving clearance to do so from Communications.
2. Meals and breaks shall be taken in such a manner that the officer can respond in a timely manner.
3. Meals and breaks shall be taken within their assigned beat. Any exceptions will be with the express approval of a field supervisor, on a day-to-day basis.
4. No more than two marked units or four uniformed officers, excluding supervisors, may be out at any one location. Motors paired after dark will be considered to be one unit.

2.01.9 WEIGHT ROOM

A. EMPLOYEES ONLY. The physical training room is for the use of current Department employees only.

B. USE AT OWN RISK. Employees using the physical training room do so at their own risk. Personnel using these facilities must recognize that an injury incurred on- or off-duty is not automatically considered a work-related injury.

C. RULES FOR USE. Unsafe conditions or acts that may cause damage or injury will not be tolerated. Employees shall use the physical training room in a safe manner.

2.01.10 PROPERTY DAMAGE

A. DEPARTMENT PROPERTY. An employee shall report promptly, through channels, to his Division Commander or other responsible person, the loss or unserviceable condition of, or damage to, any Department property issued or assigned to him.

B. OTHER PROPERTY. Whenever possible, employees should request supervisory approval prior to taking actions that may result in property damage. If there is an incident where property damage occurs, the employee shall notify a supervisor of the incident and any actions taken, and write a TPD 41 documenting how the property was damaged, the extent of the damage, any notifications made, and efforts to secure the property.

C. SUPERVISORY RESPONSIBILITY. When notified of property damage, supervisors shall make a notation in their log of the damage, any approvals given, and any action taken, including completion of the Notification Card. The Supervisor shall make note of the employee's TPD 41 and forward it to the Personnel Division Commander. Photographs should be taken whenever practical.

2.01.11 MISUSE OF PUBLIC RESOURCES

A. Department employees may not use or permit others to use public resources for personal purposes or campaign activity. "Public resources" means any property or asset owned by the City of Torrance, including, but not limited to, land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, and on-duty time.

2.01.12 MEMBERSHIPS AND SUBSCRIPTIONS

A. The Department will fund memberships and subscriptions in those professional organizations that contribute to the exchange of related information in the furtherance of the mission and goals of the Department. Involvement in organizations such as L.A. County Peace Officers Association, California Peace Officers Association, International Association of Chiefs of Police, California Narcotics Officers Association, California Juvenile Officers Association, California State Division of International Association for Identification, Fraternal Order of Police, and California Sexual Assault Investigators Association, are strongly supported and encouraged, regardless of whether their cost is covered by the Department.

B. Whenever possible, subscriptions should be listed by rank/position rather than by named individuals. Memberships in professional associations shall be limited to necessary personnel actually assigned to related specialized duties.

C. Memberships in and attendance at annual training conferences of International Association of Chiefs of Police are limited to captains and above; and Federal Bureau of Investigation National Academy Associates is limited to those who have completed the FBI National Academy program.

JOHN J. NEU
CHIEF OF POLICE

AGENDA ITEM REPORT

Title: POST2305110 - BRIAN KAWAMOTO (POST ID: C34-D38)
**LAST EMPLOYING AGENCY: TORRANCE POLICE DEPARTMENT **

REPORT PROFILE

MEETING DATE	**BUREAU SUBMITTING THE REPORT**
07/16/2025	Professional Conduct Los Angeles Bureau

RESEARCHED BY	**REVIEWED BY**
Robert Bringolf	Mike Radford

REPORT DATE	**APPROVED BY**	**DATE APPROVED**

PURPOSE	**FINANCIAL IMPACT**
	No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Peace Officer Standards Accountability Advisory Board (POSAAB) for review and recommendation regarding the subject peace officer's certification status.

BACKGROUND:

Respondent Brian Kawamoto began his employment with Torrance Police Department (TPD) on November 17, 2014, as a full-time Police Officer. At the time of the events at issue, Respondent was employed as a Police Officer with the TPD. Respondent was discharged from his position with TPD on October 24, 2022. The Respondent is not currently employed as a peace officer in the State of California.

This position is a peace officer position defined under California Penal Code §830.1(a) and is required to be certified pursuant to California Penal Code §13510.1(a). The case before the Board alleges the Respondent, on five separate occasions, either sent or replied to, text messages which were deemed as demonstrating bias as defined in Commission Regulation 1205(a)(5).

ANALYSIS:

The Division found that the clear and convincing evidence substantiated that Respondent’s conduct amounted to demonstrating bias as described in Commission Regulation 1205(a)(5), in that on five separate occasions, Respondent either sent or replied to text messages, which are inconsistent with Respondent's obligation to carry out his duties in a fair and

unbiased manner. The Division finds all of the messages were examples of the Respondent's repetitive misconduct which confirms the Respondent violated TPD's policies on several occasions relating to inappropriate speech and unprofessional conduct. In addition to violating the Department's policies with regard to prohibited speech, expression, and conduct, clear and convincing evidence exists that Respondent violated California Penal Code section 13510.8(b)(5) and Commission Regulation 1205(a)(5) - Demonstration of Bias.

RECOMMENDATION: The Peace Officer Standards Accountability Advisory Board (POSAAB) shall review the findings of investigation presented by the Peace Officer Standards Accountability Division (POSAD) and make a recommendation regarding what action should be taken, suspension or revocation, on the certification of the subject peace officer.

ATTACHMENT(S):

BR01_POST2305110_Kawamoto_Brian_ISF.pdf
BR02_POST2305110_Kawamoto_Brian_Attachment_A_ExecReviewDivisionRec (1).pdf
BR03_POST2305110_Kawamoto_Brian_Attachment_B_POSTProfile (1).pdf
BR04_POST2305110_Kawamoto_Brian_Attachment_C_Termination Letter.pdf
BR05_POST2305110_Kawamoto_Brian_Attachment_D_TranscriptExcerpts.pdf
BR06_POST2305110_Kawamoto_Brian_Attachment_E_TextMessages.pdf
BR07_POST2305110_Kawamoto_Brian_Attachment_F_TorrancePolicies.pdf

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

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

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 Investigative Summary and Findings and accompanying Notice of Intent to Revoke, notifying Respondent that the Division had found reasonable grounds for revocation of Respondent's POST certification, on May 9, 2025. Respondent requested a review of the Division's determination and reasons for revocation of Respondent's POST certification on June 4, 2025, and the Board scheduled the case for a hearing which was held on July 16, 2025. At the time of Respondent's request for review of the Division's determination, Respondent had been issued the following POST certification(s):

- ☒ 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:

X 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:

X Revocation of Certification

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

__ No further action.

REASONS FOR DECISION

X In accordance with Penal Code section 13510.85(a)(4) and title 11, California Code of Regulations section 1213, the Board hereby 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:

_____

_____

_____

_____

_____

_____

_____

Dated: 7/16/25

Chairperson or Designee
Peace Officer Standards Accountability
Advisory Board

STATE OF CALIFORNIA

COMMISSION ON

PEACE OFFICER STANDARDS AND TRAINING

PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

(POSAAB) MEETING

WEDNESDAY, JULY 16, 2025

10:04 A.M.

MEETING HELD

AT THE OFFICES OF

COMMISSION ON POST

860 STILLWATER ROAD, SUITE 100

WEST SACRAMENTO, CALIFORNIA

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Stenographically Reported By:
Connie J. Parchman,
California Certified Shorthand Reporter #6137

A P P E A R A N C E S

POSAAB MEMBERS PRESENT

JOYCE DUDLEY
Governor Appointee
Attorney
(Chairperson)

NICOLE CLAVO, Psy.D.
Governor Appointee
Public Member

REGINA HATCHER-CRAWFORD
Governor Appointee
Public Member

JACK GLASER
Governor Appointee
Public Member

CEPHUS JOHNSON
Governor Appointee
Public Member

CHARLES LARA
Governor Appointee
Management Rank Peace Officer

MARGARET PENA
Speaker of Assembly Appointee
Public Member

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PEACE OFFICER STANDARDS ACCOUNTABILITY
ADVISORY BOARD LEGAL COUNSEL

CHRISTOPHER BEATTY
Deputy Attorney General
Department of Justice
Office of the Attorney General

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A P P E A R A N C E S C O N T I N U E D

POST STAFF

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Legal Affairs Bureau

CHANDLER KNAPP
Staff Services Manager
Executive Office

---o0o---

A P P E A R A N C E S C O N T I N U E D

ALSO PRESENT

LUKE BAXTER WALDEN
Peace Officer, POST ID A95-T18

MARLON MARRACHE

--o0o--

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WEDNESDAY, JULY 16, 2025 10:04 A.M.

West Sacramento, California

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CHAIRPERSON DUDLEY: Good morning, everyone.

Great to see all of you.

Today is Wednesday, July 16th, and the time is 10:04.

Thank you all for attending the Peace Officer Standard Accountability Advisory Board hearing.

Please note that this hearing is being live streamed, recorded and transcribed.

Thank you so much to the transcriber.

Further, please note that the microphones are auto on/off. When you begin speaking, they will go live. With this, you will need to watch your crosstalk. That too will go live.

We will now call the roll of Board Members.

MR. KNAPP: Thank you, Madam Chair.

Good morning, Members of the Board.

Member Clavo.

MEMBER CLAVO: Present.

MR. KNAPP: Member Crawford.

MEMBER CRAWFORD: Present.

MR. KNAPP: Member Doyle.

(No response.)

MR. KNAPP: Member Dudley.
CHAIRPERSON DUDLEY: Here.
MR. KNAPP: Member Glaser.
MEMBER GLASER: Here.
MR. KNAPP: Member Johnson.
MEMBER JOHNSON: Here.
MR. KNAPP: Member Lara.
MEMBER LARA: Here.
MR. KNAPP: And Member Pena.
MEMBER PENA: Here.
MR. KNAPP: Thank you.
Madam Chair, seven of nine.
CHAIRPERSON DUDLEY: Thank you. A quorum has been established.
And thank you, Mr. Knapp, for all the work you did to get us all here today. Very much appreciated.
I would now like to introduce Board Counsel. To my left, Christopher Beatty.
And POST Assistant Executive Director, Annemarie Del Mugnaio. I do this every time. I have so much respect for our Assistant Director and I never can get the name just perfect. But, Del Mugnaio?
MS. DEL MUGNAIO: Del Mugnaio.
CHAIRPERSON DUDLEY: What?
MS. DEL MUGNAIO: Del Mugnaio.

CHAIRPERSON DUDLEY: Del Mugnaio.

MS. DEL MUGNAIO: There you go.

CHAIRPERSON DUDLEY: Del Mugnaio.

This time is set aside for members of the public who wish to comment on items not on the agenda, but those within the Board's jurisdiction.

Public comment on matters on the agenda will be heard after each item is presented. Public comment on specific peace officer revocation cases to be heard today will be heard at the time of the hearing of each of the matters.

Please be advised that the Board cannot take action on items not on the agenda and may discuss those matters only to the extent necessary to determine whether any matter should be made an agenda item at a future meeting, to respond briefly to statements or questions posed, to request clarification or to refer the items to staff.

Please remember that this meeting is being transcribed, so I may politely interrupt and ask you to repeat or speak slowly and clearly so your comment can be correctly captured in the transcript.

As the Board Chair, I may ask members of the public to limit their remarks to no more than three minutes, pursuant to existing Board policy.

I may conclude the public comment period if multiple speakers are voicing repetitive or similar statements, and the 15-minute public comment period has expired.

You will be given five minutes to speak and the time limits will be strictly enforced, so please ensure that you complete your thoughts within the allotted time.

Before I open public comment on matters not on the agenda, please note that if you wish to comment on disciplinary matters scheduled to be heard today or tomorrow by the Board, you must wait until the matter is called to offer public comment.

If you have a specific complaint about an officer that is not on today's agenda, you should file a complaint with POST or with the officer's employing agency. Staff will assist you in this regard.

I would like to remind individuals making comments to not discuss pending complaints or pending disciplinary actions that may later come before the Board for recommendation.

If the Board takes action on your complaint, you will have an opportunity to address the Board at that time.

Following these rules is necessary to comply with

the law and to avoid compromising the Board's mission.

Now, is there anyone present in the audience or appearing remotely who would like to address the Board during public comment?

Let's start with people present first. Anyone present?

(No response.)

CHAIRPERSON DUDLEY: Seeing none, let me inquire, is there anybody remotely?

(No response.)

CHAIRPERSON DUDLEY: Okay. Moving on.

Let's go to the approval of the minutes.

Is there anyone present or appearing remotely or by phone who would like to address the Board regarding the approval of the January 16th, 2025, transcripts?

(No response.)

CHAIRPERSON DUDLEY: Seeing none. Are there any questions or comments from the Board regarding the minutes?

Seeing none.

If the Board concurs, the appropriate action would be a motion to approve the meeting transcript from the January 16, 2025, meeting.

Is there a motion?

MEMBER CLAVO: I make a motion to approve the

that an officer did, in fact, engage in misconduct or that revocation or suspension is ordered.

That will be determined after the evidentiary hearing.

At the conclusion of each law enforcement consultant's presentation, the Board will have the opportunity to ask questions. Then public comment from the subject officer and/or their counsel will be taken, followed by members of the public.

Further discussion by the Board will be allowed if necessary.

The Board may then go into closed session, deliberations, after each case or wait until all cases have been presented and adjourn into closed session to deliberate on all cases presented.

After reconvening into regular session, votes will be taken on each case.

At this time I will call upon Law Enforcement Consultant Robert Bringolf, Professional Conduct, Los Angeles Bureau, and Bryant Henley, Attorney IV, Legal Affairs Bureau, to provide a report on POST -- on case POST2305110, Brian Kawamoto, who at the time of the events at issue in this case was employed with the Torrance Police Department.

Thank you, gentlemen.

MR. BRINGOLF: Well, I've been the guy coughing obnoxiously in the back, so now I'm going to be the guy coughing obnoxiously in the front. So I apologize.

Good morning, Chair and Members of the Board. My name is Robbie Bringolf. I'm one of the law enforcement consultants assigned to Professional Conduct Southern Bureau, previously LA County Bureau in the Peace Officer Standards Accountability Division.

With me today is Bryant Henley, an attorney with our legal affairs bureau.

CHAIRPERSON DUDLEY: Mr. Bringolf.

MR. BRINGOLF: Ma'am?

CHAIRPERSON DUDLEY: I'm going to ask you just to slow down a bit.

MR. BRINGOLF: You got it.

CHAIRPERSON DUDLEY: Look over at the reporter. She doesn't look happy.

MR. BRINGOLF: The smoke coming off her fingers? Okay.

CHAIRPERSON DUDLEY: If she doesn't look happy, it's your fault.

MR. BRINGOLF: That's fair. I take full responsibility.

CHAIRPERSON DUDLEY: And slow down. And I'll remind you, too.

MR. BRINGOLF: Thank you.

I'm here today to present case 235110 involving Brian Keith Kawamoto.

It's the Division's determination that clear and convincing evidence exists to demonstrate that Brian Kawamoto committed an act of serious misconduct as set forth in Penal Code Section 13510.8 while sending text messages to coworkers between March 2019 and December 2019.

Specifically, the Division has determined that Brian Kawamoto committed the following acts of serious misconduct demonstrating bias as defined in section 13510.8(b)(5) PC.

This morning I will present a brief outline of the Division's findings of investigation in this matter.

Mr. Kawamoto began his law enforcement career with the San Bernardino County Sheriff's Office as a deputy sheriff on March 12th, 2011. He was hired by the Torrance Police Department on November 17th, 2014. He was terminated from the Torrance Police Department on October 4th, 2022.

On March 26, 2023, Torrance Police Department reported allegations of serious misconduct against Mr. Kawamoto to POST pursuant to California Penal Code Section 13510.9(a)(3).

The allegations stem from the discovery of homophobic, transphobic and racist texts sent between members of the TPD between May 2018 and February 2022.

When analyzing the serious misconduct allegations of Penal Code Section 13510.8(b)(5) and regulation 1205(a)(5), demonstrating bias, the Division evaluates whether the subject officer through words, action or other conduct showed prejudice, intolerance, contempt or hatred towards a protected class of persons.

If the subject officer did show prejudice, intolerance, contempt or hatred towards a protected class of persons, the Division then considers whether the words, action or conduct would lead a reasonable person to conclude that the officer has not or will not fairly and impartially perform the officer's law enforcement duties.

If so, serious misconduct is shown if the officer's words, action or conduct either, one, violates applicable law; two, violates department policy; or three, is inconsistent with the officer's obligation to carry out the officer's duties in a fair and unbiased manner.

During the analysis of each instance of potentially biased behavior, the conduct was analyzed based on the guidelines I just mentioned to determine whether the

allegation of bias was true to a clear and convincing standard.

On March 25th, 2019, Torrance Police Officer Weldin texted Mr. Kawamoto stating, "Just had a shooting."

Mr. Kawamoto replied, "Fuck." And, "I trust y'all have them moon crickets in custody in no time."

During Mr. Kawamoto's Internal Affairs interview, when asked about the use of his term "moon crickets," Mr. Kawamoto stated the following, "So 'moon crickets' is a word that I heard it, like, in training or something once that I thought was funny. But refers to Black people. And I don't know why specifically I said that. But yeah, I shouldn't have said -- have sent that either, sir. It's offensive." End quote.

When the Internal Affairs investigator asked if the March 25th, 2019, message represented the only time when Mr. Kawamoto ever used the term "moon cricket" when referring to Black people, Mr. Kawamoto answered, "Probably not, sir."

As Mr. Kawamoto acknowledged during his Internal Affairs interview, the exchange between Officer Weldin and Mr. Kawamoto is inherently offensive. It's also racist.

Mr. Kawamoto's conduct in sending the message, "I trust y'all have them moon crickets in custody in no

time" shows prejudice and intolerance towards a protected class of persons.

Mr. Kawamoto's message also violated several of the Torrance Police Department's policies including, but not limited to TPD's anti-harassment policies and several of their General Orders.

Even when viewed in the light most favorable to Mr. Kawamoto, the racist epithet used to describe the suspects in the shooting who might be subject to enforcement action from the Torrance Police Department, necessarily erodes the public's confidence in Mr. Kawamoto's ability to fairly perform his law enforcement duties.

A reasonable person would conclude that Mr. Kawamoto's message shows Mr. Kawamoto has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community, specifically, because Mr. Kawamoto makes a statement indicating he assumed the suspects in the shooting would be Black without possessing any other information about the crime.

On May 2nd, 2019, Officer Weldin texted Mr. Kawamoto directly, "If it's any consolation, I like sober beating up savage monkeys Brian and I also like

drunk hood rat shit with my friends Brian."

Mr. Kawamoto replied, "Well, I appreciate that, LOL."

This message is another example of the use of a racist epithet and an indication of the use of force on a protected class of persons.

When Mr. Kawamoto was asked what Officer Weldin meant when he texted, "I like sober beating up savage monkeys," Mr. Kawamoto answers, "Sounds like he's referring to beating up Black people, sir."

While the racist epithet was not used by Mr. Kawamoto, his reply to Officer Weldin, "Well, I appreciate that, LOL" indicates a tacit approval of the use of dehumanizing and racist language and shows intolerance and prejudice towards Black people.

It is also reasonable to believe that Officer Weldin is indicating Mr. Kawamoto is known for using physical force against Black people or that using physical force against Black people is a foregone conclusion between these two officers.

This message exchange also violated several of the Torrance Police Department policies including, but not limited to, their anti-harassment policies and several of the General Orders.

After reading this message exchange, a reasonable

person would conclude that Mr. Kawamoto has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

On September 10th, 2019, Mr. Kawamoto texted Officers Weldin, Tomsic and Alonso a photo of coffins, saying, "This is from the coffin display at Rice Mortuary. Look at the one on the bottom."

Weldin responded, "For all them niglets we put down."

Mr. Kawamoto replied, "Ha-ha, yeah, I got a water heater box just as good I can sell you for half the price if you're interested though."

When asked during his Internal Affairs interview what Officer Weldin meant when he texted, "For all the niglets we put down," Mr. Kawamoto answered, "It sounds like Officer Weldin is talking about being for all the Black children that he said we've put down."

The Internal Affairs investigator then asked what Mr. Kawamoto believed the term "niglets" meant.

Mr. Kawamoto answered, "I think it refers to Black children. I think he's mixing the "N" word with the piglet type thing."

I find this another example of a pervasive theme among Mr. Kawamoto and several of his coworkers. I find

that a reasonable person would consider the use of the term "niglets" to be racist and an explicit demonstration of bias.

Further, the officers made jokes about a cardboard box being used for all the niglets they put down.

I find a reasonable person here would infer that the officers were saying the cardboard coffins were for all the Black children the officers have killed or will kill.

The fact that Mr. Kawamoto laughed, agreed, and then offered a water heater box as an alternative shows participation in joking about killing Black children and using cardboard coffins to bury the decedents.

Further, it's inferred that they are making light of a fatal police enforcement contacts involving Black people.

I find this text and the perpetuation of the discourse to be an explicit demonstration of bias, which is inconsistent with Mr. Kawamoto's obligation to carry out his duties in a fair and unbiased manner.

This message, like the others, also violated several of the Torrance Police Department's policies, including, but not limited to, their anti-harassment policies and several General Orders.

A reasonable person, after viewing the disparaging

communications between these officers, would conclude that Mr. Kawamoto has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

In a November 19th, 2019, text conversation, Mr. Kawamoto texted Officer Weldin, "Happy birthday, Niggah."

Weldin responded, "Just making sure you don't go to that location due to the fact that they have seven fewer employees now to serve up some spicey chicken sandwiches."

Mr. Kawamoto sent, "Good call. What's the game plan for your birthday?"

Weldin texted, "Make money, beat niggahs."

Mr. Kawamoto replied, "I know nothing puts a bigger smile on yo grill."

I find this is another example of a pervasive thing -- theme among Mr. Kawamoto and several of his coworkers in which they mock Black people.

These messages are inherently offensive and racist. The messages also violated several of the Torrance Police Department's policies, including, but not limited to, their anti-harassment policy and their General Orders.

Mr. Kawamoto's conduct in sending the message shows prejudice and intolerance towards a protected class of persons.

And again, even when we view this in the light most favorable to Mr. Kawamoto, this message erodes the public's confidence in Mr. Kawamoto's ability to fairly perform his law enforcement duties.

A reasonable person would conclude that Mr. Kawamoto's message shows Mr. Kawamoto has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

In a December 24th, 2019, text, Mr. Kawamoto sent an image meme to Officers Alonso, Tomsic, and Weldin which referenced hanging a person.

In that image meme there were three Christmas-related images, a star for the top of a Christmas tree, a Christmas ornament and a candy cane, then an old black and white image of a Black person appearing to be a slave. On the top of the image meme were the words, "Which one doesn't belong?"

At the bottom of the meme were the words, "That's right. You don't hang the star."

After Officer Weldin replied, "I done nearly pissed myself," Mr. Kawamoto texted, "Happy Kwanzaa."

When asked by the Internal Affairs investigator if he remembered sending the messages, Mr. Kawamoto replied, "Yes, sir, I do. There's no excuse, I understand it's offensive."

The Internal Affairs investigator subsequently asked Mr. Kawamoto whether this message was disparaging or discriminatory towards Black people.

Mr. Kawamoto replied, "I feel like it was offensive to Black people because it's making references to when Black people had been hung in the perspective."

This image in the messaging associated with the image is inherently offensive and racist. The image and messages also violated several of the Torrance Police Department's policies, including, but not limited to, their anti-harassment policies and several of their General Orders.

Mr. Kawamoto himself acknowledged that he knew the message was offensive to Black people. Mr. Kawamoto's conduct in sending the message shows prejudice and intolerance towards a protected class of persons.

Even when viewed in the light most favorable to Mr. Kawamoto, sending a picture of a Black person and suggesting that the Black person should be hanged followed by the message, "Happy Kwanzaa," is unequivocally racist and erodes the public's

confidence in Mr. Kawamoto's ability to fairly perform his law enforcement duties.

A reasonable person would conclude that Mr. Kawamoto's message shows that Mr. Kawamoto has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

These types of statements and messages discredit the Torrance Police Department in potentially irreparable ways. And they violated several of the Torrance Police Department policies.

Accordingly, the Division finds that Mr. Kawamoto demonstrated bias within the meaning of Penal Code Section 13510.8(b)(5) and regulation 1205(a)(5) when he sent the above list of messages.

The facts that I've just recited support the Division's finding that Brian Kawamoto was involved in serious misconduct, specifically demonstrating bias.

For purposes of the Division's analysis, clear and convincing evidence means evidence of a charge which is clear and convincing so long as there's a high probability that the charge is true.

The evidence need not establish a fact beyond a reasonable doubt.

The Division recommends that Brian Kawamoto's POST

certification be suspended or revoked.

With that I'm happy to answer any questions that the Board may have.

CHAIRPERSON DUDLEY: Does the Board have any questions or comments?

(No response.)

CHAIRPERSON DUDLEY: Seeing none.

At this time, does the subject officer or their counsel wish to make public comment? If so, you will each be given five minutes to speak and the time limits will be strictly enforced, so please ensure that you complete your comments within the allotted time.

While commenting, keep in mind that the Board will only consider the facts as presented by the Division today and will not consider any additional facts or defenses at this time.

The sole question before the Board today is the following: If the facts offered by the Division today are, in fact, proven at a later hearing, do those facts demonstrate clear and convincing evidence, a high probability that serious misconduct, as defined in Penal Code Section 13510.8 and Commission Regulation 1205 occurred?

So is there anyone from the public who would like to address the Board at this time?

(No response.)

CHAIRPERSON DUDLEY: Okay. Just checking. First let me check on the audience.

Nobody here seeking to address the Board.

And is there anybody on the phone?

UNIDENTIFIED SPEAKER: No.

CHAIRPERSON DUDLEY: Okay.

MR. HENLEY: Madam Chair, if I may, just for the record, we, the Division, this is Bryant Henley on behalf of the Peace Officer Standards Accountability Division, we, in the Division, communicated with Officer Kawamoto's counsel, Mr. Sinsley. Mr. Sinsley did request a link, a Zoom link, so that he could appear remotely for this -- for this event. And he was provided, via email, with a notice, the agenda, the dates and times of the hearing. We did anticipate that he would be here and want to present comment.

And so I understand we do not have anyone requesting comment, but I wanted the record to reflect that we expected him to be here and he expressed the intent to be here to present comment.

CHAIRPERSON DUDLEY: Okay. Thank you.

And, again, checking anybody there remotely?

(No response.)

CHAIRPERSON DUDLEY: No.

Okay. At this time, does the Board wish to adjourn into closed session for deliberations on this case?

Or is the Board ready to take a vote on a recommendation on this case?

MEMBER LARA: I personally -- Lara -- I have no need to deliberate.

CHAIRPERSON DUDLEY: I'm sorry?

MEMBER LARA: I do not need to -- I don't want to speak for the rest of -- the other body, but I do not need to go.

CHAIRPERSON DUDLEY: Okay. Does anybody feel the need to go into closed session?

(No response.)

CHAIRPERSON DUDLEY: Seeing none, is there a motion? Yes.

MEMBER LARA: I would like to make a motion for revocation.

CHAIRPERSON DUDLEY: Is there a second?

MEMBER CLAVO: I second.

CHAIRPERSON DUDLEY: Okay. And could we have the roll call?

MR. KNAPP: Yes, Madam Chair. Thank you.

Clavo.

MEMBER CLAVO: Aye.

MR. KNAPP: Clavo, aye.

Crawford.

MEMBER CRAWFORD: Aye.

MR. KNAPP: Crawford, aye.

Dudley.

CHAIRPERSON DUDLEY: Aye.

MR. KNAPP: Dudley, aye.

Glaser.

MEMBER GLASER: Aye.

MR. KNAPP: Glaser, aye.

Johnson.

MEMBER JOHNSON: Aye.

MR. KNAPP: Johnson, aye.

Lara.

MEMBER LARA: Aye.

CHAIRPERSON DUDLEY: Lara, aye.

Pena.

MEMBER PENA: Aye.

MR. KNAPP: Pena, aye.

The motion is unanimous.

CHAIRPERSON DUDLEY: Okay. The motion passes.

And it's time for lunch. So let's take a break and we'll start up again, what do you think?

In half an hour?

Is that agreeable with everybody?

Yeah. Okay. We'll start up again at 12:30.

CERTIFICATE OF REPORTER

I, CONNIE J. PARCHMAN, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing proceedings were reported, to the best of my ability, in shorthand by me, Connie J. Parchman, Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said proceedings nor in any way interested in the outcome of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of July 2025.



Connie J. Parchman, CSR
Certified Shorthand Reporter
License No. 6137

AGENDA ITEM REPORT

Title: POST2305111 - CHRISTOPHER ALLEN-YOUNG (POST ID:C46-H76)
LAST EMPLOYING AGENCY: TORRANCE POLICE DEPARTMENT

REPORT PROFILE

MEETING DATE 09/09/2025	**BUREAU SUBMITTING THE REPORT** Professional Conduct Los Angeles Bureau	
RESEARCHED BY Robert Bringolf	**REVIEWED BY** Mike Radford	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 08/16/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Commission for review and action regarding the subject peace officer's certification status. The Commission shall return any determination requiring action to be taken against an individual's certification to the Peace Officer Standards Accountability Division (Division), which shall initiate proceedings for a formal hearing before an administrative law judge in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), which shall be subject to judicial review as set forth in that Act.

BACKGROUND:

Respondent Christopher Allen-Young began his employment with Torrance Police Department (TPD) on April 24, 2017, as a full-time Police Officer. At the time of the events at issue, Respondent was employed as a Police Officer with the TPD. Respondent was discharged from his position with TPD on January 5, 2023. The Respondent is not currently employed as a peace officer in the State of California.

This position is a peace officer position defined under California Penal Code §830.1(a) and is required to be certified pursuant to California Penal Code §13510.1(a). The case before the Board alleges the Respondent, on three separate occasions, either sent or replied to text messages which were deemed as demonstrating bias as defined in Commission Regulation 1205(a)(5).

ANALYSIS:

The Division found that the clear and convincing evidence

substantiated that Respondent's conduct amounted to demonstrating bias as described in Commission Regulation 1205(a)(5), in that on three separate occasions, Respondent either sent or replied to text messages, which are inconsistent with Respondent's obligation to carry out his duties in a fair and unbiased manner. The Division finds all of the messages were examples of the Respondent's repetitive misconduct, which confirms the Respondent violated TPD's policies on several occasions relating to inappropriate speech and unprofessional conduct. In addition to violating the Department's policies with regard to prohibited speech, expression, and conduct, clear and convincing evidence exists that Respondent violated California Penal Code section 13510.8(b)(5) and Commission Regulation 1205(a)(5) - Demonstration of Bias.

RECOMMENDATION: The Commission shall review recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) regarding, what action if any, should be taken, suspension or revocation, on the certification of the subject peace officer. The Commission's decision to adopt a recommendation by POSAAB to seek revocation shall require a two-thirds vote of Commissioners present and shall be based on whether the record, in its entirety, supports POSAAB's conclusion that serious misconduct has been established by clear and convincing evidence. In any case in which the Commission reaches a different determination than POSAAB's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

ATTACHMENT(S):

BR01_POST2305111_AllenYoung_Christopher_ISF (1).pdf
BR02_POST2305111_AllenYoung_Christopher_Attachment_A_ExecReviewDivisionRec.pdf
BR03_POST2305111_AllenYoung_Christopher_Attachment B_POSTProfile.pdf
BR04_POST2305111_AllenYoung_Christopher_Attachment_C_TerminationLetter.pdf
BR05_POST2305111_AllenYoung_Christopher_Attachment_D_Transcripts.pdf
BR06_POST2305111_AllenYoung_Christopher_Attachment_E_Transcripts.pdf
BR07_POST2305111_AllenYoung_Christopher_Attachment_F_TextMessages.pdf
BR08_POST2305111_AllenYoung_Christopher_Attachment_G_TorrancePolicies.pdf
POST2305111_Allen-Young_Christopher_July_2025_POSAAB_Agenda_Record.pdf
POST2305111_Allen-Young_Christopher_Board_Recommendation_Signed.pdf
POST2305111_Allen-Young_Christopher_Transcript_Board_07.16.25.pdf



INVESTIGATIVE SUMMARY AND FINDINGS

PEACE OFFICER NAME: Christopher W. Allen-Young

POST ID NUMBER: C46-H76

EMPLOYING AGENCY: Torrance Police Department

POST CASE NUMBER: POST2305111

WRITTEN BY: LEC Robert Bringolf

DATE: 04/11/2025

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I. Executive Summary

This case was submitted by the Torrance Police Department (TPD) which alleged the subject officer, Officer Christopher W. Allen-Young, hereinafter, "Respondent," was involved in serious misconduct when he sent text messages that contained racist, homophobic and transphobic sentiments which demonstrated his bias and inability to fairly and impartially perform his duties as a peace officer.

II. Background Information

a. Identity of Respondent

At the time of the events at issue, Respondent was employed as a Police Officer with the TPD. The Respondent was terminated from the TPD on January 5th, 2023.

b. Respondent's Service Record, Relevant Training, and Prior Complaints and Discipline[1]

When evaluating whether suspension or revocation is appropriate, Penal Code section 13510.8(c)(5) and California Regulation section 1213(a)(5) authorize the Commission to consider Respondent's prior conduct, discipline and service record. The relevance and weight the Commission may choose to assign to a peace officer's prior conduct and service record will depend on the facts in each case.

Respondent had no disciplinary actions on file with the Torrance Police Department and his most recent performance review indicated that his performance was generally meeting standards or above standards.

[1] In addition to the discipline summarized here, Respondent is the subject officer in five (5) other serious misconduct allegations, which the Torrance Police Department reported to POST. As of the date of the Investigative Summary and Recommendation in the present case (POST2305111) some, but not all, of the five unrelated cases remain open with the Division. The Division stands ready to provide additional details about these other allegations; however, the allegations are unrelated to the facts in the present case and were not relied upon in making the Division's recommendation here.

While employed as a peace officer, or deputy trainee, Respondent received the following training relevant to this allegation:

- Workplace Harassment Prevention – 8 hours – 11/20/2013
- Cultural Diversity – 8 hours – 03/07/2014
- Basic Police Academy
- Racial Profiling
- Racial Profiling Update – 4 Hours – 03/12/2019

c. Prior Employment History

Respondent began his law enforcement career with the Los Angeles County Sheriff's Department as a deputy trainee on November 18, 2013; he was promoted to deputy sheriff on April 6, 2014. Respondent's last day as a deputy sheriff at Los Angeles County Sheriff's Department, April 24, 2017, was his first day as a police officer at the Torrance Police Department.[2]

d. Peace Officer Certification

Respondent is assigned POST ID C46-H76. He received the following peace officer certificates from the Peace Officer Standards and Training (POST):

- Basic #179956 (Issued: April 21, 2015)

e. The Present Allegations of Serious Misconduct

1. ***Penal Code Section 13510.8(b)(5), as clarified by Commission Regulation 1205(a)(5)[3] – Demonstrating Bias:***

[2] Respondent's EDI Report
[3] See 11 Cal. Code Regs. § 1205(a)(5) (as modified on April 18, 2024).

(a)(5) Demonstrating bias on the basis of actual or perceived race, national origin, religion, gender identity or expression, housing status, sexual orientation, mental or physical disability, or other protected status in violation of law or department policy or inconsistent with a peace officer's obligation to carry out their duties in a fair and unbiased manner. This paragraph does not limit an employee's rights under the First Amendment to the United States Constitution.

(A) An officer is "demonstrating" bias for purposes of this Regulation when the officer either shows or displays, by words, actions or other conduct, prejudice, intolerance, contempt, or hatred towards one or more persons due to that person's membership within a class of persons identified in Penal Code section 13510.8(b)(5), when such words, actions or other conduct would lead a reasonable person to conclude that the officer has not fairly and impartially performed, or will not fairly and impartially perform, their law enforcement duties.

(B) An officer engaging in racial profiling in violation of Penal Code section 13519.4 is demonstrating bias because profiling casts suspicion on a class of people without individualized suspicion as to the person being stopped.

III. Investigative Methodology

This report summarizes the findings related to allegations of serious misconduct. This investigation was conducted in accordance with the regulations and policies of POST. The investigation included the review of TPD's administrative investigation which

contained interviews of witness officers and the subject officer. The TPD also provided the Peace Officer Standards Accountability Division (Division) the raw data seized from the cellular telephones of other Torrance Police Officers during a criminal investigation.

Information obtained was analyzed using the clear and convincing evidence standard. For purposes of this report, clear and convincing evidence means "evidence of a charge is clear and convincing so long as there is a 'high probability' that the charge is true. The evidence need not establish a fact beyond a reasonable doubt."

This report is necessarily summary in nature and does not include every fact or issue that might be found in the underlying investigation and attachments.[4] It does, however, contain reference to that evidence that I believe establishes the requisite facts, and proves the serious misconduct charged, by clear and convincing evidence.

IV. Factual Summary

On March 26, 2023, Torrance Police Department (TPD) reported allegations of serious misconduct against Respondent to POST pursuant to California Penal Code Section 13510.9(a)(3). The allegations stemmed from the discovery of homophobic, transphobic and racist texts sent between members of the TPD between May 2018 and February 2022.

On January 27, 2020, two other Torrance Police Officers, Christopher Tomsic and Cody Weldin, were the subject of a criminal investigation wherein it was alleged they had

[4] The Division, as described further below, received information concerning approximately 390 messages exchanged between several peace officers. Respondent both received and responded to a certain subset of these 390 messages. The Division also reviewed instances where Respondent's words, acts or other conduct did **not** demonstrate bias by clear and convincing evidence. The Division's Investigative Summary and Findings in this case does not attempt to summarize every single instance in which Respondent sent or received a message, however. Instead, the Division's Investigative Summary and Findings addresses specific messages where Respondent's words, acts or other conduct demonstrated bias within the meaning of Penal Code section 13510.8(b)(5).

vandalized an arrestee's vehicle by, among other means, spray painting a swastika and a smiley face on the interior of the arrestee's vehicle during an inventory/search.[5]

As a result of the criminal investigation, Torrance Police Detectives obtained a search warrant for Tomsic's and Weldin's DNA and their personally owned cellular telephones.

The data from the cellular telephones was provided to an analyst at the Los Angeles County District Attorney's Office for review and with the intent to determine whether the two suspect officers had any ties to white supremacy.

During the review of the data, the District Attorney's analyst discovered around 390 messages that were believed to contain or reference antisemitic, homophobic, racist, or transphobic remarks. Those messages were sent between Tomsic, Weldin and several other officers, including Respondent.

On **February 14, 2019**, in a WhatsApp group chat with 14 other members of the Torrance Police Department, Respondent sent a meme[6] of David Chapelle that said, "When your GF is fucking a black guy, so you break a [taillight] on his car so the police stop him & shoot him." At the bottom of the picture it said, "Modern problems require modern solutions."

On **March 31, 2019**, in a direct text to Officer Weldin, Respondent texted, "Moon cricket[7] hunting!!!!" Officer Weldin responded, "They're chirping for sure."

[5] On Thursday April 10, 2025, Officers Tomsic and Weldin plead guilty to felony vandalism. They will spend two years on probation and must give up their right to serve as law enforcement officers in California as well as complete 100 hours of community service and 15 hours of anti-racism training.

[6] An image, video, piece of text, etc., typically humorous in nature, that is copied and spread rapidly by internet users, often with slight variations.

[7] "Moon Cricket is a racial slur against black people. The exact origin is obscure. One theory suggests it began with US slaves, who sang as a pastime – an act of community and resistance- at night after their labor – Source: dictionary.com

Respondent was on duty at the time of this message. As such, the indication was that Respondent was out patrolling, which he referred to as “Moon cricket hunting”.

On **December 19, 2019**, Officer Weldin texted Respondent directly, “What’s up monkey thumper.” Respondent replied, “Hahaha, what’s up bud.”

On April 26, 2022, Respondent was interviewed as part of a large-scale internal affairs investigation stemming from the discovery of the above-mentioned messages. During the interview Respondent was advised of his Constitutional Rights per 3303(h) of the Government Code. Respondent invoked his right to remain silent and was compelled to provide a statement. A sergeant from TPD admonished Respondent pursuant to *Lybarger*[8] and then the interview continued.

During the internal affairs investigation Respondent provided his cellular telephone number to the investigator[9]. Respondent advised he did not have another phone number while he worked for TPD and possessed that phone number for the previous ten years[10]. Respondent told investigators that he did not allow others to send text messages from his phone and that he used the cell phone to send and receive text messages to and from Torrance Police Department co-workers.

City of Torrance and TPD Policies

Penal Code Section 13510.8(b)(5) and Commission Regulation 1205(a)(5) both establish that the demonstration of bias in violation of department policy constitutes serious misconduct. The City of Torrance and the TPD enforce several policies relating to the

[8] *Lybarger v. City of Los Angeles,* 40 Cal. 3d 825 (1985).
[9] Respondent Transcripts 4/26/22 Interview Pg 10.
[10] Respondent Transcripts 4/26/22 Transcript Pgs 10-11.

conduct of their employees. What follows is a summary of some of the most relevant policies which relate directly to Respondent's conduct in this case:

- The Law Enforcement code of Ethics, Policy 104 states "I WILL keep my private life unsullied as an example to all…. I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service."

- The City's Anti-Harassment Policy 34.10a, Protected Classifications prohibits harassment or discrimination because of an individual's protected classification. This classification includes race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation. Harassment can consist of virtually any form or combination of verbal, physical, visual or hostile work environment conduct. It need not be explicit, nor even specifically directed at the victim.

- The City's Anti-Harassment Policy 34.10d, Visual or Written Harassment prohibits the display or circulation of offensive or derogatory visual or written material related to race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

- The City's Anti-Harassment Policy 134.05 requires that all City employees shall immediately report any evidence of discriminatory harassment or complaints regarding sexual harassment made to them or which they have

directly observed whether or not reported by the employee who is the object of the harassment to their supervisor, manager, or to the Human Resources Division.

- The City's Anti-Harassment Policy 134.15 states it is the employee's responsibility to report any conduct which fits the definition of discriminatory harassment to their immediate supervisor or appropriate authority figure.

- General Orders 1.10.3(B), 2.01.1(A), 2.33.1(D) explain the Department's philosophy and expectations of personnel in their service to the community. Section 1.10.3(B) Service to the Community, emphasizes the rules and regulations of the Department such as maintaining a professional attitude and demeanor that will not in any manner communicate any personal prejudices. In addition, members of the Department shall avoid behavior which would tend to bring about criticism of the Department. Conduct, whether on or off duty, shall be such as to merit the respect and confidence of the public. General Order 2.01.1(A) explains it is the duty of all employees to familiarize themselves with and abide by Department rules and regulations. Employees who fail to comply are subject to disciplinary action up to and including termination. General Order 2.33.1(D) defines prohibited speech, expression, and conduct which tends to compromise or damage the mission, function, reputation, or professionalism of the TPD or its employees, such as speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness, and additionally speech or expression that is contrary to the Mission Statement or Core Values of the TPD.

- TPD policies 319.4, 319.5.7(i), 319.5.8, 319.5.9, 401.2, 401.3, 1021.4 - TPD Policy Manual 319.5.8(i) prohibits any act on or off duty that brings discredit to the department. TPD Policy 319.5.9(g) prohibits the use of

obscene, indecent, profane or derogatory language while on duty or in uniform; and 319.5.9(m) prohibits any other on duty or off duty conduct which any member knows or reasonably should know is unbecoming a member of the department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members. Furthermore, TPD Policy Manual 401.2 states the TPD is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of the TPD to provide law enforcement services and to enforce the law equally, fairly, and objectively and without discrimination toward any individual group. TPD Policy Manual 401.3 prohibits bias based policing.

On January 5, 2023, the City of Torrance, CA sent Respondent a letter of intent to terminate his employment as a police officer with TPD. In the letter, authored by then-Assistant City Manager Danny E. Santana, Respondent's involvement in the above-listed messages was classified as racist, and TPD terminated Respondent based on Respondent's violation of several Torrance Police Department Policies.

On May 8, 2023, The Commission on POST's Assistant Executive Director, Annemarie Del Mugnaio issued an immediate temporary suspension for Respondent's POST Basic Certification.

V. Analysis and Findings

a. Establishing Jurisdiction

The Commission on POST may initiate proceedings to revoke or suspend a peace officer's certification for conduct which occurred before January 1, 2022

if the employing agency makes a final determination regarding its investigation of the misconduct after January 1, 2022.[11]

The final determination in this allegation of serious misconduct resulted in Respondent's termination, which occurred on January 5, 2023.[12] The investigation was still ongoing after January 1, 2022 as evidenced by Respondent's internal affairs investigation interview on April 26, 2022.[13] Because the TPD made its final determination regarding its investigation of Respondent after January 1, 2022, the Commission on POST has jurisdiction to consider this serious misconduct action.

b. Does the alleged conduct violate Penal Code 13510.8(b)(5) and California Regulation 1205(a)(5) – Demonstration of bias on the basis of race?

When analyzing the serious misconduct allegation of Penal Code section 13510.8(b)(5) and Regulation 1205(a)(5), "demonstrating bias," the Division evaluates whether the subject officer, through words, action or other conduct showed prejudice, intolerance, contempt or hatred towards a protected class of persons. If the subject officer did show prejudice, intolerance, contempt or hatred towards a protected class of persons, the Division then considers whether the words, action or conduct would lead a reasonable person to conclude that the officer has not or will not fairly and impartially perform the officer's law enforcement duties. If so, serious misconduct is shown if the officer's words, action or conduct either: 1) violates applicable law, 2) violates department policy, or 3) is inconsistent with the officer's obligation to carry out the officer's duties in a fair and unbiased manner.

[11] California Penal Code 13510.8(g)(1)(B).
[12] Termination letter dated January 5, 2023, Pg 1.
[13] Compendium file, Respondent's Interview Transcripts.

During the analysis of each instance of potentially biased behavior, the conduct was analyzed based on the above guidelines to determine whether the allegation of bias was true to a clear and convincing standard.

Regarding the **February 14, 2019** WhatsApp message between Respondent and 14 other members of the Torrance Police Department in which Respondent sent a "Modern problems require modern solutions" image meme of Dave Chapelle that said, "When your GF is fucking a black guy, so you break a [taillight] on his car so the police will stop him & shoot him." The Division finds this message was inherently offensive and racist. Respondent's conduct in sending the image meme message showed prejudice toward a protected class of persons. Respondent's message violated several of the Torrance Police Department's policies, including but not limited to: TPD's Anti-Harassment Policies (34.10 through 34.25, and 134.05 through 134.20), and General Orders 1.10.1, 1.10.3(B) and 2.33.1(D).[14] A reasonable person would conclude that Respondent's conduct demonstrates that he has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community. Accordingly, the Division finds that Respondent demonstrated bias within the meaning of Penal Code section 13510.8(b)(5) when he sent the image meme of Dave Chapelle.

Regarding the **March 31, 2019** text message between Respondent and Officer Weldin in which Respondent was on duty and wrote, "Moon cricket hunting!!!!," and Officer Weldin responded, "They're chirping for sure." The exchange between Officer Weldin and Respondent is inherently offensive and racist. Respondent's conduct, in sending the message "Moon cricket hunting!!!!" violated several of the Torrance Police Department's policies, including but not

[14] See Attachment G - Torrance Policies.

limited to: TPD's Anti-Harassment Policies (34.10 through 34.25, and 134.05 through 134.20), and General Orders 1.10.1, 1.10.3(B) and 2.33.1(D).[15] Even when viewed in the light most favorable to Respondent, his racist epithet used to describe members of the Torrance community who might be subject to enforcement action from the Torrance Police Department necessarily erodes the public's confidence in Respondent's ability to fairly perform his law enforcement duties. A reasonable person would conclude that Respondent's message shows Respondent has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community, specifically because, "hunting" indicates that Respondent is targeting a certain demographic for enforcement action because of their race. Accordingly, the Division finds that Respondent demonstrated bias within the meaning of Penal Code section 13510.8(b)(5) when he wrote: "Moon cricket hunting!!!!"

Regarding the **December 19, 2019** text in which Officer Weldin texted Respondent directly, "What's up monkey thumper." Where Respondent replied, "Hahaha what's up bud.": This message is another example of the use of a racist epithet and an indication of a use of force on a protected class of persons. Respondent's response and involvement in this message exchange violated several of the Torrance Police Department's policies, including but not limited to: TPD's Anti-Harassment Policy (34.10 through 34.25, and 134.05 through 134.20), and General Orders 1.10.1, 1.10.3(B) and 2.33.1(D). While the racist epithet was not used by Respondent, his reply to Officer Weldin indicates a tacit approval of the use of dehumanizing and racist language and shows intolerance and prejudice toward black people. When reading this text exchange, a reasonable person would conclude that Respondent cannot or will

[15] See Attachment G - Torrance Policies.

not fairly and impartially perform his duties as a law enforcement officer. The message exchange also implies that Officer Weldin is indicating Respondent is known for using physical force against black people, or that using physical force against black people is a foregone conclusion between these two officers. Accordingly, the Division finds that Respondent demonstrated bias within the meaning of Penal Code section 13510.8(b)(5) when he wrote: "Hahaha what's up bud" in response to a message in which Officer Weldin called Respondent a "monkey thumper."

These types of statements violate several department policies and discredit the Torrance Police Department in potentially irreparable ways. Respondent's remarks also violated several of the Torrance Police Department's policies. Respondent's text messages and responses would lead a reasonable person to conclude that Respondent has not or will not fairly and impartially perform his law enforcement duties. Accordingly, the Division finds that Respondent demonstrated bias within the meaning of Penal Code section 13510.8(b)(5) and Regulation 1205(a)(5).

VI. Supporting Evidence and Documentation

Attachment "A" – Executive Review and Peace Officer Standards Accountability Division Recommendation

Attachment "B" - Respondent's EDI Report

Attachment "C" – Letter of Termination.

Attachment "D" - Respondent Transcripts 4/26/22 Interview Pg 10

Attachment "E" - Respondent Transcripts 4/25/22 Transcript Pg 11

Attachment "F"- Text messages –sorted by date

Attachment "G" - Applicable Torrance Policies

VII. Findings

Based on the evidence that Respondent sent discriminatory messages in violation of TPD policies, and because a reasonable person would conclude that Respondent has not or will not perform his duties fairly and impartially as a result, the Division finds there is clear and convincing evidence that Respondent engaged in serious misconduct, to wit demonstrating bias in violation of Penal Code section 13510.8(b)(5) and Commission Regulation 1205(a)(5). Therefore, reasonable grounds exist to submit this case to the Peace Officer Standards Accountability Advisory Board and the POST Commission for consideration of suspension or revocation of Respondent's POST certification in accordance with the Executive Review and Peace Officer Standards Accountability Division Recommendation.[16]

[16] See Attachment A.

Commission on Peace Officer Standards and Training
860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1603
(916) 227-3909 • www.post.ca.gov

EXECUTIVE REVIEW & PEACE OFFICER STANDARDS ACCOUNTABILITY DIVISION RECOMMENDATION

DATE: May 1, 2025

CASE #: POST2305111

PEACE OFFICER: Christopher W. Allen-Young

POST ID#: C46-H76

AGENCY: Torrance Police Department

POST CONSULTANT / BC: Robert Bringolf/Mike Radford

ALLEGATION(S):

Commission Regulation 1205(a)(5) - Demonstration of Bias

This case was submitted by the Torrance Police Department (TPD) which alleged the subject officer, Officer Christopher W. Allen-Young, hereinafter, "Respondent," was involved in serious misconduct when he sent text messages that contained racist, homophobic and transphobic sentiments which demonstrated his bias and inability to fairly and impartially perform his duties as a peace officer.

The Peace Officer Standards Accountability Division, Certification Executive Review Panel has reviewed the above referenced case involving alleged serious misconduct and has determined the following:

☒ There are reasonable grounds for suspension or revocation of a peace officer's certification.

POST determined clear and convincing evidence exists to show Respondent sent discriminatory messages in violation of TPD policies, and such messages contain bias speech wherein a reasonable person would conclude that Respondent has not or will not perform his duties fairly and impartially. As such, the Division finds there is clear and convincing evidence that Respondent engaged in serious misconduct, to wit demonstrating bias in violation of Penal Code section 13510.8(b)(5) and Commission Regulation 1205(a)(5).

☐ There is insufficient evidence to support a recommendation of revocation or suspension of certification.

William Darden Chief Legal Counsel	Signature	5/8/25 Date
Annemarie Del Mugnaio Assistant Executive Director	Signature	5/8/25 Date
Manny Alvarez Executive Director	Signature	05/09/2025 Date

cc: Bureau Chief Mike Radford

cc: Jason Morlock

cc: Chandler Knapp

cc:

POST PROFILE NAME:

ALLEN-YOUNG, CHRISTOPHER W.

CALIFORNIA COMMISSION ON **POST**

Certification Status: Temporary Suspension

AKA: N/A

DATE: 04/12/2025

PERSONAL IDENTIFICATION

POST I.D.	Agency	Birth Date	Gender	Race/Ethnicity
C46-H76		[redacted]	Male	[redacted]

CERTIFICATES AWARDED

Cert No.	Type	Awarded	Education	T	T+	Comments
179956	B	04/21/2015	0	38.00	0.00	**Invalid**

Total Number of Certificates: 1

EMPLOYMENT

Hired From	To	R*	Rank	Rank Date	Agency	Agency Name	F/P	P/U	Seas
11/18/2013	04/06/2014	6	TRN	11/18/2013	19000	LOS ANGELES CO SD	F	P	
04/06/2014	04/24/2017	1	DPTY	04/06/2014	19000	LOS ANGELES CO SD	F	P	
04/24/2017	01/05/2023	8	PO	04/24/2017	19720	TORRANCE PD	F	P	

*Reason for Separation: 1 = Resigned, 6 = Other, 8 = Involuntary Separation

POST CERTIFIED TRAINING

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
11/20/2013	K	1820-28411-13-007	8	X	Y	19000	LASD		WORKPLACE HARASSMENT PREVENTION
03/07/2014	K	4890-23272-13-054	8		Y	19000	M TOLERNCE		CULT. DIV.-TOOLS FOR TOLERANCE (MOT ONLY)
04/04/2014	A	1820-00100-13-004	760		Y	19000	LASD		BASIC COURSE-INTENSIVE
10/07/2015	K	1279-20078-15-002	8	X	Y	19000	STAS		POLICING VIOLENT EXTREMISM 1
11/23/2015	K	1279-20074-15-010	8	X	Y	19000	STAS		TLO BASIC - JRIC
05/02/2017	K	2800-29501-16-011	8		Y	19720	TPD	*	FIREARM(PSP)
05/06/2017	K	2800-29502-16-013	8		Y	19720	TPD	*	DRIVING(PSP)
01/25/2018	K	2800-29503-17-005	8		Y	19720	TPD	*	ARSTCTL(PSP)
01/26/2018	K	2800-23500-17-005	8	X	Y	19720	TPD		WEAPONLESS DEFENSE AND BATON
04/12/2018	K	2800-22405-17-002	8	X	Y	19720	TPD		OFFICER SAFETY/FIELD TACTICS UPDATE
10/19/2018	K	9180-25587-18-111	2	X	Y	19720	POST		VEHICLE PURSUIT POLICY (WEB)
10/26/2018	K	2800-20315-18-002	8	X	Y	19720	TPD		DRUG ALCOHOL RECOGNITION UPDATE
11/20/2018	K	1820-20301-18-008	4	X	Y	19720	LASD		BREATH ALCOHOL TESTING DEVICE
12/07/2018	K	9180-25580-18-160	4	X	Y	19720	POST		DOMESTIC VIOLENCE: IT'S YOUR CALL, VOL. 1 (WEB)
03/12/2019	K	4890-23287-18-026	4	X	Y	19720	M TOLERNCE		RACIAL PROFILING UPDATE
04/11/2019	K	2800-29501-18-008	8		Y	19720	TPD	*	FIREARM(PSP)
10/22/2019	H	1120-10040-19-001	8	X	Y	19720	ESPD		LEADERSHIP & ACCOUNTABILITY
11/19/2019	K	1120-28000-19-001	7	X	Y	19720	ESPD		TRAINING CONFERENCE
12/13/2019	K	9180-25587-19-166	2	X	Y	19720	POST		VEHICLE PURSUIT POLICY (WEB)
08/07/2020	K	2800-23500-20-001	8	X	Y	19720	TPD		WEAPONLESS DEFENSE AND BATON
10/31/2020	K	9180-25589-20-123	2	X	Y	19720	POST		DV RESPONSE & LETHALITY ASSESSMENT (WEB)
11/10/2020	K	9180-25587-20-133	2	X	Y	19720	POST		VEHICLE PURSUIT POLICY (WEB)
11/21/2020	K	2800-29502-20-004	8		Y	19720	TPD	*	DRIVING(PSP)
04/01/2021	K	2800-29501-20-004	8		Y	19720	TPD	*	FIREARM(PSP)
08/20/2021	K	2540-31725-21-002	40		Y	19720	SOBAYRTC		FIELD TRAINING OFFICER

*Meets Perishable Skills

FOOTNOTES

NO FOOTNOTE ON FILE.

PLEASE REFER TO THE ENCLOSED EXPLANATION SHEET FOR ADDITIONAL INFORMATION.

COMMISSION ON POST – PROFILE REPORT

The Profile Report contains confidential information.

EXPLANATION SHEET

PERSONAL IDENTIFICATION: Subject's personal information as indicated in POST database (EDI system)	
POST ID:	Unique identification number assigned to subject by POST.
Agency:	Indicates the agency (or one of the agencies) where subject is currently employed. An "*" indicates that the subject is employed in more than one position within the same agency.
Birth Date/Gender:	Self-explanatory.
Race/Ethnicity:	**A** = Asian **B** = African American (Black) **N** = Native American **S** = Spanish/Hispanic **W** = White **O** = Other

CERTIFICATES AWARDED	
Cert:	Certificate serial number.
Type:	**B** = Basic **I** = Intermediate **A** = Advanced **S** = Supervisory **M** = Management **E** = Executive **R** = Reserve **D** = Public Safety Dispatcher **SX**= Specialized X (example: SA = Specialized Advanced)
Awarded:	Date certificate was issued.
Education:	Educational points or degree used for earning a certificate.
T:	Training points used for awarding the certificate.
T+:	Additional training points.
Comments:	Comments regarding training or institute(s) where subject received education.
Total Number of Certificates:	Number of certificates awarded to subject as indicated in POST database.

EMPLOYMENT: Subject's employment history as indicated in POST database	
Hired From:	Date subject was hired or sworn into the agency.
To:	Date subject left agency (if applicable).
R*:	Reason for separation as indicated by number in the Report description.
Rank / Rank Date:	Indicates rank as translated by POST database and date subject made rank.
Agency / Agency Name:	Agency code number and name where subject is currently working or previously worked.
F/P:	Time base: **F** = Full time **P** = Part time
P/U:	Wage status: **P** = Paid **U** = Unpaid
Seas:	Provisional or seasonal employment.

POST TRAINING: Courses attended or completed as indicated in POST database	
Comp Date:	Date course ended.
Cat:	General course category (for POST use only).
CCN:	Course Control Number.
Hrs:	Hours completed in course.
Rmb:	Reimbursement indicator: **R** = Reimbursed *(before FY 83/84 reimbursable agency not necessarily reimbursed)* **J** = Job specific * = Job specific, SALARY NOT PAID **Blank** = None or no data available
Cmp:	Completion indicator: **Blank or Y** = Course completed **N** = Course not completed **?** = Prior to 1979
Agency:	Agency where subject was employed at time of course enrollment.
School:	Training institute offering the course.
Course Name:	Course name as shown in POST database.

NON-CERTIFIED COURSES
This section will only appear if applicable.

FOOTNOTES
This section reserved for additional information.

CITY OF
TORRANCE

OFFICE OF THE CITY MANAGER

Aram Chaparyan
City Manager

Danny E. Santana
Assistant City Manager
310/618-5880
DSantana@TorranceCA.Gov

January 5, 2023

Sent via USPS First Class Mail

Christopher Allen-Young
[redacted]

Dear Officer Allen-Young:

RE: LETTER OF FINDINGS

Upon the authority of the City Manager, I am the designated Administrative Conference Chair in this matter. The purpose of this letter is to inform you that I concur with the recommendation of the Police Chief that you should be terminated from your employment as a Police Officer with the City of Torrance Police Department.

I. AUTHORITIES UPON WHICH THE DISCIPLINE IS BASED

Your termination is based on your violation of the following rules, regulations, orders and/or policies, any of which, standing alone, or in combination with any other, warrants your termination:

A. RULES THAT APPLY REGARDLESS OF DATE CONDUCT OCCURRED

1. **Torrance Municipal Code, Chapter 4, Article 47, Section 14.47.1**
   A department head, with approval of the City Manager, for misconduct, incompetency, inefficiency, failure to perform duties or to observe the rules and regulations of his [or her] department or of the City: c) May discharge any such employee.

2. **Law Enforcement Code of Ethics, Policy 104**
   I WILL keep my private life unsullied as an example to all…
   I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service.

3. **City of Torrance Anti-Harassment Policy**
   a. 34.10a- Protected Classifications
   …Harassment can consist of virtually any form or combination of verbal, physical, visual, or hostile work environment conduct. It need not be explicit, nor even specifically directed at the victim…
   b. 34.10d- Visual or Written Harassment
   The display or circulation of offensive or derogatory visual or written material related to race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.
   c. 134.05- Anti-Harassment Procedure
   All persons shall immediately report any evidence of discriminatory harassment or complaints regarding sexual harassment made to them or which they have directly observed, whether or not reported by the employee who is the object of the harassment to their supervisor, manager, or to the Human Resources Division…
   d. 134.15- Employees' Responsibilities
   Report any conduct which fits the definition of discriminatory harassment to their immediate supervisor or appropriate authority figure.

B. RULES THAT APPLY TO CERTAIN CONDUCT OCCURRING ON OR BEFORE APRIL 7, 2019

1. **General Order 1.10 – Policing Philosophy**
   a. 1.10.3(B)- Service to the Community
   The rules and regulations of the Department regarding police service in general, and public contact specifically, shall be as follows:
   2. A police department employee shall maintain a professional attitude and demeanor that will not in any manner communicate any personal prejudices;
   4. Members of the Department shall avoid behavior which would tend to bring about criticism of the Department. Conduct, whether on or off duty, shall be such as to merit the respect and confidence of the public.

2. **General Order 2.01.1(A) – Employee Rules and Regulations**
   It is the duty of all employees to familiarize themselves with and abide by Department rules and regulations. Employees who fail to comply are subject to disciplinary action up to and including termination. Department employees shall:
   4. Conduct themselves in a manner that does not create a conflict of interest with or is detrimental to the Department.

3. **General Order 2.33 – Social Media**
   a. 2.33.1(D)- Prohibited Speech, Expression, and Conduct
   To meet the Department's safety, performance, and public-trust needs, the following is prohibited unless the speech is otherwise protected…:
   2. Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Torrance Police Department and tends to compromise or damage the mission, function, reputation, or professionalism of the Torrance Police Department or its employees;
   3. Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior;
   5. Speech or expression that is contrary to the Mission Statement or Core Values of the Torrance Police Department.

C. RULES THAT APPLY TO CONDUCT OCCURRING ON OR AFTER APRIL 9, 2019

1. **Standards of Conduct (General Standards) Lexipol Policy 319.4**
   Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority. Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

2. **Standards of Conduct (Causes for Discipline) Policy 319.5.1(a) – Laws, Rules, and Orders**
   (a) Violation of or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement, or failure to follow instructions contained in department or City manuals.

3. **Standards of Conduct (Performance) Lexipol Policy 319.5.7(i) – Actions that Discredit Torrance Police Department**

   Any act on or off duty that brings discredit to this department.

4. **Standards of Conduct (Conduct) Lexipol Policy 319.5.8**
   (f) Discourteous, disrespectful, or discriminatory treatment of any member of the public or any member of this Department or the City.
   (g) Use of obscene, indecent, profane, or derogatory language while on-duty or in uniform.
   (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency, or morale, or tends to reflect unfavorably upon this department or its members.

5. **Employee Speech, Expression, and Social Networking Lexipol Policy 1021.4 – (Prohibited Speech, Expression and Conduct)**
   (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Torrance Police Department or its employees.
   (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Torrance Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Torrance Police Department or its employees.
   (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.
   (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Torrance Police Department.

II. FACTS SUPPORTING THE CHARGES

I base my decision on the facts and circumstances that were established by the administrative investigation, which are summarized here:

Between February and March 2020, detectives from the Torrance Police Department (TPD) conducted an investigation into a vandalism report filed by an individual whose vehicle was vandalized in the process of being impounded. Detectives determined that two TPD officers – Cody Weldin and Christopher Tomsic – were suspects for the vandalism. On March 3, 2020, the investigation was reassigned to Crimes Against Persons Sergeant J. Masalcas who was assisted by Special Investigations Unit Sergeant J. Taylor. During Sergeant Masalcas' investigation, he obtained a search warrant for the contents of the personal cellphones of Weldin and Tomsic. Upon the successful extraction of information from the phones, Sergeants Masalcas and Taylor found evidence implicating both officers in the vandalism incident. Detectives submitted the completed criminal investigation to the Los Angeles District Attorney's Office and requested the filing of criminal charges on both officers.

On or about August 16, 2021, the Los Angeles County District Attorney's Office ("LADA") notified TPD that concerning electronic messages were discovered on officers' cellphones. Allegedly, multiple TPD officers exchanged these concerning electronic messages. The LADA's analysis revealed approximately 390 messages containing or referencing discriminatory topics, including but not limited to anti-Semitic, racist, homophobic, and transphobic remarks. The LADA identified you as one of the officers involved in the exchange of these messages. TPD subsequently opened an administrative investigation into the LADA's concerns.

The data revealed that during the period from approximately May 2018 through December 2019, while both on and off duty, you sent or interacted with (for example, by commenting upon, or otherwise reacting to) approximately eight text messages that contained homophobic, racially/ethnically insensitive, and otherwise inappropriate text messages to other members of TPD.

The texts were as follows: [1]

5/31/2018	Officer Dempsey texted several PD officers and asked if any officers wanted to work Team 5. After several messages were exchanged, you replied, "Don't worry, Fagat [sic] Blake ain't workin."
5/31/2018	You sent a WhatsApp message to Officer Alonso stating, "Last time that bullshit went down, you homos tag teamed it."
11/02/2018 **(on-duty)**	You texted a photo of Amy Schumer with a caption saying "Posting a pic of Amy Schumer to help my niggas stay strong for No Nut November (day 2/30)"
11/08/2018	You exchanged WhatsApp messages with Officers Dempsey, Satterfield, and Williams. During the exchange, Officer Satterfield used the phrase "pipe hitters" and Officer Williams used the words "Fhagget/faggola". You responded to Officer Williams' text messages during this exchange.
2/04/2019	Officer Weldin texted you about hitting civilian name omitted's mother with a baton during a meeting. You responded to the message and Weldin responded back, "Yeah dude, You're too savage for the savages apparently." You replied, "Hahahahyeess!!!! Wish I was there to see that."
2/14/2019	You sent a WhatsApp message with a photo of Dave Chapelle with the caption on the top of the photo stating "When your GF is fucking a black guy, so you break a taillight on his car so the police will stop him and shoot him." The bottom of the photo was captioned, "Modern problems require modern solutions."
3/31/2019 **(on-duty)**	You texted Officer Weldin "Moon cricket hunting!!!!" Officer Weldin responded, "They're chirping for sure."
12/19/2019	Officer Weldin texted you "What's up monkey thumper." You responded, "Hahaha, what's up bud."

Investigators interviewed you on April 26, 2022. You stated that you did not recall sending or receiving discriminatory content based upon race, ethnicity, religion, or sexual orientation with other TPD officers or employees. However, when presented with the discriminatory content in question, you confirmed that it was your phone number listed as either the sender or the receiver of the content. You admitted that your current personal cell phone number is [redacted] the same number that is associated with the discriminatory text messages listed above. You also admitted you have had the same phone number for the past ten years, which would include the dates listed above. You further

[1] This does not represent an exhaustive list of the text messages that you exchanged or that are inappropriate on multiple levels. This is however a list of messages that were most clearly inappropriate and in which you actively participated.

admitted that you do not allow others to send text messages on your phone, and that you used your personal cellphone to send and receive text messages to and from the Department and other TPD co-workers because you do not have a work phone. You further admitted that you used the phone application 'WhatsApp' to send and receive personal messages with other officers, including during the period from March 2018 – March 2020. Moreover, you admitted that when you received a message on your cell phone, your phone would vibrate and a banner notification appeared on your phone saying "text message". You admitted that even if you do not open a text immediately, you eventually would open the message.

When asked about which officers you exchange text messages with, you admitted that multiple members of TPD are on various text threads and groups. You admitted that you were on a text string with Officers Chavez, Satterfield, Tomsic, and Weldin. You also admitted that between March 2018 and March 2020 you were sure you had exchanged communications with Officers [redacted]

Regarding the content of the messages, you admitted that as a member of TPD it is your responsibility to know and abide by the department's rules and regulations. You admitted that you encountered the "N" word while on the job at TPD when others spoke to each other. You further admitted that if you were working on the job and used the "N" word toward someone that it would be a problem.

You admitted that within the past couple of years, you attended cultural diversity training while at TPD, and that training discussed discriminatory practices. You stated that you did not recall any specifics of the cultural diversity training, including whether or not the training included discussion of homophobic comments, photos, or jokes. When asked if you were biased against Black individuals, you said you were not.

III. ANALYSIS

In *Skelly v. State Personnel Board* (1975) 15 Cal.3d 194, the California Supreme Court stated that the "overriding consideration" when addressing whether a public employer has imposed an appropriate level of discipline is "the extent to which the employee's conduct resulted in, or if repeated, is likely to result in, 'harm to the public service.'" (*Id.* at 218.) "Other relevant factors include the circumstances surrounding the misconduct and the likelihood of its recurrence." (*Id.*) In your particular case, the principles set forth in *Skelly* amply support your termination. In fact, the period between March 2018 through February 2019 establishes an ongoing pattern of misconduct and policy violations.

A. YOU ENGAGED IN INEXCUSABLE MISCONDUCT

Your involvement in discriminatory text messaging with other TPD officers demonstrates a lack of sound decision-making and unbecoming conduct that calls into question your fitness for duty as a police officer. You sent, received, and otherwise interacted with/responded to nearly a dozen discriminatory text messages from other members of TPD over the course of nineteen months. You used racial and homophobic slurs in conversations with your colleagues and made jokes about racially motivated police violence. The casual use of these terms between you and the other officers suggests that this type of discussion was not unusual between you, yet you claim not to have any recollection of these exchanges. Such racist and homophobic language has no place in this Department. Regardless of whether or not you recall sending or receiving the messages, you confirmed that your phone number, which you have had for over 10 years, was associated with each one. You also stated that you do not allow others to send text messages from your phone number. Whether or not these messages were intended as "jokes" does not exempt them from the City's harassment policies. In fact, the policy clearly defines visual/written harassment as "The display or circulation of offensive or derogatory visual or written material related to race, religious creed, color, national origin, ancestry..." among other protected classifications. The content of the text messages in question here clearly falls within these parameters. By participating in the messaging, you engaged in inappropriate speech and unprofessional conduct in violation of multiple Department policies, including Policy Nos. 319.5.1(a), 319.5.7(i), 319.5.8(f),(g),(m), and 1021.4(b), and then-applicable General Orders 1.10.3(B), 2.01.1(A), and 2.33.1(D). This conduct also violated the City's Anti-Harassment Policy. Moreover, you should have reported any discriminatory messages you received from a fellow officer as soon as you received it.

The Department relies on its officers to uphold the highest standards of conduct to maintain positive relationships and preserve the trust we have with the community we serve. You demonstrated bias here that erodes that trust and smears the reputation of the Department. The Department already experienced the damage to its reputation when the news media published what were then unverified accounts of these text messages starting in August 2021. Now that the investigation has substantiated at least some of the allegations, the breach in community trust is cemented.

B. YOUR MISCONDUCT WARRANTS TERMINATION OF YOUR EMPLOYMENT

Peace officers are held to the highest standards of conduct. (See, e.g., *Ackerman v. State Personnel Board* (1983) 145 Cal.App.3d 395, 440.) Your conduct in this case causes irreparable harm to the public service and reveals that you are unfit to serve as a peace officer.

Torrance Police Department Policy 401.2 notes that it is the policy of this Department to serve the community equally, fairly, and objectively in both the enforcement of the law and provision of law enforcement services. Policy 401.3 strictly prohibits bias-based policing. These provisions are consistent with the growing number of laws being enacted by the California Legislature that also aim to curtail bias in peace officers. Notably, SB 2[2] modifies the definition of "serious misconduct" to include at a minimum, "Demonstrating bias on the basis of any legally protected status, in violation of law or department policy, or in a manner inconsistent with a peace officer's obligation to carry out their duties in a fair and unbiased manner".

[2] Penal Code Section 13510.8(a)(5).

Though you stated in your administrative interview that you are not biased against Black individuals, based on the record of text messages you sent, received, and responded to, your assertion is unreliable at best, and dishonest at worst. As a result, your fitness to serve in a bias-free manner can no longer be relied upon. Rather, I share Chief Hart's fear that there are discriminatory motivations behind all your actions, which could open the Department to liability, and moreover, subject innocent members of the public to unfair treatment due to your own personal prejudices. You and certain other officers openly used racial epithets, discussed hunting Black people, and made jokes regarding racially-motivated police shootings. Using racial epithets and making light of violence against Black people constitute conduct that is directly contrary to principles of fair and unbiased policing.

Messaging like that which you participated in (including the use of homophobic slurs such as "Fagat" and "Fhagget/faggola", and racist slurs such as the N-word and "Moon cricket") is inconsistent with peace officer employment. You also admitted that you already received cultural awareness training. Notwithstanding the training, you proceeded to engage in discriminatory messaging on numerous occasions throughout a nineteen-month period, including making "jokes" at the expense of Black and gay people. Therefore, it is unlikely that further training will adequately resolve this behavior. Lesser disciplinary measures are inadequate under the circumstances.

Furthermore, the content of these messages damages your credibility as a witness and therefore your usefulness as an officer. An officer who lacks the ability to be a credible witness is unable to perform one of the essential functions of the job, i.e., to testify truthfully and competently in a court of law. Because the records of an officer's bias are potentially discoverable pursuant to a *Pitchess* motion under Evidence Code sections 1043-1045, and even potentially pursuant to a Public Records Act request under Penal Code section 832.7(b)(1)(D), it is reasonable to conclude that your conduct renders you ineffective as a prosecution witness.

In sum, you have breached the public's trust and I can no longer count on you to engage in professional conduct or to act in an unbiased-manner when carrying out your duties. You have demonstrated a willingness to engage in inappropriate, unprofessional, and offensive conduct despite admittedly knowing it was a violation of your training. For these reasons, Chief Hart indicated that he lost all confidence in you and believes that termination is the appropriate discipline for your misconduct. I agree that termination is the appropriate level of discipline in light of the facts and circumstances presented here.

IV. WORK HISTORY

You were hired by the City on April 24, 2017, as a Police Officer. Your last performance review indicates that your performance has been generally rated as "meets standards" to "above standards."

V. DISCIPLINARY RECORD

No discipline on file.

VI. EMPLOYEE'S RESPONSE AND ADMINISTRATIVE CONFERENCE CHAIR ASSESSMENT

An in-person administrative conference was held on this matter on October 10, 2022. You, your attorney, Corey W. Glave, Police Chief Jeremiah Hart, and Lt. Charles Fisher were all in attendance. At the administrative conference, I offered both you and your attorney an opportunity to provide me with additional information to consider before making my decision.

While your attorney commenced with an assertion of appeal rights, provided notable examples of your work performance, and made various arguments, he focused primarily on the warrant that was associated with the origin of the text messages. Although the City of Torrance cannot speak to the actions of the LADA, it is my understanding that in *Anthony Chavez, et al. v. Torrance Police Department (Case No. BH014005* Memorandum of Decision) most, if not all, of the arguments raised by Mr. Glave were set forth in a Motion to Suppress which was recently denied in its entirety by the Court. A true and correct copy of the Memorandum of Decision is attached hereto as Attachment A and incorporated by reference herein. In summary, the Court found that Penal Code section 1546.4 does not require suppression of the evidence in this matter, that the search warrant at issue did not violate section 1546.1(d)(1), that the Department's pending administrative investigation does not violate section 1546.1(d)(2), and that the City did not violate Judge Amy N. Carter's order by reviewing Petitioners' messages or providing the messages to the DA's office. The Court also ruled that Mr. Glave was not entitled to the return of his attorney-client communications which were captured in the search warrant data.[3]

Mr. Glave raised a concern that your personnel file was not provided. I note that included in Chief Hart's Notice of Intent, under Section VI. Notice of Pre-Disciplinary Rights, the following statement was provided "…Although your file is not attached to this Notice of Intent, you may contact Ryan Galassi in the Personnel Division at 310-618- 5687 to schedule an appointment for you and/or your representative to examine the file from 0800 hours to 1700 hours, Monday through Friday."

[3] It should be noted that the Administrative Conference Chair did not rely upon any attorney-client privileged communications in making the decision to uphold your termination.

Lastly, Mr. Glave also noted a concern that you were not provided all investigation materials, citing communications between Torrance Police Department personnel and what was known by them and when. This comment was brought to the attention of the City Attorney's Office. Subsequently, on October 19, 2022, the Torrance Police Department delivered a letter to you with a "cc" to Mr. Glave and myself. The letter was accompanied with a flash drive that included recordings and transcripts of interviews and an Administrative Investigation Report entitled "What information did TPD criminal investigators and supervisors discover regarding discriminatory messages sent by TPD officers and what action did they take".

On December 7, 2022, a second administrative conference was held to provide you with an opportunity to respond to the information that was enclosed with the October 19, 2022 letter. You, your attorney, Mr. Glave, Chief Hart, and Lt. Fisher were all in attendance. At this second administrative conference, I offered both you and your attorney an opportunity to provide me with additional information to consider before making my decision. Mr. Glave reiterated that this involved private communications, that a court order was violated, and that these private communications should have been sealed. As with the first administrative conference, Mr. Glave reiterated that your body of work should be considered and concluded with an assertion that all appeal rights were reserved.

VII. ADMINISTRATIVE CONFERENCE CHAIR FINDING

Officer Allen-Young, I am wholeheartedly disappointed as the Administrative Conference Chair in rendering this decision in a case involving a Torrance Police Department Officer, for sending, receiving, and responding to discriminatory messaging. You made some regrettable decisions to send, receive, and respond to such messaging, and you also failed to report the misconduct of others. In your role as a Police Officer, the City and the public entrusted you to follow the regulations and policies of the Torrance Police Department, and the City of Torrance. The City and the Department expect you to regard all members of the public with the same level of respect, no matter their race, religion, creed, or sexual orientation (among other protected classifications). The public relies on police officers for assistance in emergencies and life-threatening situations. Your engagement in the above-described behavior calls into question your ability to deliver such services in an unbiased manner. You betrayed the trust placed in you as a Police Officer and displayed a blatant disregard of your duty to uphold values so paramount to law enforcement and basic human dignity. As a Police Officer, you swore to protect and serve not just select members of the Torrance community, but the entire community, all differences aside. Your conduct is unacceptable and unbecoming of a Police Officer. Therefore, I concur with the recommendation of the Police Chief that you be terminated **effective January 5, 2023.**

VIII. ATTACHMENTS

Attachment A: *Anthony Chavez, et al. v. Torrance Police Department, Case No. BH014005* Memorandum of Decision

IX. APPEAL RIGHTS

You have the right to appeal this decision to the Civil Service Commission pursuant to Section 14.47.8 of the Torrance Municipal Code. A request to have this matter reviewed must be submitted to Ms. Brianne Cohen, Civil Services Manager, in writing within ten (10) days of the date of this letter.

You may submit your written response by email; U.S. first class mail, overnight mail, delivery courier or other personal delivery; or via fax: CivilServiceCommission@TorranceCA.Gov; City of Torrance, Civil Service Commission, ATTN: Brianne Cohen, Civil Service Manager, 3231 Torrance Blvd., Torrance, CA 90503; FAX (310) 618-2726.

Sincerely,

Danny E. Santana
Assistant City Manager
Administrative Conference Chair

Attachment A

cc: Jeremiah Hart, Chief of Police
Hedieh Khajavi, Human Resources Manager
Brianne Cohen, Civil Services Manager
Corey W. Glave, Attorney for Employee
Human Resources Division – Personnel File

Officer Allen-Young (00:16:03):
Yes sir.

Craig Junginger (00:16:04):
Do you have a personal cellphone?

Officer Allen-Young (00:16:07):
Yes sir.

Craig Junginger (00:16:08):
What's your personal cellphone number?

Corey Glave (00:16:10):
We'll make an objection under 3308. He doesn't have to disclose any personal items of his property, income, assets, source of income, debts, or personal expenditures, which would include a cellphone.

Craig Junginger (00:16:24):
Okay.

Corey Glave (00:16:24):
And he has a right to privacy in his personal phone number.

Craig Junginger (00:16:27):
Answer the question please sir.

Officer Allen-Young (00:16:30):
My phone number's [redacted].

Craig Junginger (00:16:33):
And how long have you had that cellphone number?

Officer Allen-Young (00:16:37):
10 plus years sir.

Craig Junginger (00:16:39):
Does anyone else use your personal phone for any reason, messages, phone calls, anything like that?

Officer Allen-Young (00:16:46):
They have.

Craig Junginger (00:16:48):
Who else would use your phone?

Officer Allen-Young (00:16:50):
My wife's privy to my phone. I've had people over the years have used my phone. I mean, yeah.

Craig Junginger (00:16:58):
What do you mean? Explain that to me.

Officer Allen-Young (00:17:00):
If they needed to make a phone call, I've allowed people to use my phone.

Craig Junginger (00:17:04):
Have you allowed people to use it to text message, or get on your social media apps or anything?

Officer Allen-Young (00:17:10):
No.

Craig Junginger (00:17:13):
Do you use your personal cellphone to send or receive text messages from the department?

Officer Allen-Young (00:17:18):
Yes.

Craig Junginger (00:17:19):
From members of the department?

Officer Allen-Young (00:17:20):
Yes.

Craig Junginger (00:17:22):
Do you use your personal cellphone to send or receive text messages from other Torrance PD coworkers?

Officer Allen-Young (00:17:28):
Yes.

Craig Junginger (00:17:31):
When you get a text message, how are you notified on your phone? How does it alert you that you have a text message?

Officer Allen-Young (00:17:38):
It vibrates.

Craig Junginger (00:17:41):
Does it also make a noise or anything?

[redacted]@s.whatsapp.net Officer Chris Young

Attachments:



Size: 97690
File name: 9c844605-ca96-4c43-a500-16b26bfbfb87.jpg
Path: https://mmg-fna.whatsapp.net/d/f/AjL4L3tYwz_VCwF-Yg_s7kwD2W5-sV_E-5KemRiaWMBd.enc
9c844605-ca96-4c43-a500-16b26bfbfb87.jpg

Status: Read
Platform: Mobile

2/14/2019 8:13:25 AM(UTC-8)

[redacted]

[redacted]@s.whatsapp.net Officer Tony Chavez

Lmao

Status: Read
Platform: Mobile

2/14/2019 8:13:57 AM(UTC-8)

[redacted]

[redacted]@s.whatsapp.net Officer Joshua Satterfield

#cowboyslifematters

Status: Read
Platform: Mobile

2/14/2019 8:16:58 AM(UTC-8)

[redacted]

[redacted]@s.whatsapp.net Officer Tony Chavez

#sleepingisntacrime

Status: Read
Platform: Mobile

2/14/2019 8:20:02 AM(UTC-8)

[redacted]

When your GF is fucking a black guy, so you break a tail light on his car so the police will stop him & shoot him.



Participants

[redacted]

[redacted] Officer Chris Young*

[redacted] Cody Weldin* (owner)

Conversation - Instant Messages (77)

[redacted] Officer Chris Young

Moon cricket hunting !!!!

Status: Read

Read: 3/31/2019 2:43:04 AM(UTC-7)

3/31/2019 2:40:06 AM(UTC-7)

[redacted]

[redacted] Cody Weldin

They're chirping for sure

Status: Sent

Delivered: 3/31/2019 2:43:12 AM(UTC-7)

3/31/2019 2:43:12 AM(UTC-7)

[redacted]

[redacted] Cody Weldin

Breakfast or nah?

Status: Sent

Delivered: 4/8/2019 6:18:31 AM(UTC-7)

4/8/2019 6:18:31 AM(UTC-7)

[redacted]

[redacted] Cody Weldin

Perfect!

Status: Sent

Delivered: 12/7/2019 8:48:13 PM(UTC-8)

12/7/2019 8:48:13 PM(UTC-8)

[redacted]

[redacted] Cody Weldin

Hey bro are you still interested in this Tuesday graveyard?

Status: Sent

Delivered: 12/8/2019 9:35:15 PM(UTC-8)

12/8/2019 9:35:13 PM(UTC-8)

[redacted]

[redacted] Officer Chris Young

Sorry I don't get back to you sooner bud. Gonna have to pass this time

Status: Read

Read: 12/8/2019 9:37:14 PM(UTC-8)

12/8/2019 9:36:36 PM(UTC-8)

[redacted]

[redacted] Cody Weldin

No worries thanks!

Status: Sent

Delivered: 12/8/2019 9:38:47 PM(UTC-8)

12/8/2019 9:37:31 PM(UTC-8)

[redacted]

[redacted] Cody Weldin

What's up monkey thumper

Status: Sent

Delivered: 12/19/2019 11:16:47 AM(UTC-8)

12/19/2019 11:16:47 AM(UTC-8)

[redacted]

[redacted] Officer Chris Young

Hahaha what's up bud

Status: Read

Read: 12/19/2019 11:17:05 AM(UTC-8)

12/19/2019 11:17:04 AM(UTC-8)

[redacted]

ATTACHMENT “G”

Relevant Torrance Policies

18 pages

Law Enforcement Code of Ethics

104.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all peace officers are aware of their individual responsibilities to maintain their integrity and that of their department at all times.

104.2 POLICY

The Law Enforcement Code of Ethics shall be administered to all peace officer trainees during the Basic Academy course and to all other persons at the time of appointment (11 CCR 1013).

104.3 LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before god to my chosen profession... law enforcement.

104.3.1 OBJECTION TO RELIGIOUS AFFIRMATION

Reference to religious affirmation in the Law Enforcement Code of Ethics may be omitted where objected to by the officer.

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34.05 **ANTI-HARASSMENT POLICY**

The City is committed to providing a workplace free of discriminatory harassment. This Policy defines discriminatory harassment and sets forth a companion procedure for the investigation and resolution of such complaints by or against any City employee, applicant or contractor. This Policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunity and compensation.

Discriminatory harassment will not be tolerated and employees who violate this Policy may be subject to appropriate disciplinary action. Retaliation against any individual for making a complaint of such harassment or for participating in a harassment investigation constitutes a violation of this Policy. However, knowingly false accusations of retaliation or harassment similarly will not be tolerated.

34.10 **Definitions**

34.10a Protected Classifications: This Policy prohibits harassment or discrimination because of an individual's protected classification. "Protected Classification" includes race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation.

Harassment can consist of virtually any form or combination of verbal, physical, visual or hostile work environment conduct. It need not be explicit, nor even specifically directed at the victim. Sexually harassing conduct can occur between people of the same or different genders.

Harassment includes, but is not limited to the following misconduct:

34.10b Verbal Harassment

Inappropriate or offensive remarks, slurs, jokes or innuendoes based on race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation.

This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status, pregnancy or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation of a sexual nature; or sexist,

patronizing or ridiculing statements that convey derogatory attitudes about a particular gender.

34.10c Physical Harassment

Inappropriate or offensive touching, assault, or physical interference with free movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation.

This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, massaging, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures.

34.10d Visual or Written Harassment

The display or circulation of offensive or derogatory visual or written material related to race, religious creed, color, national origin, ancestry, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

34.10e Work Environment

A work environment that is permeated with sexually oriented talk, innuendo, insults or abuse not relevant to the subject matter of the job. A hostile work environment can arise from the following circumstances:

A. An unwarranted focus on sexual topics or sexually suggestive statements.
B. An unwelcome sexual behavior directed specifically at an individual.
C. The individual merely witnesses unlawful harassment in his or her immediate surroundings.

The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as:

A. The frequency of the conduct.
B. The severity of the conduct.
C. Whether the conduct is humiliating or physically threatening.
D. Whether the conduct unreasonably interferes with an individual's work.

By definition, sexual harassment is not within the course and scope of an individual's employment with the City of Torrance.

34.15 **Relationships between Supervisors and Subordinate Employees**

Romantic or sexual relationships between supervisors and employees are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships which may create an appearance of impropriety and lead to charges of favoritism by other employees. A welcome sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing.

34.20 **Prohibited Supervisory or Managerial Behavior**

No supervisor, manager or other authority figure shall:

A. Condition any employment, employee benefit or continued employment in the City of Torrance on an applicant's or employee's acquiescence to any of the behavior defined above.

B. Retaliate against any applicant, or employee, because that person has opposed a practice prohibited by this policy or has filed a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing conducted by an authorized investigator.

C. Destroy evidence relevant to an investigation of harassment.

34.25 **Behavior Prohibited by All Persons**

No employee in the City of Torrance shall:

A. Create a hostile or offensive work environment for any other person by engaging in any discriminatory harassment or by tolerating it on the part of another employee.

B. Assist any individual in doing any act which constitutes discriminatory harassment against any other employee of the City of Torrance.

134.05

ANTI-HARASSMENT PROCEDURE

All persons shall immediately report any evidence of discriminatory harassment or complaints regarding sexual harassment made to them or which they have directly observed, whether or not reported by the employee who is the object of the harassment, to their supervisor, manager, or to the Human Resources Division. Any supervisor or manager who receives a complaint regarding discriminatory harassment shall immediately report it to the Human Resources Division, followed by written documentation of the complaint.

134.10

Supervisors/Managers Responsibilities for Preventive Action

A. A copy of the Anti-Harassment Policy shall be provided to all employees in the City of Torrance, as well as displayed in prominent locations throughout the City.

B. A copy of the information sheet on sexual harassment prepared by the Department of Fair Employment and Housing is available to all City of Torrance employees upon request.

C. New employees shall be provided a copy of the Anti-Harassment Policy during New Employee Orientation.

D. The Human Resources Division shall make available information from the Department of Fair Employment and Housing and the Equal Employment Opportunity Commission about filing claims of sexual harassment with these entities.

E. A copy of the Anti-Harassment Policy and Procedure is in the City of Torrance Policy, Procedure and Protocol Manual posted on the Policies and Procedures web page on the Torrance Employee Network (TEN).

F. Employees of the City of Torrance shall receive periodic training on the policy.

134.15

Employees' Responsibilities

A. Report any conduct which fits the definition of discriminatory harassment to their immediate supervisor or appropriate authority figure. This includes conduct of non-employees, such as sales representatives or service vendors or harassing conduct toward such contractors. Under no circumstances shall an employee of the City of Torrance who believes that he or she has been the victim of discriminatory harassment be required to first report that harassment to a supervisor or other authority figure who has done the harassing.

B. Cooperate with any investigation of any alleged act of harassment conducted by the City of Torrance.

C. Maintain confidentiality to the extent possible in investigating any claims of alleged harassment.

134.20

Human Resources Reporting Procedures for Investigative/Corrective Action

A. Human Resources shall conduct a fair, timely and thorough investigation of any incident of alleged discriminatory harassment reported to them. The investigation shall be conducted in a way to maintain confidentiality, to the extent possible.

B. The person designated to investigate shall report in writing the findings of any investigation to the Human Resources Division. The Human Resources Administrator shall determine whether there is a violation of Policy and communicate the conclusion to the complainant.

C. Remedial action including discipline taken by any supervisor or manager shall be decided in accordance with Policy and after consultation with the Human Resources Administrator.

Employees who have questions about their rights and obligations described within this policy should contact the Human Resources Division.

Historical Record

Original Publication

04/2001

Revisions

07/2001 Reformat

06/2002

05/2009 Reformat

11/2012

12/2017

03/2018 Updated

04/2018 Updated

TORRANCE POLICE DEPARTMENT

GENERAL ORDER 1.10 POLICING PHILOSOPHY

DATE ISSUED: January 14, 2010

JOHN J. NEU
CHIEF OF POLICE

PURPOSE

This General Order establishes the Department's policing philosophy and the expectations of personnel in their service to the community.

1.10.1 FOCUS BASED POLICING

A. Philosophy: Focus Based Policing is a distinct management philosophy based upon the need for continuous improvement through employee growth and development, as well as a general dissatisfaction with the status quo. Focus Based Policing empowers Area Commanders and Division Commanders to look for opportunities to address crime problems, quality of life issues and unexpected challenges in conjunction with their everyday responsibilities. We promote fresh thinking and creativity by pushing down the organization chart and distributing power to the line level officers. This philosophy enables our managers to formulate and assess new methods and approaches to not only how we police, but also how we handle routine tasks, with the goal of truly expanding the future of policing in the City of Torrance. In short, our belief and approach is simply "things can always be done better throughout the entire organization."

Our Focus Based Policing philosophy provides the following fundamental benefits:

1. Mission and vision clarification
2. Enhanced service to the community
3. Results orientation with a focus on outcomes rather than outputs
4. Resource flexibility
5. Focus on problem solving and relentless follow-up
6. Information exchange driven decision making
7. Employee growth and development

1.10.2 TEAM POLICING

A. GENERAL: In support of our Focus Based Policing management philosophy, the Patrol Division is deployed on a Team Policing model. The four basic components of Team Policing are:

1. A deployment model that meets organizational needs for accountability and consistency.
2. A beat system that creates consistent and equitable areas for patrol officers to work.
3. A scheduling system that balances the needs of the employees and workload demands.
4. An effective patrol structure to meet increased demands and expectations while supporting our historical patrol practices.

The Department structures its Patrol operations around fixed Police Teams assigned to a specific region of the City during a team-specific day and hourly schedule. Patrol personnel are committed to their team, area and schedule for an entire deployment cycle. Police Teams report to an Area Commander who is responsible for monitoring all activities occurring within the area of the City that Team patrols. Area Commanders act as Patrol's central liaison to the community, actively participating in or organizing community meetings and events within the Area Commander's designated area of the City.

Our Team Policing model allows us to deploy officers in a more efficient and effective manner while addressing the ongoing need to respond to calls for service, creating additional opportunities for proactive work where and when it is needed, and providing sufficient time and support for officers to complete and implement operation plans; all of which enhances our Focus Based Policing efforts.

1.10.3 SERVICE TO THE COMMUNITY

A. GENERAL: The most important factor in gaining the goodwill and confidence of the people is an attitude of courtesy and objectivity toward them. It is important that the Department, through its personnel, demonstrate the ability and capacity to provide the type of police service that the people have a right to expect.

Each member of the Department should be prepared to meet the responsibility of police service through continuous education and training. Self-confidence comes from experience gained through the diligent performance of duty. Courtesy, patience and tact are characteristics expected of each employee.

To most people, the individual employee is representative of the entire Department, and to residents and visitors, is the public representative of the City. Demeanor in dealing with the public creates favorable or unfavorable impressions of the employee, the Department, and the City.

Employees must realize that their activities are matters of particular interest, not only to those with whom there are direct dealings, but also the general public, because official duties are closely related to every phase of community life. Employees must maintain habits of acceptable conduct that will merit public approval.

The use of offensive language by department employees is objectionable and as demoralizing to human dignity as physical abuse. Everyone is entitled to respect and dignity in the treatment they receive.

B. POLICY: The rules and regulations of the Department regarding police service in general, and public contact specifically, shall be as follows:

1. Tact, patience, and courtesy shall be strictly observed in all cases of public contact.
2. A police department employee shall maintain a professional attitude and demeanor that will not in any manner communicate any personal prejudices.
3. Managers and supervisors shall, by example, demonstrate, and instruct subordinates in proper demeanor and desirable attitudes in dealing with the public.
4. Members of the Department shall avoid behavior which would tend to bring about criticism of the Department. Conduct, whether on or off duty, shall be such as to merit the respect and confidence of the public.
5. Officers shall diligently perform their duties with impartiality, uphold the constitution, and be mindful that they are the protectors of the people's lives and property.
6. Officers shall be aware of the problems that exist in various areas and take appropriate, affirmative action to correct them without indifference or neglect.

JOHN J. NEU
CHIEF OF POLICE

TORRANCE POLICE DEPARTMENT

GENERAL ORDER 2.01 EMPLOYEE RULES AND REGULATIONS

JOHN J. NEU
CHIEF OF POLICE

DATE ISSUED: April 6, 2009

PURPOSE

Department personnel are expected to conduct themselves in a manner that reflects the Mission, Vision, and Core Values of our Department. This General Order establishes rules and regulations governing employee conduct.

2.01.1 EMPLOYEE RULES AND REGULATIONS

A. EMPLOYEE RESPONSIBILITY. It is the duty of all employees to familiarize themselves with and abide by Department rules and regulations. Employees who fail to comply are subject to disciplinary action up to and including termination. Department employees shall:

1. Obey all local, state, and federal laws.
2. Render service to the community with pride, integrity, compassion, and excellence.
3. Enforce the law equitably and without regard to race, color, religion, sex, marital status, sexual orientation, national origin, age, disability, or veteran status. Laws and regulations issued by the United States and the State of California require equal treatment of all persons.
4. Conduct themselves in a manner that does not create a conflict of interest with or is detrimental to the Department.
5. Perform their duties in a manner that will not reasonably result in the impairment or disruption of public service or Department business. This includes the knowing and willful failure to perform a required duty or task.
6. Maintain in good working order the equipment and supplies issued to them, taking all reasonable care to prevent loss or damage.

B. FALSE REPORT PROHIBITED. No employee shall make false official reports, or knowingly enter, or cause to be entered, in any Department book, record, report, or log, any inaccurate, false, or improper information, evidence or material.

2.01.2 WORKPLACE CONDUCT

A. DEPARTMENT IDENTIFICATION CARD. The primary, official means of identifying Department members is the Torrance Police Department identification card. The issuance of an identification card is only authorized by the Chief of Police, or a designee, and is intended to be used only for official authorized purposes. Department members shall relinquish their identification card upon the direction of the Chief of Police or designee.

1. WEARING IDENTIFICATION. All personnel not in uniform are required to wear identification while inside the Police facility. Police Officers and Services Officers shall wear badges or Department identification cards. All other employees and volunteers shall wear Department identification cards. Identification shall be conspicuously worn on the employee's person, using a clip or lanyard.
2. POSSESSION OR USE. All personnel are required to have their identification card in their possession when they are on duty and displayed when there is a need to identify themselves as a Department member. The Identification Card is to be worn, displayed and/or offered only for Department business.

B. EFFICIENCY. Employees shall direct and coordinate their efforts in such a manner as will tend to establish and maintain the highest standard of efficiency.

C. PUNCTUALITY. Employees shall be punctual in reporting for duty, and shall work their complete tour of duty, unless relieved by a supervisor.

D. SMOKE-FREE ENVIRONMENT. Smoking is prohibited in the Police station. Outside the Police station, smoking is prohibited within 25 feet of the building. Smoking in City Vehicles is prohibited. Any disputes or grievances on the no-smoking policy shall go first to the Administrative Bureau Commander for resolution. In any dispute arising under this no-smoking policy, the rights of the non-smoker shall be given precedence.

E. ALCOHOL CONSUMPTION. Alcoholic beverages shall not be consumed by on-duty personnel. Exceptions can be authorized only by the Chief of Police or his designee.

F. EMPLOYEE PARKING. Employees shall park their personal vehicles only in designated spaces. Personal vehicles shall not be parked in spaces reserved for City vehicles. Long-term storage of personal vehicles on City property is prohibited.

G. KEYS. Upon transfer or reassignment, employees shall submit their programmable keys to the Services Division for reprogramming. All regular keys for offices or work areas shall be relinquished to the Commander of the concerned Division upon reassignment. Missing or damaged keys shall be reported to the Services Division on a TPD 41. Upon separation of employment, employees shall return all keys to the Personnel Division.

2.01.3 RESPECT FOR COMMAND

A. ADDRESSING RANKING OFFICER. When in the presence of the public, employees of the Department shall address supervisors by their proper titles.

B. OBEDIENCE TO ORDERS. Employees shall obey the lawful orders of any Department supervisor.

C. INSUBORDINATION. Insubordination is the refusal to follow a lawful work order, or a challenge to authority. Additionally, insubordination includes the use by any employee of coarse, profane, or insolent language or behavior toward any supervisor, or willfully lying to any supervisor in any matter having to do with the course and scope of employment.

2.01.4 DEPARTMENT SENIORITY

A. SWORN. Seniority of officers is determined by Classified Service rating and further by the length of continuous service in the Classified Service Rate, according to Departmental service. If date of appointment is the same for two or more officers, the one occupying the higher position on the Classified Service eligible list is considered the senior officer.

B. CIVILIAN. Seniority of civilian employees is according to the Classified Service rating whereby one position is classified as being higher in grade than another, and the length of continuous service in that class.

2.01.5 TAKING CHARGE OF A SCENE

A. OFFICER IN CHARGE. The officer assigned to an incident shall take charge. In routine performance of duties, or at the scene of a police incident, officers shall recognize and respect the position of the officer-in-charge by effectively and efficiently carrying out lawful orders issued by that authority.

B. SENIOR OFFICER ASSUMING COMMAND. A senior officer may take command of a situation by informing the officer in charge and others involved in the incident of his intent. Such assumption of command shall be undertaken whenever the situation appears to the senior officer to be beyond the control of the officer in charge, or when both officers are involved in the same duty.

C. JUNIOR OFFICER ASSUMING COMMAND. An officer of equal or junior rank may take command by informing the officer then in charge of his intent. Such assumption of command shall be undertaken only when the officer in command is unable to perform his duties because of physical or mental inability. An officer, regardless of rank, shall assume command of a situation when so instructed by an officer of superior rank. An officer in command of an operation shall maintain that responsibility until relieved by competent authority.

2.01.6 CIVILIAN PERSONNEL

A. PERFORMING POLICE DUTIES. A civilian employee shall not be assigned to duties of police nature, except for Services Officers assigned to specific duties. This section does not restrict any employee from assisting, defending, or protecting other employees who are in need of emergency assistance in the performance of their duties. If an emergency exists and a female officer is not immediately available, a female civilian employee may:

1. Temporarily act as an observer during the care or detention of a female.
2. Act as a witness during the photographing of a female crime victim.

2.01.7 EMPLOYEE ORGANIZATION

A. EMPLOYER-EMPLOYEE RELATIONS. Employees have the right to form, join, and participate in activities of employee organizations for the purpose of representation on all matters of employer-employee relations. No employee shall be interfered with, intimidated, restrained, coerced, or discriminated against because of his exercise of these rights.

B. MOU PROVISIONS. Wages, hours, and working conditions are governed by the existing Memorandum of Understanding provisions for each of the various employee organizations.

2.01.8 SWORN MEAL AND BREAK PERIODS

A. Uniformed officers may take a thirty-minute meal, exclusive of transportation, during the course of the employee's normal working hours.

1. Meals shall be taken only after receiving clearance to do so from Communications.
2. Meals and breaks shall be taken in such a manner that the officer can respond in a timely manner.
3. Meals and breaks shall be taken within their assigned beat. Any exceptions will be with the express approval of a field supervisor, on a day-to-day basis.
4. No more than two marked units or four uniformed officers, excluding supervisors, may be out at any one location. Motors paired after dark will be considered to be one unit.

2.01.9 WEIGHT ROOM

A. EMPLOYEES ONLY. The physical training room is for the use of current Department employees only.

B. USE AT OWN RISK. Employees using the physical training room do so at their own risk. Personnel using these facilities must recognize that an injury incurred on- or off-duty is not automatically considered a work-related injury.

C. RULES FOR USE. Unsafe conditions or acts that may cause damage or injury will not be tolerated. Employees shall use the physical training room in a safe manner.

2.01.10 PROPERTY DAMAGE

A. DEPARTMENT PROPERTY. An employee shall report promptly, through channels, to his Division Commander or other responsible person, the loss or unserviceable condition of, or damage to, any Department property issued or assigned to him.

B. OTHER PROPERTY. Whenever possible, employees should request supervisory approval prior to taking actions that may result in property damage. If there is an incident where property damage occurs, the employee shall notify a supervisor of the incident and any actions taken, and write a TPD 41 documenting how the property was damaged, the extent of the damage, any notifications made, and efforts to secure the property.

C. SUPERVISORY RESPONSIBILITY. When notified of property damage, supervisors shall make a notation in their log of the damage, any approvals given, and any action taken, including completion of the Notification Card. The Supervisor shall make note of the employee's TPD 41 and forward it to the Personnel Division Commander. Photographs should be taken whenever practical.

2.01.11 MISUSE OF PUBLIC RESOURCES

A. Department employees may not use or permit others to use public resources for personal purposes or campaign activity. "Public resources" means any property or asset owned by the City of Torrance, including, but not limited to, land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, and on-duty time.

2.01.12 MEMBERSHIPS AND SUBSCRIPTIONS

A. The Department will fund memberships and subscriptions in those professional organizations that contribute to the exchange of related information in the furtherance of the mission and goals of the Department. Involvement in organizations such as L.A. County Peace Officers Association, California Peace Officers Association, International Association of Chiefs of Police, California Narcotics Officers Association, California Juvenile Officers Association, California State Division of International Association for Identification, Fraternal Order of Police, and California Sexual Assault Investigators Association, are strongly supported and encouraged, regardless of whether their cost is covered by the Department.

B. Whenever possible, subscriptions should be listed by rank/position rather than by named individuals. Memberships in professional associations shall be limited to necessary personnel actually assigned to related specialized duties.

C. Memberships in and attendance at annual training conferences of International Association of Chiefs of Police are limited to captains and above; and Federal Bureau of Investigation National Academy Associates is limited to those who have completed the FBI National Academy program.

JOHN J. NEU
CHIEF OF POLICE

AGENDA ITEM REPORT

Title: POST2305111 - CHRISTOPHER ALLEN-YOUNG (POST ID:C46-H76)
LAST EMPLOYING AGENCY: TORRANCE POLICE DEPARTMENT

REPORT PROFILE

MEETING DATE	**BUREAU SUBMITTING THE REPORT**
07/16/2025	Professional Conduct Los Angeles Bureau

RESEARCHED BY	**REVIEWED BY**
Robert Bringolf	Mike Radford

REPORT DATE	**APPROVED BY**	**DATE APPROVED**

PURPOSE	**FINANCIAL IMPACT**
	No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Peace Officer Standards Accountability Advisory Board (POSAAB) for review and recommendation regarding the subject peace officer's certification status.

BACKGROUND:

Respondent Christopher Allen-Young began his employment with Torrance Police Department (TPD) on April 24, 2017, as a full-time Police Officer. At the time of the events at issue, Respondent was employed as a Police Officer with the TPD. Respondent was discharged from his position with TPD on January 5, 2023. The Respondent is not currently employed as a peace officer in the State of California.
This position is a peace officer position defined under California Penal Code §830.1(a) and is required to be certified pursuant to California Penal Code §13510.1(a). The case before the Board alleges the Respondent, on three separate occasions, either sent or replied, text messages which were deemed as demonstrating bias as defined in Commission Regulation 1205(a)(5).

ANALYSIS:

The Division found that the clear and convincing evidence substantiated that Respondent’s conduct amounted to demonstrating bias as described in Commission Regulation 1205(a) (5), in that on three separate occasions, Respondent either sent or replied to text messages, which are inconsistent with Respondent's obligation to carry out his duties in a fair and unbiased manner. The Division finds all of the messages were examples of the Respondent’s repetitive misconduct which confirms the Respondent violated TPD’s policies on several

occasions relating to inappropriate speech and unprofessional conduct. In addition to violating the Department's policies with regard to prohibited speech, expression, and conduct, clear and convincing evidence exists that Respondent violated California Penal Code section 13510.8(b)(5) and Commission Regulation 1205(a)(5) - Demonstration of Bias.

RECOMMENDATION: The Peace Officer Standards Accountability Advisory Board (POSAAB) shall review the findings of investigations presented by the Peace Officer Standards Accountability Division (POSAD) and make a recommendation regarding what action should be taken, suspension or revocation, on the certification of the subject peace officer.

ATTACHMENT(S):

BR01_POST2305111_AllenYoung_Christopher_ISF (1).pdf
BR02_POST2305111_AllenYoung_Christopher_Attachment_A_ExecReviewDivisionRec.pdf
BR03_POST2305111_AllenYoung_Christopher_Attachment B_POSTProfile.pdf
BR04_POST2305111_AllenYoung_Christopher_Attachment_C_TerminationLetter.pdf
BR05_POST2305111_AllenYoung_Christopher_Attachment_D_Transcripts.pdf
BR06_POST2305111_AllenYoung_Christopher_Attachment_E_Transcripts.pdf
BR07_POST2305111_AllenYoung_Christopher_Attachment_F_TextMessages.pdf
BR08_POST2305111_AllenYoung_Christopher_Attachment_G_TorrancePolicies.pdf

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**
Christopher Allen-Young,	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 Investigative Summary and Findings and accompanying Notice of Intent to Revoke, notifying Respondent that the Division had found reasonable grounds for revocation of Respondent's POST certification, on May 9, 2025. Respondent requested a review of the Division's determination and reasons for revocation of Respondent's POST certification on May 22, 2025, and the Board scheduled the case for a hearing which was held on July 16, 2025. At the time of Respondent's request for review of the Division's determination, Respondent had been issued the following POST certification(s):

- ☒ 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:

X 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:

X Revocation of Certification

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

__ No further action.

REASONS FOR DECISION

X In accordance with Penal Code section 13510.85(a)(4) and title 11, California Code of Regulations section 1213, the Board hereby 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:

_____

_____

_____

_____

_____

_____

Dated: 7/16/25

Chairperson or Designee
Peace Officer Standards Accountability
Advisory Board

STATE OF CALIFORNIA

COMMISSION ON

PEACE OFFICER STANDARDS AND TRAINING

PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

(POSAAB) MEETING

WEDNESDAY, JULY 16, 2025

10:04 A.M.

MEETING HELD

AT THE OFFICES OF

COMMISSION ON POST

860 STILLWATER ROAD, SUITE 100

WEST SACRAMENTO, CALIFORNIA

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Stenographically Reported By:
Connie J. Parchman,
California Certified Shorthand Reporter #6137

A P P E A R A N C E S

POSAAB MEMBERS PRESENT

JOYCE DUDLEY
Governor Appointee
Attorney
(Chairperson)

NICOLE CLAVO, Psy.D.
Governor Appointee
Public Member

REGINA HATCHER-CRAWFORD
Governor Appointee
Public Member

JACK GLASER
Governor Appointee
Public Member

CEPHUS JOHNSON
Governor Appointee
Public Member

CHARLES LARA
Governor Appointee
Management Rank Peace Officer

MARGARET PENA
Speaker of Assembly Appointee
Public Member

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PEACE OFFICER STANDARDS ACCOUNTABILITY
ADVISORY BOARD LEGAL COUNSEL

CHRISTOPHER BEATTY
Deputy Attorney General
Department of Justice
Office of the Attorney General

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A P P E A R A N C E S C O N T I N U E D

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CHANDLER KNAPP
Staff Services Manager
Executive Office

---o0o---

A P P E A R A N C E S C O N T I N U E D

ALSO PRESENT

LUKE BAXTER WALDEN
Peace Officer, POST ID A95-T18

MARLON MARRACHE

--o0o--

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WEDNESDAY, JULY 16, 2025 10:04 A.M.

West Sacramento, California

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CHAIRPERSON DUDLEY: Good morning, everyone.

Great to see all of you.

Today is Wednesday, July 16th, and the time is 10:04.

Thank you all for attending the Peace Officer Standard Accountability Advisory Board hearing.

Please note that this hearing is being live streamed, recorded and transcribed.

Thank you so much to the transcriber.

Further, please note that the microphones are auto on/off. When you begin speaking, they will go live. With this, you will need to watch your crosstalk. That too will go live.

We will now call the roll of Board Members.

MR. KNAPP: Thank you, Madam Chair.

Good morning, Members of the Board.

Member Clavo.

MEMBER CLAVO: Present.

MR. KNAPP: Member Crawford.

MEMBER CRAWFORD: Present.

MR. KNAPP: Member Doyle.

(No response.)

MR. KNAPP: Member Dudley.
CHAIRPERSON DUDLEY: Here.
MR. KNAPP: Member Glaser.
MEMBER GLASER: Here.
MR. KNAPP: Member Johnson.
MEMBER JOHNSON: Here.
MR. KNAPP: Member Lara.
MEMBER LARA: Here.
MR. KNAPP: And Member Pena.
MEMBER PENA: Here.
MR. KNAPP: Thank you.
Madam Chair, seven of nine.
CHAIRPERSON DUDLEY: Thank you. A quorum has been established.
And thank you, Mr. Knapp, for all the work you did to get us all here today. Very much appreciated.
I would now like to introduce Board Counsel. To my left, Christopher Beatty.
And POST Assistant Executive Director, Annemarie Del Mugnaio. I do this every time. I have so much respect for our Assistant Director and I never can get the name just perfect. But, Del Mugnaio?
MS. DEL MUGNAIO: Del Mugnaio.
CHAIRPERSON DUDLEY: What?
MS. DEL MUGNAIO: Del Mugnaio.

CHAIRPERSON DUDLEY: Del Mugnaio.

MS. DEL MUGNAIO: There you go.

CHAIRPERSON DUDLEY: Del Mugnaio.

This time is set aside for members of the public who wish to comment on items not on the agenda, but those within the Board's jurisdiction.

Public comment on matters on the agenda will be heard after each item is presented. Public comment on specific peace officer revocation cases to be heard today will be heard at the time of the hearing of each of the matters.

Please be advised that the Board cannot take action on items not on the agenda and may discuss those matters only to the extent necessary to determine whether any matter should be made an agenda item at a future meeting, to respond briefly to statements or questions posed, to request clarification or to refer the items to staff.

Please remember that this meeting is being transcribed, so I may politely interrupt and ask you to repeat or speak slowly and clearly so your comment can be correctly captured in the transcript.

As the Board Chair, I may ask members of the public to limit their remarks to no more than three minutes, pursuant to existing Board policy.

I may conclude the public comment period if multiple speakers are voicing repetitive or similar statements, and the 15-minute public comment period has expired.

You will be given five minutes to speak and the time limits will be strictly enforced, so please ensure that you complete your thoughts within the allotted time.

Before I open public comment on matters not on the agenda, please note that if you wish to comment on disciplinary matters scheduled to be heard today or tomorrow by the Board, you must wait until the matter is called to offer public comment.

If you have a specific complaint about an officer that is not on today's agenda, you should file a complaint with POST or with the officer's employing agency. Staff will assist you in this regard.

I would like to remind individuals making comments to not discuss pending complaints or pending disciplinary actions that may later come before the Board for recommendation.

If the Board takes action on your complaint, you will have an opportunity to address the Board at that time.

Following these rules is necessary to comply with

the law and to avoid compromising the Board's mission.

Now, is there anyone present in the audience or appearing remotely who would like to address the Board during public comment?

Let's start with people present first. Anyone present?

(No response.)

CHAIRPERSON DUDLEY: Seeing none, let me inquire, is there anybody remotely?

(No response.)

CHAIRPERSON DUDLEY: Okay. Moving on.

Let's go to the approval of the minutes.

Is there anyone present or appearing remotely or by phone who would like to address the Board regarding the approval of the January 16th, 2025, transcripts?

(No response.)

CHAIRPERSON DUDLEY: Seeing none. Are there any questions or comments from the Board regarding the minutes?

Seeing none.

If the Board concurs, the appropriate action would be a motion to approve the meeting transcript from the January 16, 2025, meeting.

Is there a motion?

MEMBER CLAVO: I make a motion to approve the

Thank you.

(Time noted: 12:00 P.M.)

---o0o---

(Break taken in proceedings:
12:00 P.M. to 12:38 p.m.)

---o0o---

CHAIRPERSON DUDLEY: Okay, everyone.

At this time, I will now call upon Law Enforcement Consultant Robert Bringolf, Professional Conduct Los Angeles County Bureau, and Bryant Henley, Attorney IV, Legal Affairs Bureau to provide a report on POST2305111, Christopher Allen-Young, who at the time of the events at issue in this case was employed with the Torrance Police Department.

Gentlemen.

MR. BRINGOLF: Thank you, Madam Chair.

Good afternoon, now, everybody.

I'm still Robbie Bringolf and I am the law enforcement consultant assigned to the Professional Conduct Southern Bureau formerly the Los Angeles County Bureau.

With me is Bryant Henley, an attorney with our Legal Affairs Bureau.

I'm going to present case 23-5111 involving Christopher W. Allen, hyphen, Young.

It's the Division's determination that clear and convincing evidence exists to demonstrate that Christopher Allen-Young committed an act of serious misconduct as set forth in Penal Code Section 13510.8 while sending text messages to coworkers between February 2019 and December 2019.

Specifically, the Division has determined that Christopher Allen-Young committed the following acts of serious misconduct: Demonstrating bias as defined in Section 13510.8(b)(5) PC.

This afternoon I'll present a brief outline of the Division's findings of investigation in this matter.

Mr. Allen-Young began his law enforcement career with the Los Angeles County Sheriff's Department as a deputy trainee on November 18th, 2013.

He was promoted to deputy sheriff on April 6, 2014, and his last day as a deputy sheriff at Los Angeles County Sheriff's Department, April 24th, 2017, was also his first day as a police officer at the Torrance Police Department.

On March 26, 2023, Torrance Police Department reported allegations of serious misconduct against Mr. Allen-Young to POST pursuant to California Penal Code Section 13510.9(a)(3).

The allegations stem from the discovery of

homophobic, transphobic and racist texts sent between members of the TPD between May 2018 and February 2022.

When analyzing the serious misconduct allegation of Penal Code Section 13510.8(b)(5) and regulation 1205 (a)(5), demonstrating bias, the Division evaluates whether the subject officer through words, actions or other conduct showed prejudice, intolerance, contempt or hatred toward a protected classes of persons.

If the subject officer did show prejudice, intolerance, contempt or hatred toward a protected class of persons, the Division then considers whether the words, actions or conduct would lead a reasonable person to conclude that the officer has not, will not fairly and impartially perform the officer's law enforcement duties.

If so, serious misconduct is shown if the officer's words, actions or conduct either one, violates applicable law; two, violates department policy; or three, is inconsistent with the officer's obligation to carry out the officer's duties in a fair and unbiased manner.

During the analysis of each instance of potentially biased behavior, the conduct was analyzed based on the guidelines I just mentioned to determine whether the allegation of bias was true to a clear and convincing

standard.

On February 14th, 2019, Mr. Allen-Young sent a WhatsApp message in a group chat with 14 other members of the Torrance Police Department. In that message Mr. Allen-Young sent an image of the -- an image meme of Dave Chappell that said, "Modern problems require modern solutions." And "When your girlfriend is fucking a Black guy, so you break a taillight on his car so the police will stop him and shoot him."

The Division finds this message was inherently offensive and racist and Mr. Allen-Young's conduct in sending the image meme message showed prejudice towards a protected class of persons.

Mr. Allen-Young's message violated several of the TPD's policies including, but not limited to, their anti-harassment policies and several of their General Orders.

A reasonable person would conclude that Mr. Allen-Young's conduct demonstrates that he has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

Accordingly, the Division finds that Mr. Allen-Young demonstrated bias within the meaning of Penal Code Section 13510.8(b)(5), when he sent the image

meme of Dave Chappelle.

On March 31st, 2019, Mr. Allen-Young, while on duty, sent a text message to Officer Weldin which stated, quote, "Moon cricket hunting," exclamation mark.

Officer Weldin responded, "They're chirping for sure."

The exchange between Officer Weldin and Mr. Allen-Young is inherently offensive and racist.

Mr. Allen-Young's conduct in sending the message "moon cricket hunting" violated several of the TPD's anti-harassment policies and General Orders.

And again, when we view this in the light most favorable to Mr. Allen-Young, his racist epithet used to describe members of the Torrance community who might be subject to enforcement action from the Torrance Police Department necessarily erodes the public's confidence in Mr. Allen-Young's ability to fairly perform his law enforcement duties.

A reasonable person would conclude that Mr. Allen-Young's message shows that he is not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community, specifically because hunting indicates that Mr. Allen-Young is targeting a certain demographic for enforcement action

because of their race.

Accordingly, we in the Division find that Mr. Allen-Young demonstrated bias within the meaning of Penal Code Section 13510.8(b)(5) when he wrote, "moon cricket hunting."

On December 19th, 2019, Officer Weldin texted Mr. Allen-Young directly, "What's up, Monkey Thumper?"

Mr. Allen-Young replied, "Hahaha, what's up, Bud?"

This message is another example of the use of a racist epithet and an indication of the use of force on a protected class of persons.

Mr. Allen-Young's response and involvement in this message exchange violated several of the TPD's policies.

And while the racist epithet was not used by Mr. Allen-Young, his reply to Officer Weldin indicates a tacit approval of the use of dehumanizing and racist language and shows an intolerance and prejudice towards Black people.

When reading this text exchange, a reasonable person would conclude that Mr. Allen-Young cannot or will not fairly and impartially perform his duties as a law enforcement officer.

The message exchange also implies that Officer Weldin is indicating Mr. Allen-Young is known for using physical force against Black people. Or that

using physical force against being Black people is a foregone conclusion between these two.

Accordingly, the Division finds that Mr. Allen-Young demonstrated bias within the meaning of Penal Code Section 13510.8(b)(5) when he wrote, "Hahaha what's up, Bud" in a response to a message in which Officer Weldin called Mr. Allen-Young a monkey thumper.

The facts I've just recited support the Division's finding that Christopher Allen-Young was involved in serious misconduct, specifically demonstrating bias.

For purposes of the Division's analysis, clear and convincing evidence means evidence of a charge is clear and convincing so long as there's a high probability that the charge is true. The evidence need not establish a fact beyond a reasonable doubt.

The Division recommends that Christopher Allen-Young's POST certification be suspended or revoked.

With that, I'm happy to answer any questions that the Board may have.

CHAIRPERSON DUDLEY: Any questions?

(No response.)

CHAIRPERSON DUDLEY: At this time, does the subject officer or their counsel wish to make public comment?

If so, you will be given five minutes to speak and

the time limits will be strictly enforced, so please ensure that you complete your comments within the allotted time.

While commenting keep in mind that the Board will only consider the facts as presented by the Division today and will not consider any additional facts or defenses at the time.

The sole question before the Board today is the following: If the facts offered by the Division today are, in fact, proven at a later hearing, do those facts demonstrate a high probability that serious misconduct, as defined in Penal Code Section 13510.8 and Commission Regulation 1205 occurred?

Is there anyone from the public who would like to address the Board at this time?

Looking out to the audience, I see no response.

And is there anyone on the telephone?

Counsel?

MR. HENLEY: Thank you, Madam Chair.

If I may, again, Bryant Henley on behalf of the Peace Officer Standards Accountability Division.

I wanted to advise the Board, and for the record, that -- inform the Board that we notified Officer Allen-Young back in May of the intent to revoke his license.

His counsel, Cory Glave, communicated with the Division on May 22nd indicating that he requested review of the Division's recommendation. And also requested the information that supported the decision intending to revoke Mr. Allen-Youngs's license.

POST's Division provided those materials to Mr. Glave as counsel for Mr. Allen-Young.

Then on June 13th, provided to Mr. Glave at the same address that Mr. Glave gave us to provide communications provided a notice of hearing, giving the date and time for the hearing.

We did not receive a response. The Division did not receive a response.

Then on June 25th, we emailed Mr. Glave and asked for confirmation as to whether he intended to attend or not attend the hearing and whether he needed a virtual link in order to attend virtually.

We did not receive a response to that email either.

CHAIRPERSON DUDLEY: Okay. At this time, does the Board wish to adjourn into closed session for deliberations on this case?

Or is the Board ready to discuss and then vote on recommendation in the case?

Does anyone feel the need to adjourn to closed session?

(No response.)

CHAIRPERSON DUDLEY: Okay. Seeing none, before I call for a vote, is there any discussion?

Dr. Glaser?

MEMBER GLASER: Thank you.

I just wanted to articulate that the evidence seems clear and convincing. The statement "moon cricket hunting," unsolicited, with no response from the respondent about the context or any other kind of explanation seems to me to be very clear evidence of racial bias that, you know, implicates that somebody should not -- would not be able to conduct their duties in an unbiased manner. So I'm very much in favor of revoking.

CHAIRPERSON DUDLEY: And Dr. Glaser, I -- this morning, I did not ask if there was any comments that the Board had.

Did you have any comments about this morning's case as well?

MEMBER GLASER: I would say my sentiments about this morning's case were pretty much identical to what I just expressed.

CHAIRPERSON DUDLEY: Thank you.

Anybody else on the Board wish to be heard before we have a motion?

(No response.)
CHAIRPERSON DUDLEY: Okay. Is there a motion?
MEMBER GLASER: I move to revoke certification.
CHAIRPERSON DUDLEY: Is there a second?
MEMBER JOHNSON: Second. Johnson, second.
CHAIRPERSON DUDLEY: Okay. And roll call, please.
MR. KNAPP: Thank you, Madam Chair.
Clavo.
MEMBER CLAVO: Aye.
MR. KNAPP: Clavo, aye.
Crawford.
MEMBER CRAWFORD: Aye.
MR. KNAPP: Crawford, aye.
Dudley.
CHAIRPERSON DUDLEY: Aye.
MR. KNAPP: Dudley, aye.
Glaser.
MEMBER GLASER: Aye.
MR. KNAPP: Glaser, aye.
Johnson.
MEMBER JOHNSON: Aye.
MR. KNAPP: Johnson, aye.
Lara.
MEMBER LARA: Aye.
MR. KNAPP: Lara, aye.

Pena.

MEMBER PENA: Aye.

MR. KNAPP: Pena, aye.

That's seven in favor. Motion carries.

CHAIRPERSON DUDLEY: Okay.

Let's move on to the next case.

This is -- thank you, both. I know that was a difficult case to report on. Very much appreciate your professionalism.

POST2306324, Luke Baxter Walden POST A95-T18.

At this time, I will now call upon law enforcement consultant William Imboden, Professional Conduct Los Angeles County Bureau and Simone Renteria, Attorney IV, Legal Affairs Bureau to provide a report on case POST2306324, Luke Baxter Walden, who at the time of the events at issue in this case was employed by the Los Angeles Police Department.

Thank you.

MR. IMBODEN: Good afternoon, Madam Chair, Members of the Board.

My name's William Imboden, I'm one of the law enforcement consultants assigned to the Professional Conduct Bureau for Southern California in the Peace Officer Standards and Accountability Division.

With me today is Simone Renteria, an attorney with

CERTIFICATE OF REPORTER

I, CONNIE J. PARCHMAN, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing proceedings were reported, to the best of my ability, in shorthand by me, Connie J. Parchman, Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said proceedings nor in any way interested in the outcome of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of July 2025.



Connie J. Parchman, CSR
Certified Shorthand Reporter
License No. 6137