

CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD
<https://oag.ca.gov/ab953/board>

POST TRAINING AND RECRUITMENT SUBCOMMITTEE
MEETING MINUTES

September 29, 2021

Subcommittee Members Present: Co-Chair Melanie Ochoa, Co-Chair Brendon Woods, La Wanda Hawkins, Edgar Hampton, Steve Raphael, Anmar Campa-Najjar

Subcommittee Members Absent: Amanda Ray, Ronnie Villeda

Co-Chair Melanie Ochoa called the meeting to order at 10:00am. This meeting was held by video conference with a quorum of members present.

1. **Introductions:** No introductions were required.
2. **Approval of the September 9, 2021, POST Subcommittee Meeting Minutes**

Motion: Co-Chair Ochoa made a motion to approve the September 9, 2021, subcommittee meeting minutes. Brendon Woods Seconded the motion.

The minutes were approved by the subcommittee without objection or abstention.

3. DOJ Update and POST Comments on Training:

Deputy Attorney General Kendal Micklethwaite summarized the items for discussion and approval held over from the September 9, 2021, POST Subcommittee meeting. She stated that these items were held over for further discussion due to lack of a quorum. Ms. Micklethwaite advised that the subcommittee would be discussing the following four items. Three items could involve a possible vote.

1. Recommend that the Board vote to write a comment letter to POST regarding AB 846.
2. Recommend that the Board vote to advise the legislature to increase the public composition of POST Commission members from 4 to 12 to add more members with diverse backgrounds through the legislative process.
3. The Board obtain feedback from POST on its review and comments of the POST Academy Course, entitled Learning Domains 3 (LD 3) Principled Policing in the Community.
4. An open agenda item was included for any other recommendations the subcommittee wanted to refer to the Board via a vote.

4. Co-Chair Ochoa took agenda item #6 out of order and gave an update on the subcommittee's review of LD 3 and next steps. She reminded the subcommittee members that detailed LD3 (Principled Policing in the Community) course feedback was outlined in the July 27, 2021 minutes. Both the minutes and comments were shared with POST. Co-Chair Ochoa indicated that POST has been requested to include the subcommittee comments to the course and if not explain.
5. Board members discussed the AB 846 letter that will be comments from the RIPA Board. Tanya Koshy of DOJ answered questions to clarify that the RIPA Board comments, if voted upon, would require both investigators and evaluators to document their findings.
6. Board members discussed the number of public members on the 18 member POST Commission. The number of public members are fewer than other licensing boards in California. DAG Micklethwaite answered questions and advised that DOJ reviewed 35 other Boards and Commissions. POST has fewer public members than most and that the Medical Board for example, had twice the number of public members than the POST Commission. Co-Chair Ochoa further clarified that there are 18 members on the POST Commission and only 4 are public members. The subcommittee discussion was to consider recommending to the Board that it vote to recommend to the legislature to increase the number of public members on the POST Commission from 4 to 12.
7. Board members did not introduce other items for discussion and consideration for submission to the Full Board.

8. Public Comment

Co-Chair Ochoa opened the meeting for public comment.

Northern California: None

Central California: None

Southern California:

Michelle Wittig an instructor at the Masters level of Psychology in Santa Monica, stated that there is a conflict in the Recruitment Training Manual for (AB) 846 and the LD3 training being offered to existing peace officers. She indicated that the new recruits were being selected based on no biases found yet the training offered later in LD3 suggests everyone has biases. She also stated that psychological tests are informative but should not be the bottom line to employment.

Mr. Hylton of San Diego, stated that he did not get a copy of the Recruitment Training manual that Michelle Wittig referenced on the call. He feels that POST should not be a member of the POST Training and Recruitment Sub Committee.

9. Motions Presented by the POST Training and Recruitment Sub-Committee:

Motion #1

Co-Chair Ochoa made a motion to prepare a comment letter, for the Board's approval during the October 20, 2021 Board meeting on (AB) 846, recommending that POST revise the regulations to require:

- a. Investigators and evaluators to assess candidates for peace officer employment specifically for explicit bias in their social media accounts.
- b. Investigators make findings with respect to each targeted construct identified in the Bias Assessment Framework; and
- c. Evaluators provide their specific findings with respect to each targeted construct, including which sources they looked at in assessing a person's attitudes, behaviors, traits and attributes, whether there was direct evidence of biased behavior or attitudes, or if that evidence was weak or ambiguous, and what factors did the psychologist weigh in determining a person's biases.

Board Member Lawanda Hawkins Seconded the motion.

Ayes: Melanie Ochoa, Brendon Woods, LaWanda Hawkins, Steve Raphael, Ammar Campa-Najjar

Nays; Edgar Hampton

The motion passed with 5 Ayes and 1 Nay

Motion #2

Co-Chair Ochoa moved that the POST Training and Recruitment Subcommittee authorize the Co-Chairs work with the Department of Justice on preparing the AB 846 comment letter to the Full RIPA Board.

Brendon Woods Seconded the motion.

Ayes: Melanie Ochoa, Brendon Woods, LaWanda Hawkins, Steve Raphael, Ammar Campa Najjar

Nayes; Edgar Hampton

The motion passed with 5 Ayes and 1 Nay

Motion #3

Co-Chair Ochoa moved that the Legislature increase the public members on the Post Commission to at least 12 public members, who are not former law enforcement, and specifically require members have relevant and diverse expertise.

Board Member La Wanda Hawkins seconded the motion.

Ayes: Melanie Ochoa, Brendon Woods, LaWanda Hawkins, Edgar Hampton, Steve Raphael, Ammar Campa-Najjar

The motion passed unanimously with 6 members voting Aye.

Next Steps

Co-Chair Ochoa summarized the subcommittee next steps:

- 1 Report back to the full RIPA Board in preparation for the January 2022 Report.
- 2 Continue to work on the (AB) 846 Comment Letter in conjunction with DOJ.
3. Follow-up on the increase of public membership for the POST Commission.

10. Adjourn

Co-Chair Ochoa adjourned the meeting at approximately 11:45 a.m.