

# CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD (BOARD)

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## POST TRAINING AND RECRUITMENT SUBCOMMITTEE MEETING MINUTES

May 15, 2023 10:25 a.m. - 12:00 p.m.

**Subcommittee Members Present:** Co-Chair Melanie Ochoa, Co-Chair Ronaldo Villeda, Member Kennedy, and Member Kulkarni

**Subcommittee Members Absent:** Member Hawkins, Member Randolph, and Member Duryee

### **1. Introductions**

Co-Chair Ochoa called the meeting to order at 10:25 a.m. Each POST Subcommittee member (herein subcommittee) introduced themselves. Co-Chair Ochoa concluded introductions with a welcome to all attending the meeting.

### **2. Approval of February 28, 2023 Subcommittee Minutes**

Co-Chair Ochoa opened asking if any members would like to discuss the draft meeting minutes. Co-Chair Ochoa moved to adopt the meeting minutes as presented which Member Kennedy seconded. With three Ayes, zero Nays, and one Abstention the meeting minutes were approved as presented.

### **3. Overview by Department of Justice**

Retired Annuitant Aisha Martin-Walton (Martin-Walton) from the California Department of Justice (DOJ) opened the agenda item to provide an overview of the meeting's agenda items. She stated that the Subcommittee will review updates for the 2024 report and have an opportunity to review the first draft of their report section and provide feedback to its direction at a later agenda item. She then introduced RIPA Board member Angela Sierra who will debrief the Subcommittee on her presentation before the POST commission at their first meeting of the year.

Member Sierra debriefed the Subcommittee on her presentation on behalf of the RIPA Board before the POST commission on March 22, 2023. She presented during public comment and opened her presentation on introducing the RIPA Board and its mandate to review and analyze POST training and its subsequent impact on racial and identity stop data outcomes. She requested that the POST commission consider the RIPA Board's recommendations and emphasized the importance of their collaboration as data suggests current trainings are not as effective as they could be at combating racial and identity profiling. She particularly recommended that the RIPA commission agendaize their discussion on RIPA Board feedback, that they develop a robust plan for engaging individuals from the community's most profiled, and that POST courses should contain measures of effectiveness to evaluate course outcomes. Member Sierra concluded her presentation by directing the POST commission to RIPA related resources and an invitation for discussion at a future time. She also reported that, POST Chair Geoff Long, directed the commission to review the report and that they would be willing to have the RIPA Board present at one of their future meetings.

Co-Chair Ochoa and Member Kennedy thanked Member Sierra for her presentation.

Martin-Walton continued and relayed that the Subcommittee would hear from POST staff on updates to POST trainings such as the Museum of Tolerance's (MOT) train the trainer, dispatch, racial and identity profiling, and the field officer training programs. Co-Chair Ochoa then moved to the next agenda item.

#### **4. Updates from POST**

Meagan Poulus from POST, opened the agenda item and reported on updates from POST.

##### **MOT's Train the Trainer Curriculum**

Ms. Poulus first provided an update on MOT's train the trainer curriculum. She reported that POST has received an update on curriculum in which MOT has reported completion of all revisions and have performed test runs with veteran instructors. She stated that MOT will submit their final revisions and their updated course outline to POST for certification by next week.

##### **POST Dispatcher Training**

Ms. Poulus continued her presentation by covering the POST dispatcher training. She reported that the revisions to the training would be presented to the POST commission on June 7, 2023 where members of the public can provide feedback.

Co-Chair Ochoa asked Ms. Poulus what was the timeline for receiving comments related to the training. Ms. Poulus was not aware of the how long the training would be open for comments but stated that the next steps would be tentative on what feedback was received.

##### **POST Field Training Program**

Ms. Poulus introduced Consultant Steven Crawford (Crawford) to present on updates related to POST's Field Training Program. Crawford is assigned to the basic training bureau at POST and his primary responsibility is to oversee the field training program which include overview of curriculum development and its approval. He noted that relevant trainings are subject to the POST-approved program and are subject to the regulatory umbrella of POST.

Mr. Crawford stated that the field training program is a core component of training after the POST academy and therefore should have academic congruency with the education received there. He stated that the field training program consists of two portions: An administrative portion which equates to core competencies that are directly related to the ordering domains and a validation portion whereby trainees demonstrate proficiency. He stated that trainees will undergo the basic course which is 40 hours long and attend an 24-hour long updated course which is mandated every three years. He shared that supervisors also have a 24-hour course which is a 24-hour course.

Mr. Crawford honed in on the racial profiling training coverage. He stated that the racial profiling course is covered in learning domain 42 and is a 16-hour training that occurs during basic training at the academy. He stated that the training's core competency includes:

- Prohibiting damage upon the community

- Profiling behavior
- Constitutional amendments
- Community history
- Agency policy
- Focusing on behavior
- Citizen support

He also shared that other learning domains augment this training and stated that around 20 additional learning domains on professionalism, constitutional walls, and leadership supplement learning domain 42.

Co-Chair Ochoa thanked Mr. Crawford for his presentation so far and recommended that his presentation include a visual component of the training breakdown and process to allow for better outreach to members of the public. She also requested for a list of which particular learning domains augmented learning domain 42. She also inquired on how often the field training program gets updated. Mr. Crawford explained that updates regularly occur and referenced April and October being the notable points in time where changes are effectuated. Particular to field training, he said most changes occur on the evaluation portion of the program as it can see modification, deletion of content, and may also require increased sign-offs.

Co-Chair Ochoa also expressed concern that the expanded definition of racial profiling, that created a California standard higher than federal law, is not incorporated into the trainings. She stated that as an advocate, she observed that the prior definition of profiling, rather than the California standard, is still heavily relied upon. Crawford responded that her observations could be attributed to the challenges of information dissemination that have been recognized. He stated that they are combating this by identifying archaic regulations that obstruct the regulatory authority from instructing agencies to update their programs more regularly; particularly, they have identified some vague regulatory language that can be clearer to improve outcomes. Crawford also attributed her observations with the change in teaching paradigms that have been implemented. He shared that prior to the early 2000s, evaluations were modeled in the form of written tests which would tests on knowledge; however in the early 2000s the teaching paradigm shifted to a more problem-solving and applicative model commonly known as the Reno model. Instead of a written test evaluations were performed more practically via mock boards which challenge learners in both knowledge and application of the subject matter. The teaching paradigm changed once again in 2014 whereby both written and problem-solving evaluative measures were implemented which became known as the POST model. He explained that because the POST model needs to be applicable throughout the state, the field training program subsequently has to generalize its scope. As a result the desired depth of information in the field training program may not be as apparent in the initial portion of the program.

## **5. Board Discussion Regarding POST Chapter in the 2024 Board Report**

Co-Chair Ochoa opened the agenda item for the subcommittee to discuss what their portion of the report would focus on this year. She opened the floor to DAG Sophia Carrillo to present on the Subcommittee's draft report section.

DAG Carrillo presented on the Subcommittee's draft report section for this year's report. She presented on how the draft report section would address the RIPA Board's concern on the difficulty of incorporating their recommendations to POST courses and curriculum. She stated that draft report section would address these concerns by focusing on how there can be a structured feedback mechanism for both the RIPA Board and the community. Additionally, the draft report section would advocate for additional built-in systems and coordination. She then went over the particular recommendations for the Subcommittee's consideration.

DAG Carrillo stated that the first recommendation is for POST to adopt protocols and publish separate training guidelines independent of the curriculum that is tied directly to the statutory mandate which instructs that the RIPA Board be included in the development and revision of POST courses. The second recommendation is to propose an integrated timeline for the RIPA Board and community to review curriculum. She stated that the second recommendation would have a three-prong approach whereby actionable points in the timeline would incorporate the RIPA Board's, the community's, and subject matter expert feedback via the following:

- To allow for more engagement by the RIPA Board and community by having scheduled review processes in the form of a publically accessible subcommittee or review meeting
- To call subject matter experts earlier in the cycle to allow for more robust expert feedback
- To be more transparent with chosen subject matter experts chosen by providing their backgrounds and what submitted feedback was incorporated

DAG Carrillo stated that the third recommendation would advocate to ensure community and stakeholder input by having POST widen its scope of researchers that can address knowledge gaps as a result of the depth of their community knowledge (e.g., mental health professionals who serve vulnerable communities, experts in adult education, etc.). The fourth recommendation is to measure course effectiveness of all POST racial and identity profiling courses as long-term disparities have been demonstrated by the RIPA data. She stated that the RIPA Board is not alone in this recommendation as the Little Hoover Commission, California State Auditor, and other state agencies have called on POST to measure effectiveness as officer behaviors have not measurably changed. The fifth and final recommendation was for the topic of accountability to be a required topic in the relevant POST courses. She explained that added a legal obligation for POST course instruction to include specific peace officer obligations regarding the reporting and responding to discriminatory practices by fellow peace officers. Co-Chair Ochoa thanked DAG Carrillo for her presentation and opened the floor for Subcommittee feedback and comments.

Member Kennedy stated his approval of the draft report section. Particularly, he appreciated the section which covered measures to evaluate peace officer behavioral changes. Co-Chair Ochoa mirrored Member Kennedy's appreciation for the draft report section. She asked the Subcommittee to consider addressing the discrepancy of an agency's operative definition of profiling compared

to the statutory definition in the draft section report as the discrepancy creates barriers to proper enforcement and training. Co-Chair Ochoa also shared similar concerns with the definition of bias in the accountability section of the draft report section.

Co-Chair Ochoa continued with feedback and asked for consideration on illustrating the ineffectiveness of profiling. She proposed that by using the RIPA data, the report section can demonstrate the infrequency with which minor stops result in arrest for more serious offenses or the rarity of discovering weapons or other serious contraband as well as the higher yield rate for searches of white individuals versus Black and Latino individuals who are more frequently searched. She stated that by providing the illustration, peace officers would have the added benefit of knowing that profiling is an ineffective tool rather than just understanding it as a prohibition made by law and subsequently change their outlook on it.

Co-Chair Ochoa asked POST about whether there is a guideline document for profiling apart from its infusion in POST trainings. Ms. Poulus responded there is no separate document on profiling guidelines as it could be implemented either through the form of a guideline document or through its incorporation into trainings. She further explained that from historical review of the implementation of profiling education, the past administration opted to only incorporate it through trainings. Co-Chair Ochoa also asked POST associates whether POST has an established, structured timeline on when updates to courses are implemented. Ms. Poulus stated that due to the fluidity and volume of courses that POST certifies (i.e., over 4,000 courses), creating a timeline is not feasible as functionally course updates occur on different years and times.

Co-Chair Ochoa provided additional feedback about the proposed timeline. She recommended that rather than have set fixed milestone dates which trigger from the process' initial dates that actionable deadlines, such as feedback from the public, be triggered by the completion of the prerequisite task. She stated that this would allow the timeline to mirror the flexible, fluid nature of course updates. Member Kennedy shared similar emphasis on the procedural logistics and stressed that as much time should be assigned to ensure that the recommendation makes a significant, observable difference. Co-Chair Ochoa thanked Member Kennedy for his feedback and moved to the next agenda item.

## **6. Public Comment**

Co-Chair Ochoa opened the meeting to allow for public comment.

Michelle Wittig from the Santa Monica Coalition for Police Reform asked the RIPA Board to empower non-governmental organizations in an effort to provide more influential updates to POST training. She stressed that local organizations can provide the pressure to their local enforcement agencies to adopt recommended practices and updates but also recognized that the most smaller cities may need the RIPA Board's support to accomplish this goal.

## **7. Next Steps**

Co-Chair Ochoa listed the following as next step items:

- POST Basic Training Bureau to provide a list of different learning domains that intersect with the profiling learning domain
- Identifying existing trainings that articulate the current definitional standard of profiling and where it may be found in the material
- Consideration for the creation of a guideline document for the subject of profiling

Co-Chair Ochoa proposed that the creation of a guideline document recommendation should be proposed to the POST commission at their next meeting. DAG Elgart explained that a vote would need to occur to propose that recommendation as it would need to be considered as a recommendation of the RIPA Board. Co-Chair Ochoa moved to make the recommendation from the RIPA Board to POST to promulgate separate guidelines related to profiling which Member Kennedy seconded. With four Ayes, zero Nays, and zero Abstentions the motion passes and will be presented to the RIPA Board for its consideration and vote.

## **8. Adjourn**

Before adjourning, Co-Chair Ochoa thanked the members of the public, the DOJ, and her fellow subcommittee members for their attendance.