



Technology; (4) State Fire Marshall Certified Training including the Basic Firefighter Academy; and (5) Emergency Medical Technician.

The purpose of establishing a local Academy in the Coachella Valley was to be able to provide opportunities for “homegrown” students to pursue and achieve their aspirations of becoming public safety employees including reserve and full-time peace officers and firefighters to serve the communities where they grew up in and to support the needs of the local public safety agencies. (See Exhibit 3.) Local police chiefs overwhelmingly supported the effort to establish a local Academy for basic and advanced officer training that would *not* require students to have to travel over 120 miles back and forth between the Coachella Valley and the Ben Clark Public Safety Training Center (“BCTC”), offered by Riverside Community College District and located in the City of Moreno Valley. Not only does a local Academy save students time and money, local training for homegrown cadets is also wholly consistent with the “community based policing” philosophies, policies and practices of the local law enforcement agencies in the Coachella Valley, including the Riverside County Sheriff’s Department (“RSD”), which provides contract police services for the cities of Rancho Mirage, Palm Desert, Indian Wells, La Quinta and Coachella, and the communities of Thermal, Mecca and Oasis under the administration of the Southern Coachella Valley Community Services District. Finally, it is self evident that local training of homegrown cadets will reduce the attrition rates experienced with new police officer and deputy hires from outside the Coachella Valley who find it challenging to acclimate to the local weather conditions or find it difficult to live at considerable distances from their hometowns.

As correctly noted in the Report, in order to complete the required POST Certification to be eligible for hire as a full-time peace officer, one must successfully complete the following three Module Training Programs:

- Basic Peace Officer Training Module III
- Basic Peace Officer Training Module II
- Basic Peace Officer Training Module I

The College is certified through POST to offer Modules III and II and has done so since 2002 and has provided the Module I training in the past (from 2002 to 2010) under RSD’s POST certification.

Listed below are the individual learning domains that make up the curriculum for Module III, as offered by the College:

- Leadership, Professionalism & Ethics
- Criminal Justice System
- Policing in the Community
- Introduction to Criminal Law
- Laws of Arrest
- Search and Seizure



- Presentation of Evidence
- Investigative Report Writing
- Vehicle Operations
- Use of Force
- Traffic Enforcement
- Crime Scenes, Evidence, and Forensics
- Custody
- Arrest Methods/Defensive Tactics
- First Aid and CPR
- Firearms/Chemical Agents
- Information Systems
- Crimes Against the Justice System
- Cultural Diversity/Discrimination

Listed below are the individual learning domains that make up the curriculum for Module II, as offered by the College:

- Policing in the Community
- Property Crimes
- Crimes Against Persons
- General Criminal Statutes
- Laws of Arrest
- Search and Seizure
- Presentation of Evidence
- Investigative Report Writing
- Use of Force
- Patrol Techniques
- Vehicle Pullovers
- Crimes in Progress
- Crime Scenes, Evidence, and Forensics
- Arrest Methods/Defense Tactics
- Firearms/Chemical Agents
- Crimes Against the Justice System
- Cultural Awareness/Discrimination

Module I is currently provided by RSD and MVC at the BCTC.

Listed below are the individual learning domains that make up the curriculum for Module I:

- Victimology/Crisis Intervention
- Crimes Against Children



- Sex Crimes
- Juvenile Law and Procedure
- Controlled Substances
- ABC Law
- Investigative Report Writing
- Vehicle Operations
- Use of Force
- Patrol Techniques
- Vehicle Pullovers
- Crimes in Progress
- Handling Disputes/Crowd Control
- Domestic Violence
- Unusual Occurrences
- Missing Persons
- Traffic Enforcement
- Traffic Accident Investigation
- Crime Scenes, Evidence, and Forensics
- Lifetime Fitness
- Arrest Methods/Defense Tactics
- Firearms/Chemical Agents
- People with Disabilities
- Gang Awareness
- Weapons Violations
- Hazardous Materials Awareness
- Emergency Management

(See Exhibit 4.)

The College provided Module I training every semester for eight straight years from 2002 through 2009, under RSD certification at the Academy's facilities located at the College in Palm Desert. During these eight years, 217 cadets completed the Module I training. Of the 217 cadets, 97 were hired as full time and reserve peace officers in local communities throughout the Coachella Valley and beyond. (See Exhibit 5.) During the course of the College's on-site Module I training from 2002 through 2009, RSD involvement was limited to "testing oversight." The College, however, provided all on-site coordination, schedule development, instructor assignments, along with providing the physical class room facilities and certain on-site supplies and equipment in connection with the Module I training.

In 2010, the College presented only one Module I training course, with approximately 25 students enrolled and 19 graduating in December 2010. Of those 19 graduates, six are currently full-time police officers; one with RSD, three with City of Imperial, one with the City of Brawley, one with the United States Border Patrol and a seventh is employed as a full time Community Service Officer with the City of Desert Hot



Springs. Two additional graduates received full time peace officer jobs locally but are no longer employed. The College is not required, nor does it have a formal system for tracking any students after they leave the College and are employed. As such, the numbers provided are based on our best information and may not necessarily be current. In 2010, RSD required that an additional 98 hours be added to the College's curriculum for Module I. Further, RSD insisted on assigning a Recruit Training Officer ("RTO") at a cost of \$8,000; that cost was assumed by the College.

In summary, since 2002, there have been 236 COD-PSA Module I graduates, and since 2012, approximately 101 (or just under 50%) graduates have been hired as either reserve or full time peace officers in the Coachella Valley and surrounding areas. (See Exhibit 6.)

The College responds to the Grand Jury's Findings and Recommendations as follows:

Finding 1: POST Certification

The College promotes itself as "a leader in providing ...public safety training" and advertises its Public Safety Academy that claims to provide "well defined academic programs leading to degrees and certificates in ...Basic Peace Officer Training." The "Program Overview" states:

At the College of the Desert Public Safety Academy (COD-PSA) you can complete the POST Certified Training which is required to become a Full-Time Peace Officer or a Reserve Police Officer.

The Academy further lists the three required classes in the Module Training Program and orientation dates which include a date "pending" for Module I, followed by the cost breakdown of the three modules and "Total Estimated Costs \$3,223."

From the published information it would appear that an interested applicant could become a fully-trained peace officer through the College's program. The College is not currently certified to offer Module I Training.

In a letter dated May 12, 2011, the Riverside County Sheriff's Office (RSO) outlined to the College administration, the basic requirements for a "long-term, collaboration and effective law enforcement training program with College of the Desert". Included in the letter were these requirements:



GENERAL REQUIREMENTS

- *All aspects of training conducted in collaboration with the Sheriff must be coordinated solely through the commander of the Ben Clark Training Center (BCTC). The Sheriff's Training Center is responsible for any coordination with POST, or application of POST requirements.*
- *Scheduling of all POST courses can be made in close collaboration with COD. However, the RSO must be able to conduct training that spans more than one traditional college semester and starts and/or finishes at a time not traditional to other college courses. RSO must have the authority to schedule training in order to minimize operational costs.*
- *Advisory input for academy operations must be made through RSO Academy Advisory Committee, which already contains the members of COD PSA's. It is critical that Basic Academy operations are consistent in both fulltime and modular formats. ...The current overlapping committees create confusion and duplication.*

MODULAR ACADEMY REQUIREMENTS

- *RSO must certify and coordinate all modules of the academy. RSO certifies a whole academy not just a module. Producing only one part of a POST Regular Basic Course does not serve the interest of the greater law enforcement community. There must be unity of command to insure [sic] accountability.*
- *No Deviation from POST Standards. Operations, oversight and management of the academy must meet POST standards and RSO standards...*

At this time there are no active negotiations between the College and the Sheriff.

Response to Finding 1:

The College agrees in part and disagrees in part with Finding 1.

The College agrees that from the formerly "*published information it would appear that an interested applicant could become a fully-trained peace officer through the College's program.*" However, the College's "Administration of Justice" webpage link at that time listed the following "Orientation Dates" as follows:

- Module III: January 18, 2012, (6 p.m. PSA Classroom 19)
- Module II: January 17, 2012, (6 p.m. PSA Classroom 19)
- **Module I: Anticipated December 2012**



(See Exhibit 7.)

The orientation date for Module I clearly indicated that the College was not offering Module I any time prior to December 2012. RSD was notified of this plan on January 30, 2012, in an email from Academy Director Christopher Madigan to BCTC Commander James McElvain of RSD, wherein Mr. Madigan informed Mr. McElvain of the Academy's hope to commence Module I training beginning around December 2012/January 2013. (See Exhibit 8.)

Notwithstanding the above, in an effort to clear up any ambiguity, the College's "Basic Peace Officer Training and Public Safety Academy" webpage has been revised as follows:

"The two classes now available in our Module Training Program are as follows:

- 1. BPOT-061 Basic Peace Officer Training Module III**
- 2. BPOT-062 Basic Peace Officer Training Module II**

The College further agrees that it "is not currently certified to offer Module I Training." To clarify this point, the College's "Basic Peace Officer Training" webpage has been revised to indicate that Module I training is currently offered at the BCTC in Riverside. The revised language is set forth below:

"Note: COD does not offer a Module-I course. The closest available Module-I course currently being offered is through the Riverside Sheriff's Department at the Ben Clark Training Center in Riverside."

(See Exhibit 9.)

To determine whether a Module I course is needed, achievable and/or sustainable, the current President/Superintendent of the College, Dr. Joel Kinnamon, has requested that POST assess whether there is a need in the local law enforcement community (which includes the Coachella Valley, Imperial County, Morongo Basin and other nearby areas) for Module I training at the College.

Again, the College provided Module I training every semester for eight straight years from 2002 through 2009, at the College's facilities located at the College in Palm Desert. During these eight years, 217 cadets completed the Module I training. Of the 217 cadets, 97 were hired as full time or reserve peace officers in several local communities throughout the Coachella Valley and in adjacent regions. During the course of the College's on-site Module I training from 2002 through 2009, RSD's involvement was limited to "testing oversight." The College, however, provided all on-site coordination, schedule development, instructor assignments, along with providing the physical class room facilities and certain on-site supplies and equipment in connection with the Module I training.



In 2010, the College presented only one Module I training course, with approximately 25 students enrolled and 19 graduating in December 2010. Of those 19 graduates, six are currently full-time police officers; one with RSD, three with City of Imperial, one with the City of Brawley, one with the United States Border Patrol and a seventh is employed as a full time Community Service Officer with the City of Desert Hot Springs. Two additional graduates received full time peace officer jobs locally but are no longer employed. The College is not required, nor does it have a formal system for tracking any students after they leave the College and are employed. As such, the numbers provided are based on our best information and may not necessarily be current. In 2010, RSD required that an additional 98 hours be added to the College's curriculum for Module I. Further, RSD also insisted on assigning a Recruit Training Officer (RTO) at a cost of \$8,000; that cost was assumed by the College.

The College agrees that it received a letter, dated May 12, 2011, from the Riverside County Sheriff's Department, and that "[a]t this time there are no active negotiations between the College and the Sheriff." (See Exhibit 10.) However, extensive negotiations took place before and after the May 12, 2011, meeting of the College's Law Enforcement Advisory Committee ("Committee") regarding the scope of the peace officer basic training RSD would consider permitting the College to provide under the RSD's POST Certification.

As early as November 7, 2008, RSD was aware that the College had been authorized by RSD to conduct Module I training and that the College was interested in continuing to present the Module I training at its on-campus facilities. (See Exhibit 11.) Thereafter, on September 21, 2010, former President/Superintendent Jerry Patton informed Sheriff Stanley Sniff of the College's "desire to obtain our own POST Certification as a stand-alone program" by July 1, 2012. (See Exhibit 12.) In response, the Sheriff informed Mr. Patton, in a letter dated September 28, 2010, that while the College's direction to obtain "certification independent of and separate from the Sheriff's POST certification" was "completely new," RSD could "handily accommodate" the College's "revised direction" and that Training Academy Staff at BCTC would immediately begin re-programming its resources in accordance with the College's new guidance. (See Exhibit 13.) In response to the Sheriff's expressed support, Director Madigan wrote in an email, dated October 19, 2010, to RSD Captain Richard Coz, that on behalf of President/Superintendent Patton, the College was "most appreciative of the Sheriff's Department's support in presenting the Module I course here at COD." Mr. Madigan further stated "[t]hat continued support will be very important to us as we strive for our own Module I certification in the near future. Although we have set an ambitious goal of July 2012 to achieve this, we also understand there will be many challenges in reaching this milestone." (See Exhibit 14.) It was also noted that the College did not intend to request that RSD provide any support for a Module I course in calendar year 2011, but did intend to request RSD provide support for a Module I course in Spring 2012. Mr. Madigan noted, however, that due to the budgetary constraints at the time, the College was not prepared to commit to funding the total cost of any support from RSD.

Later, in a letter dated January 31, 2011, Captain Coz provided Director Madigan with a "budget showing the cost to produce the Regular Basic Course Module 1 (RBC-M1) for College of the Desert – Public Safety Academy (COD-PSA) in January 2012 based on a maximum enrollment of 25 students." (See Exhibit 15.)



Captain Coz noted that “[t]he single largest increase is caused by the POST requirement to always have an academy coordinator physically at the site of any academy class,” which was a requirement that presumably took effect on January 1, 2011.

On February 15, 2011, the Committee met to discuss “Module I Certification Status.” At the time, some Committee members expressed reservations over pursuing a Module I certification by 2012. Members voiced a variety of concerns with regard to the wisdom of the direction and requested two follow up meetings in order to better evaluate the impacts and consider possible alternatives. Meeting dates were set for March 22, 2011, and April 12, 2011. (See Exhibit 16.)

On March 22, 2011, the Committee discussed several issues related to the scope of peace officer basic training at the College under the topic described as “Recent Developments.” The Committee discussed (1) whether the College should mirror Moreno Valley College’s (“MVC”) Modules III, II and I curriculum; (2) whether the College and MVC should consider a regional curriculum; and (3) whether the College and MVC should consider delivery “connectivity enhancements among participating colleges.” In addition, the Committee discussed whether a Module I course was viable in Spring 2012 and whether the College should continue with its pursuit of its own Module I certification mirrored after MVC’s curriculum and with RSD resource support. The Committee also discussed whether the College should continue only with Modules III and II. (See Exhibit 17.) At the meeting, Committee members expressed that they “agreed that a long term partnership with RSD and local law enforcement agencies was essential for continued program viability.”

On May 9, 2011, the Committee met again to discuss a “Long Term Partnership Strategy for COD and RSD,” which included a discussion of issues such as (1) whether the College should mirror MVC’s Modules III and II curriculum; (2) whether the College and MVC should stagger Module I courses; and (3) what efforts staff has made to amend the Academy’s Module I review standards. On the agenda too was an item regarding updating and reviewing existing contracts between RSD and the College. In addition, the Committee discussed (1) whether a Module I course was viable in Spring 2012; (2) whether the College should continue with its pursuit of its own Module I certification mirrored after MVC’s curriculum and with RSD resource support; or (3) whether the College should continue only with Modules III and II with limited RSD support. (See Exhibit 18.)

Committee Member Sheriff Sniff attended the May 9, 2011, meeting where the primary focus of the discussion was on whether RSD would authorize the College to offer and conduct Module I training. The issue of a long term partnership strategy between the College and RSD was discussed in depth. Director Madigan recapped the actions taken by the College toward establishing such a long term partnership with RSD and described the College’s efforts to have the College’s Module III and II curriculum and the College’s Correctional Officer Training course mirror MVC’s. Sheriff Sniff indicated he was encouraged by these steps, but he also expressed reservations on re-engaging with the College due to past experiences



and he provided a detailed account of his concerns.¹ Committee Member Indio Police Chief Brad Ramos commented that issues of the past had been well addressed and that it would benefit the Committee to agree to move forward. There was no expressed opposition to Chief Ramos' suggestion. President/Superintendent Patton, however, proposed developing a written joint agreement that would spell out both agencies' expectations of a long term partnership. Sheriff Sniff was in favor of this approach, and Director Madigan and Captain Coz were assigned to develop the initial framework for such an agreement. Director Madigan and Captain Coz planned to meet on May 27, 2011, for this purpose.

Prior to the planned May 27, 2011, meeting between Director Madigan and Captain Coz, Sheriff Sniff dispatched a letter, dated May 12, 2011, to President/Superintendent Patton outlining the conditions under which RSD would agree to enter into a new contract to re-establish, under RSD's POST certification, "the Modular Program at the Academy." (See Exhibit 10.) The letter set forth the following requirements:

1. **POST Requirements.** All aspects of POST-certified training, particularly safety and test security, must solely be under the direct supervision of the RSD.
2. **Current Contract Required.** There must be in place at all times an agreement (contract) between the College and the County that safeguards the County of Riverside and the Sheriff's interest.
3. **Coordination.** All aspects of training conducted in collaboration with the Sheriff must be coordinated solely through the commander of BCTC.
4. **Flexibility.** RSD must be able to conduct training that spans more than one traditional college semester and starts and/or finishes at a time not traditional to other college courses.
5. **Focus on Law Enforcement Needs.** Law Enforcement Training must be law enforcement-centered as opposed to college-centered.
6. **COD Academy Committee.** Advisory input for academy operations must be made through the RSD Academy Advisory Committee, which already contains the members of the College's Academy Committee. The Sheriff recommended that the College's Advisory Committee focus on other law enforcement training conducted on-site.
7. **Modules.** RSD must certify and coordinate all modules of the Academy.
8. **No Deviation from POST Standards.** Operations, oversight and management of the academy must meet POST standards and RSD standards and coordination and oversight must fully comply with the POST Administrative Manual and RSD policy/procedure.
9. **Staff Required.** The College must contract and fund a full-time RSO coordinator (RSO Sergeant) and a full-time RSO Recruit Training Officer (RSO Deputy) since POST requires a full-time coordinator for each academy and the RSO coordinator must oversee all academy operations at the College.

¹ In a letter dated September 1, 2011, Assistant Executive Director Alan B. Deal of the Standards and Development Division of POST informed President/Superintendent Patton that after reviewing "the possible compromise of POST high stakes tests of the COD campus, it was their "conclusion that COD had exercised commensurate diligence." He also expressed his hope "that all esenters of POST-certified training curricula remain continually vigilant in order to maintain the integrity and professionalism of California law enforcement." (See Exhibit 19.)



10. Offsite Training Required for Some POST Requirements. Some training must be conducted at both the College and BCTC
11. Uniforms. Uniforms, Standards, equipment and requirements, will be set by RSO.

Sheriff Sniff concluded his letter by stating: "These are the foundations we would like to see as we move forward in establishing a long-term, collaborative and effective law enforcement training program with College of the Desert. I look forward to this effort and remain committed to assist COD in any possible way." (See Exhibit 10.)

The College responded in a letter from President/Superintendent Patton, dated September 20, 2011, which was hand delivered to Sheriff Sniff by Mr. Madigan on September 21, 2011. In the letter, President/Superintendent Patton expressed his pleasure in reaching an agreement on several points outlined in the Sheriff's May 12 letter. (See Exhibit 20.)²

In response to President/Superintendent Patton's September 20th letter, Sheriff Sniff sent Mr. Patton a letter, dated November 9, 2011, stating: "We have enjoyed a unique collaborative partnership over the years and support the concept of advanced training and basic law enforcement training in the Coachella Valley to not only support our needs, but those of our allied law enforcement partners as well." (See Exhibit 21.) The Sheriff further pointed out that "We do not have the availability to re-program our funding to support any additional expenses for modular training at COD PSA during the current FY, one in which we narrowly avoided layoffs due to county budget constraints. We are open to looking at this for the next FY (12/13)."

Thereafter, on January 24, 2012, Director Madigan met with Captain McElvain to discuss the College's counter proposal, titled "COD Modular Academies Presentation Cost Requirements." The counter-proposal outlined the costs of the following components of the Module training: (1) TACT Staff Costs; (2) Presentation Material Costs; (3) Recruit Costs; (4) Adjunct Instructor Costs; and (5) Facility Costs. Basically, the College offered to cover the costs of all presentation material, all costs associated with adjunct instructors' compensation plus the costs to produce or purchase instructional material used by the instructors. The College also offered to incur the cost of maintaining set "instructor-to-student" ratios for: (1) physical training; (2) defensive tactics training; (3) firearms training; and (5) scenario training as shall be determined by RSD using POST safety standards. The College's counter-proposal also offered to have the College incur all costs associated with class room instruction, multi-media presentations and off-site facility use costs, at sites determined by RSD for necessary scenario training and testing.

On January 27, 2012, Captain McElvain wrote to Director Madigan acknowledging the meeting they had regarding College's counter-proposal and he expressed that he needed a "better understanding" of the counter-proposal. (See Exhibit 22.) Although Mr. McElvain acknowledged that the Sheriff's May 12, 2011,

² Mr. Patton also acknowledged in his letter to the Sheriff that "close to 100 full time and reserve law enforcement officer [were] currently employed by local and surrounding agencies," with "close to 20 percent" employed by RSD.



letter served as a guideline regarding the relationship between RSD and the College with respect to the Academy, he indicated he would nonetheless present any proposals that the College may offer. Thereafter, on January 30, 2012, Mr. Madigan wrote back to Mr. McElvain, thanking him for considering the College's counterproposal. Mr. Madigan then proceeded to outline the College's desires regarding the Sheriff's May 12, 2011, letter. Mr. Madigan asserted that the College was in full support of five of the six "General Requirements" with the exception of dissolving the Committee. With regard to "Modular Academy Requirements" Mr. Madigan noted that the College supported five of the six conditions, with the exception of the certification and coordination of the College's Module III and II programs. Mr. Madigan acknowledged that while he was very aware of RSD's previous concerns with regard to the College's capability and commitment to operating a high quality training program in full compliance with POST standards, he was very confident that all such concerns had been fully addressed. Mr. Madigan also invited Mr. McElvain and members of his staff to monitor or inspect any aspect of the College's Module III and II operation at anytime. (See Exhibit 8.)

With regard to staffing costs, Mr. Madigan reiterated his suggestion that the current AOT sergeant position also be responsible for Module I coordination at the College and that an AOT deputy/corporal position perhaps perform back-up Module I RTO duties as needed. However, recognizing the demands of a Module I RTO, Mr. Madigan offered that the College might consider funding a full time RTO position for the duration of a Module I course (approximately 6 months), which represents roughly half of the \$126,297 Mr. McElvain quoted for a full year. Mr. Madigan also suggested that other related and reasonable position costs such as for a vehicle, phone and radio would be entertained by the College for funding a Module I course. Mr. Madigan also presented the idea of the College making available some of the Academy's facilities for RSD to run east end Correctional Officer courses Monday through Friday during the daytime at no cost to RSD, in exchange for waiving some or all Module I course staffing costs. Finally, Mr. Madigan informed Mr. McElvain that for planning purposes, it was most ideal for the College to offer a Module I around December, 2012/January, 2013 in order to take advantage of cooler weather, which would likely be preceded by a sequential Module III and II in the Summer/Fall of 2012 at the College.³ (See Exhibit 8.)

The purpose of the above communication was to clarify the College's interest in keeping the dialog and negotiations open with respect to reaching a consensus on the "Long Term Partnership Strategy for COD and RSD," which was the stated goal of the Committee nearly a year before when the issue first surfaced. As such, Mr. Madigan ended his comments to Mr. McElvain by saying: "We remain committed to providing excellent training to our students, while meeting the public safety needs of our communities and we look forward to working with RSD in pursuing every option that will assist in accomplishing this." (See Exhibit 8.)

At the time, the COD Foundation was involved in a campaign to raise money for the Academy, and Mr. Madigan informed Mr. McElvain that the results of the subject campaign would likely determine how much the College would be able to fund for a Module I course, but the results would not be know until mid April 2012.



On April 10, 2012, Director Madigan met with Captain McElvain and Lieutenant Paulson of BCTC to discuss the Sheriff's response to the College's counter-proposal. Basically, the College's counter-proposal stood as follows: (1) the College wanted to maintain its Module III and II POST certifications and its own advisory Committee; and (2) the College would consider paying up to \$70,000 (six months' salary) for a RSD Module I RTO during its 492 hour Module I course at the College.

In response to the April 10 meeting, on or about April 18, 2012, RSD Captain McElvain affirmed by email to Mr. Madigan that the College be allowed to offer and conduct Module I training **only if**:

- (1) The College relinquishes control of all Modules III and II training to BCTC;
- (2) The College dissolves the Law Enforcement Advisory Committee;
- (3) The College pays approximately \$312,000 to RSD annually for RSD's RTO and Coordinator's salary and benefits costs; and
- (4) The College agrees to all RSD requirements set forth in Sheriff Sniff's May 12, 2011, letter to former President/Superintendent Patton.

(See Exhibit 23.)

At this point, the College agrees that *"there are no active negotiations between the College and the Sheriff."* In April 2012, the College was in the process of recruiting a new College President/Superintendent to replace Mr. Patton, who in the fall of 2011 announced his planned retirement from his six-year post as the College's President/Superintendent, effective June 30, 2012. (See Exhibit 24.) In light of the demands presented by the Sheriff that included the College relinquishing control of Modules III and II training to BCTC; dissolving the Law Enforcement Advisory Committee; paying approximately \$312,000 to RSD annually; and meeting all the other demands set forth in the Sheriff's May 12, 2011, the College chose to defer any further negotiations with the Sheriff regarding the future of the College's Public Safety Academy program until the new President/Superintendent had adequate time to assess the matter and make a recommendation to the College's Board of Trustees. Many of the demands set forth in the Sheriff's letter required direction from the elected Board of Trustees since they would impact not only College policy, but also the College's budget, both of which the Board of Trustees are responsible for determining.

Dr. Joel Kinnamon succeeded Mr. Patton as President/Superintendent of the College on July 9, 2012. (See Exhibit 25.) Since his arrival, he has diligently been reviewing and assessing the matter. Dr. Kinnamon has discussed the matter with the Board of Trustees and has consulted with members of the Law Enforcement Advisory Committee, College staff, POST representatives, legal counsel, and even the Sheriff to help him determine what policy direction the College should take with respect to this very important service that the College provides to not only the local law enforcement community, but also the larger community served by the College.



Finding 2: Academy Curriculum

Through interviews with all the chiefs and commanders of law enforcement agencies in the Coachella Valley, which utilize most of the graduates of the Academy, the Grand Jury learned that there is a lack of effectiveness in classroom instruction at the Academy. This ineffectiveness is attributed to outdated instructional methods and curriculum being used. The Grand Jury found that only one Academy graduate of all three peace officer training modules in the past five years is still employed in the Coachella Valley. Some chiefs stated that recruits were unprepared to pass the probationary period, after receiving training at the Academy. During its investigation, the Grand Jury learned that some instructors at the Academy are teaching classes that lack relevance to the students' required training. An example of this lack of relevancy is an eight-hour course about the history of the handgun. Other instructors do nothing more than show videos, thus limiting and/or totally eliminating opportunities for class participation and providing no follow-up to the pseudo-instruction. POST trains highly qualified law enforcement personnel, who are subject matter experts in quality orientation instruction, to become mentors to those instructing at law enforcement academies and regional training centers throughout the state. The POST Master Instructor Certification Course is a two-year program to train and certify law enforcement personnel in developing curriculum and modern methods of delivery of that material. These master instructors train the trainers at academies and training centers. They are used by POST training agencies to assist their instructors to improve their curriculum classroom.

Response to Finding 2:

The College disagrees with the finding that *“only one Academy graduate of all three peace officer training modules in the past five years is still employed in the Coachella Valley.”*

In 2010 alone, the College's single Module I training course graduated 19 cadets in December 2010. Of those 19 graduates, six have become fulltime peace officers with the Riverside County Sheriff's Department, Brawley Police Department, Imperial Police Department and the United States Border Patrol. A seventh graduate is working as a full time Community Service Officer for the Desert Hot Springs Police Department. Since 2002, 101 graduates have been hired as either reserve or full time peace officers in the Coachella Valley and surrounding areas and many of them are still employed with their respective law enforcement agencies. (See Exhibit 6.)

The College is not in a position to agree or disagree with the finding that *“[s]ome chiefs stated that recruits were unprepared to pass the probationary period, after receiving training at the Academy.”* However, as noted above, since 2002, 101 graduates have been hired as either reserve or full time peace officers in the Coachella Valley and surrounding areas and many of them are still employed with their respective law enforcement agencies. This indicates that many of the College's graduates have passed probation with their respective law enforcement agency employers, which include but are not limited to the Riverside County Sheriff's Department, Palm Springs Police Department, Indio Police Department, Cathedral City Police



Department, Brawley Police Department, Imperial Police Department, the United States Border Patrol and Desert Hot Springs Police Department. (See Exhibit 6.)

The College disagrees with the following findings: (1) *“that there is a lack of effectiveness in classroom instruction at the Academy”* that *“is attributed to outdated instructional methods and curriculum being used”*; (2) *“that some instructors at the Academy are teaching classes that lack relevance to the students’ required training”*; and (3) that some *“instructors do nothing more than show videos, thus limiting and/or totally eliminating opportunities for class participation and providing no follow-up to the pseudo-instruction.”*

The Basic Peace Officer Training (“BPOT”) curriculum is established and regulated by POST. Every BPOT curriculum in California is required to present the exact same minimum curriculum to be certified by POST. For Module III the minimum is 19 Learning Domains and 144 hours, for Module II the minimum is 17 Learning Domains and 189 hours and for Module I the minimum is 27 Learning Domains and 394 hours. Individual academies may add to this minimum as their needs dictate. For example, the CHP Academy might include more courses and hours in Accident Investigation, DUI Arrests and Vehicle Code Enforcement. Sheriff’s Academies might choose to include more courses and or hours on Corrections and Courts.

The College’s curriculum for both Modules III and II exceeds minimum POST Learning Domains and required hours. For instance, the College’s Module III is 168 hours, which exceeds the POST minimum by 24 hours, and the College’s Module II is 268 hours, which exceeds the POST minimum by 79 hours. The College had planned to conduct a Module I with 492 hours, which would have been identical to BCTC’s Module I. (See Exhibits 26 and 27.)

The relevance of instruction is continuously evaluated. As an example, the firearms course mentioned in the Report was modified in 2010 and again in Fall 2012. This course now incorporates the latest laser training technology for new Module III students. A new lead firearms instructor has also been assigned.

The College currently participates in the Academy Instructor Certificate Program (“AICP”) per POST Regulation 1009. All College BPOT instructors are currently certified by POST and meet the College’s adjunct hiring requirements as well. The AICP requires satisfactory completion of the POST 40 hour Academy Instructor Certificate Course (“AICC”). This course stresses the latest and most effective teaching methods, and in particular the importance of facilitating student learning objectives through hands on activities, role playing, team building assignments, individual presentations as well as traditional lecture, power point, and relevant real world videos that assist with visual learning. To remain in the AICP, individual instructors must teach a minimum of 24 hours and complete eight hours of professional development training during a three year cycle. Additionally, the College’s instructors teaching specialized manipulative skills training such as Defensive Tactics/Arrest Methods, Firearms, Use of Force and CPR/First Aid must satisfactorily complete additional POST certified instructional courses.



All the College's BPOI Instructors are critiqued by students at the completion of each Learning Domain. These critiques are reviewed by both Director Madigan and the BPOI Coordinator and copies are then provided to the instructor and placed in the instructor's file. Instructors are personally evaluated by the Dean, Director and Coordinator every 3 years, in accordance with the College's faculty evaluation policy and procedure.

As noted above, since 2002, 101 graduates have been hired as either reserve or full time peace officers in the Coachella Valley and surrounding areas and many of them are still employed with their respective law enforcement agencies, which include but are not limited to the Riverside County Sheriff's Department, Brawley Police Department, Imperial Police Department, the United States Border Patrol and Desert Hot Springs Police Department. (See Exhibit 6.) This is evidence that the College's curriculum and its instructors are very effective and successful with respect to producing qualified law enforcement personnel.

The College agrees with this finding: *"POST trains highly qualified law enforcement personnel, who are subject matter experts in quality orientation instruction, to become mentors to those instructing at law enforcement academies and regional training centers throughout the state. The POST Master Instructor Certification Course is a two-year program to train and certify law enforcement personnel in developing curriculum and modern methods of delivery of that material. These master instructors train the trainers at academies and training centers. They are used by POST training agencies to assist their instructors to improve their curriculum classroom."*

The San Diego Regional Training Center coordinates the POST Master Instructor program. Five POST Master Instructor courses have been conducted since the course was first approved in 2007. There are approximately 50 Master Instructors in the State of California, used primarily for advanced training, instructor mentoring and curriculum development. The BCTC has no Master Instructors currently assigned. Although POST does not require Master Instructors for Basic Peace Officer Training, the College has explored this issue. Per Ann Brewer at POST, only the larger academies such as Los Angeles Police Department and the Los Angeles County Sheriff's Department have any significant number of Master Instructors on staff, with that number being in the range of two to three per large academy. Although having at least one Master Instructor at COD-PSA would be beneficial for instructor mentoring and curriculum development, that level of certification is not a requirement for the instruction or administration of any of the Basic Peace Officer Training courses. POST offers a number of advanced technical, supervisory, management and executive level training courses. These more advanced levels of law enforcement professional development are where the talents of the Master Instructors are best utilized.

But, as mentioned above, the College currently participates in AICP per POST Regulation 1009. In addition the instructors also meet the COD adjunct faculty hiring standards which are a Bachelor's Degree and two years of experience, an Associate's Degree and six years of experience or an approved equivalency for experience, or education or training.



In conclusion, the College's instructors are very proactive in providing up to date instruction and curriculum to students. As such, the College does not believe there is a need to utilize Master Instructors, nor is it required to so by POST, the proper regulatory authority. Nonetheless, the College staff recognizes the positive benefit that at least one such instructor would bring to the College and two part time basic course instructors have already started the lengthy, time consuming and expensive process on their own by recently completing the POST Instructor Level II course.

Finding 3: Advisory Committee

POST mandates that police academies have an advisory committee with local law enforcement leaders. Interviews with the nine members of the Advisory Committee revealed a number of problems with the committee:

- *Membership*
 - a. *One did not know he was a member of the committee.*
 - b. *One was not sure he was a member of the committee.*
 - c. *One said he was a member in name only.*
- *The majority are not sure of their duties or responsibilities.*
- *Members agree that meetings are not held on a regular basis. Most indicate they had not been to or rarely attend meetings.*
- *Committee members, in general, think the committee is ineffective because there is little interaction between the committee and the Academy.*

Response to Finding 3:

The College agrees with the finding that "*POST mandates that police academies have an advisory committee with local law enforcement leaders.*" However, The College is not in a position to agree or disagree with the following findings: (1) that one of the Committee members did not know he was a member of the committee; (2) that one of the Committee members was not sure he was a member of the committee; (3) that one of the committee members said he was a member in name only; (4) that the majority of the members were not sure of their duties or responsibilities; or (5) that the Committee members, in general, think the Committee is ineffective because there is little interaction between the committee and the Academy. However, the College agrees with the findings "*that meetings are not held on a regular basis*" but the College disagrees that "*most had not been to or rarely attend meetings.*"



The Advisory Committee is *currently* made up of the following local law enforcement executives:

- Kevin Conner, Chief of Police, City of Cathedral City
- Al Franz, Chief of Police, City of Palm Springs
- James McElvain, Captain, Riverside County Sheriff's Department and BCTC Director
- Leonard Purvis, Chief of Police, City of Banning
- Kate Singer, Chief of Police, City of Desert Hot Springs
- Steve Smith, Chief of Police, City of Blythe
- Stanley Sniff, Sheriff, Riverside County Sheriff's Department

The College acknowledges that the POST Academy Management Guidelines provides that the functions of the Advisory Committee are as follows:

- Providing guidance on ethical and professional standards
- Evaluating existing curriculum and making recommendations for curriculum changes
- Assisting in developing academy entrance standards
- Advising on qualifications and performance of academy staff and instructional personnel
- Assisting in recruiting students and instructional staff
- Publicizing the training program
- Participating in developing training goals that address future training needs

(See Exhibit 28.)

The above guidelines were provided to the Advisory Committee at its February 2011, meeting. (See Exhibit 16.) The Committee members who attended this meeting agreed with the POST guidelines. A Committee meeting was recently held the week of August 13, 2012, to again discuss the POST Advisory Committee guidelines. This was presented again in light of several new members who were added to the Committee since April 2011. (See Exhibit 29.)

Only two additional Committee meetings were held in 2011. On March 22, 2011, the Committee met to discuss several issues related to the scope of peace officer basic training at the College under the topic described as "Recent Developments." The Committee discussed (1) whether the College should mirror Moreno Valley College's ("MVC") Modules III, II and I curriculum; (2) whether the College and MVC should consider a regional curriculum; and (3) whether the College and MVC should consider delivery "connectivity enhancements among participating colleges." In addition, the Committee discussed whether a Module I course was viable in Spring 2012 and whether the College should continue with its pursuit of its own Module I certification mirrored after MVC's curriculum and with RSD resource support. The Committee also discussed whether the College should continue only with Modules III and II. (See Exhibit



31.) At the meeting, Committee members expressed that they “agreed that a long term partnership with RSD and local law enforcement agencies was essential for continued program viability.”

On May 9, 2011, the Committee met again to discuss a “Long Term Partnership Strategy for COD and RSD.” which included a discussion of issues such as (1) whether the College should mirror MVC’s Modules III and II curriculum; (2) whether the College and MVC should stagger Module I courses; and (3) what efforts staff has made to amend the Academy’s Module I review standards. On the agenda too was an item regarding updating and reviewing existing contracts between RSD and the College. In addition, the Committee discussed whether a Module I course was viable in Spring 2012 and whether the College should continue with its pursuit of its own Module I certification mirrored after MVC’s curriculum and with RSD resource support, or whether the College should continue only with Modules III and II with limited RSD support. (See Exhibit 18.)

Committee Member Sheriff Sniff attended the May 9, 2011, meeting where the primary focus of the discussion was on whether RSD would authorize the College to offer and conduct Module I training. The issue of a long term partnership strategy between the College and RSD was discussed in depth. Director Madigan recapped the actions taken by the College toward establishing such a long term partnership with RSD and described the College’s efforts to have the College’s Module III and II curriculum and the College’s Correctional Officer Training course mirror MVC’s. Sheriff Sniff indicated he was encouraged by these steps, but he also expressed reservations on re-engaging with the College due to past experiences and he provided a detailed account of his concerns. Committee Member Indio Police Chief Brad commented that issues of the past had been well addressed and that it would benefit the Committee to agree to move forward. There was no expressed opposition to Chief Ramos’ suggestion. President/Superintendent Patton, however, proposed developing a written joint agreement that would spell out both agencies’ expectations of a long term partnership. Sheriff Sniff was in favor of this approach, and Director Madigan and Captain Coz were assigned to develop the initial framework for such an agreement. Director Madigan and Captain Coz planned to meet on May 27, 2011 for this purpose. (See Exhibit 32.)

However, prior to the planned May 27, 2011, meeting between Director Madigan and Captain Coz, Sheriff Sniff dispatched a letter, dated May 12, 2011, to President/Superintendent Patton outlining the conditions under which RSD would agree to enter into a new contract to re-establish, under RSD’s POST certification, “the Modular Program at the Academy.” The letter set forth several requirements, which included having all “[a]dvisory input for academy operations must be made through the RSD Academy Advisory Committee . . .” instead of by the College’s Committee. (See Exhibit 10.) This message from the Sheriff, who is the chief executive officer of the largest law enforcement organization in Riverside County was distributed to all Committee members and this may have discouraged them from taking a very proactive role in future Committee meetings until the College was able to resolve the issue with the Sheriff.

Currently, the Sheriff is requiring that the College be allowed to offer and conduct Module I training **only if** the College relinquishes control of all Modules III and II training to BCTC and the College dissolves the Law Enforcement Advisory Committee. In light of the Sheriff’s current posture, the Committee felt no need



to meet this year (except in August 2013 to meet the new President/Superintendent and to discuss the Grand Jury Report) until the new President/Superintendent Dr. Kinnamon has an opportunity to fully assess the matter and present the matter to the College's Board of Trustees for direction since many of the demands set forth in the Sheriff's letter require direction from the Board since they would impact not only College policy, but also the College's budget, both of which the Board of Trustees is responsible for determining.

Despite the above, there has been significant interaction with the Committee members and other area law enforcement executives with regards to adding a Police Science Degree and Certificate Program to the College's curriculum. In December 2011, the members of the Committee and other law enforcement executives were provided questionnaires seeking input on the following: (1) the number of reserve police officers needed over the next five years; (2) the number of full time police officers needed over the next five years; (3) the value of each of the Module III, II and I courses to their respective departments; (4) the value of a Module III and II Reserve Police Officer Certificate of Achievement; (5) the value of a Module I Basic Police Officer Certificate of Achievement; and (6) the value of a Police Science Associates Degree. Chiefs of Police from as far away as El Centro and Blythe responded to the questionnaires. Moreover, Director Madigan meets informally with individual Committee members and also communicates with members on a regular basis by phone and email to ensure current information is disseminated and lines of communication remain open.

Since the May 9, 2011, meeting the composition of the Committee changed in light of several changes in several local law enforcement executive positions. For instance, Richard Twiss became Indio Police Chief, Kate Singer became Desert Hot Springs Police Chief, Captain Laura Quattlebaum became the Indio CHP Commander and Captain James McElvain became the BCTC Director. And, in light of the fact there have been no meetings between the May 2011 meeting and the time the Grand Jury conducted their interviews of the Committee members, it is no surprise that one member may not have known he was a member of the Committee; was not sure he was a member of the Committee; or thought that he was a member of the Committee in name only. Also, in light of the lack of Committee meetings since May 2011 (excepting the August 2012 Committee meeting) due to the pending unresolved issue with the Sheriff and the new members added since the May 2011 meeting as a result of the changes in local law enforcement executive positions, it is not surprising that a majority of the members were probably not sure of their duties or responsibilities.

A Committee meeting however, was on August 16, 2012, to discuss the Grand Jury Report, determine whether the College should obtain its own Module I certification, introduce the College President/Superintendent and discuss the POST Advisory Committee guidelines. (See Exhibit 29.)

Finding 4: Information Accuracy

The Academy publicizes that it provides the training necessary for the three levels of peace officer training. Currently, the Academy does not offer Module I through which a student can become a sworn peace officer.



It leaves the impression on its website, as of June 11, 2012, that the program is, or soon will be, available. From sworn testimony the Grand Jury concluded that this practice is misleading to potential students.

Response to Finding 4:

The College does not agree that “[t]he Academy publicizes that it provides the training necessary for the three levels of peace officer training.” The College catalog is the requisite official publication that documents all programs of study and courses. The 2012/13 catalog does include the description of the Module I course as approved by the California Community College Chancellor’s Office. Within the course description of the Basic Peace Officer Training – Intense Format (BPOT-065) it clearly states that “The POST certification is held by the Riverside Sheriff Department, our sponsoring Law Enforcement Agency.” (See Exhibit 30.) The course description for BPOT-063, Module I should, but does not, include that same language. The College advertises and promotes the courses it does offer and provide under Modules III and II, for which the College has been independently certified by POST (separate from BCTC’s POST certifications) to provide at its on-campus facilities. Modules III and II, are two of the three modules that a cadet must complete to become a sworn peace officer in California.

The College does agree that currently “the Academy does not offer Module I through which a student can become a sworn peace officer,” although it has in the past provided Module I training at the College from 2002 through 2010, under the RSD POST certification.

The College also agrees that “the Academy does not offer Module I through which a student can become a sworn peace officer,” and that “its website, as of June 11, 2012, that the program is, or soon will be, available” may have been “misleading to potential students.” Notwithstanding, the College’s “Administration of Justice” webpage at that time listed the following “Orientation Dates” as follows:

- Module III: January 18, 2012, (6 p.m. PSA Classroom 19)
- Module II: January 17, 2012, (6 p.m. PSA Classroom 19)
- **Module I: Anticipated December 2012**

(See Exhibit 7.)

The orientation date for Module I clearly indicated that the College was not offering Module I any time prior to December 2012. RSD was notified of this plan on January 30, 2012, in an email from Director Madigan to BCTC Commander McElvain, wherein Mr. Madigan informed Mr. McElvain of the Academy’s hope to commence Module I training beginning around December 2012/January 2013. (See Exhibit 8.)

However, in an effort to clear up any ambiguity, the College’s “Basic Peace Officer Training” webpage has been revised as follows:

The two classes now available in our Module Training Program are as follows:



1. **BPOT-061 Basic Peace Officer Training Module III**
2. **BPOT-062 Basic Peace Officer Training Module II**

Moreover, because the College does not currently provide Module I training at the College, it has also revised its “Basic Peace Officer Training” webpage to indicate that Module I training is currently offered at BCTC in Riverside. The revised language is set forth below:

Note: COD does not offer a Module I course. The closest available Module I course currently being offered is through the Riverside Sheriff’s Department at the Ben Clark Center in Riverside.

(See Exhibit 9.)

The current President/Superintendent of the College, Dr. Joel Kinnamon, has requested that POST assess whether there is a need in the local law enforcement community (which includes the Coachella Valley, Imperial County, Morongo Basin and other nearby areas) for Module I training at the College.

Recommendations

Additionally, the College must respond to the following recommendations by reporting one of the following actions: (a) the recommendation has been implemented, with a summary regarding the implemented action; (b) the recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation; (c) the recommendation requires further analysis, with an explanation and the scope, parameters and timeframe, not to exceed six (6) months from the date of publication of the Report; or (d) the recommendation will not be implemented because it is not warranted or is not reasonable, with a recommendation therefore.

Recommendation No. 1:

The College must obtain a POST Certification for Module I. accomplished by obtaining its own Certification from POST or through an agreement with the County Sheriff, similar to the agreement between Riverside Community College and the Ben Clark Training Center.

Response:

This recommendation requires further analysis by the College. As mentioned above, Dr. Kinnamon, who recently assumed the College President/Superintendent position on July 9, 2012, is diligently reviewing this matter to ultimately determine what alternatives should be presented to the College’s Board of Trustees. (See Exhibit 25.) Again, many of the demands set forth in the Sheriff’s May 12, 2011, letter required



direction from the elected Board of Trustees since they would impact not only College policy, but also the College's budget, both of which the Board of Trustees are responsible for determining. Since receipt of the Grand Jury Report, Dr. Kinnamon has discussed the matter with the Board of Trustees and has consulted with members of the Committee, College staff, POST representatives, legal counsel, and even the Sheriff to help him determine what policy direction the College should take with respect to this very important service that the College provides to not only the local law enforcement community, but also the larger community that the College serves.

To determine whether a Module I course is needed, achievable and/or sustainable, President/Superintendent Kinnamon has requested that POST assess whether there is a need in the local law enforcement community (which includes the Coachella Valley, Imperial County, Morongo Basin and other nearby areas) for Module I training at the College.

Dr. Kinnamon anticipates presenting the matter to the Board of Trustees no later than the December 2012 Board meeting for official Board direction and/ or a final determination on the Sheriff's May 12, 2011, letter proposal .

Recommendation No. 2:

The Academy staff must be proactive in providing effective, up-to-date instruction and curriculum to their students. To accomplish this, the Academy must utilize POST Master Instructors.

Response:

The recommendation to provide "*effective, up-to-date instruction and curriculum*" the students has been implemented since the Academy was established.

The College's BPOT curriculum is established and regulated by POST. Every BPOT curriculum in California is required to present the exact same minimum curriculum to be certified by POST. For Module III the minimum is 19 Learning Domains and 144 hours, for Module II the minimum is 17 Learning Domains and 189 hours and for Module I the minimum is 27 Learning Domains and 394 hours. Individual academies may add to this minimum as their needs dictate. For example, the CHP Academy might include more courses and hours in Accident Investigation, DUI Arrests, and Vehicle Code Enforcement. Sheriff's Academies might choose to include more courses and or hours on Corrections and Courts. As mentioned above, the College's curriculum for both Modules III and II exceeds minimum POST Learning Domains and required hours. For instance, the College's Module III is 168 hours, which exceeds the POST minimum by 24 hours, and the College's Module II is 268 hours, which exceeds the POST minimum by 79 hours.

The BPOT curriculum at the College has been prescribed and approved by POST. POST provides the Training and Testing Specifications and Student Workbooks for each of the 43 Learning Domains that make up the entire BPOT curriculum. To attain a modular course certification an academy must submit Expanded



Course Outlines to POST for approval for each Learning Domain instructed in that course. Courses are updated by POST on a regular basis through Training and Testing Specifications and Student Learning Domain Workbooks. Instructors in turn use the latest Training and Testing Specifications, POST approved Expanded Course Outlines and student Workbooks to create individual lesson plans for their assigned Learning Domain(s). To assist instructors prior to the beginning of each course the College provides each a CD containing the following information: (1) POST Training and Testing Specifications; (2) Expanded Course Outlines; and (3) Basic lesson plans that include POST approved student Learning Activities. Also included on the CD are: (1) the course's Safety Policy; (2) hourly instructor schedule; (3) Instructor Handbook; and (4) Recruit Standard Operating Procedures. Also, prior to the beginning of each course all instructors are encouraged to attend a paid professional development and orientation meeting in which the latest instructional information and training is provided.

The Module III and II curriculum just completed in Spring 2012 was approved by POST in January 2012. The College's Fall Module III and II 2012 curriculum has also been approved by POST and reflects any new Training and Testing Specifications and Student Learning Domain Workbook changes as of July 1, 2012.

In conclusion, the College's BPOI instructors are in fact very proactive in providing up to date instruction and curriculum to its students.

The recommendation that "*the Academy must utilize POST Master Instructors*" will not be implemented because it is not warranted or reasonable.

The College has explored this issue and discovered that there have been five POST Master Instructor Certification courses conducted since 2008 with the average number of graduates being approximately 10 per class. Per Ann Brewer at POST, only the larger academies such as Los Angeles Police Department and the Los Angeles County Sheriff's Department have any significant number of Master Instructors on staff, with that number being in the range of two to three per large academy. Although having at least one Master Instructor at COD-PSA would be beneficial for instructor mentoring and curriculum development, that level of certification is not a requirement for the instruction or administration of any of the Basic Peace Officer Training courses. POST offers a number of advanced technical, supervisory, management and executive level training courses. These more advanced levels of law enforcement professional development are where the talents of the Master Instructors are best utilized.

But, as mentioned above, the College currently participates in the AICP per POST Regulation 1009. In addition they also meet the COD adjunct faculty hiring standards which are a Bachelor's Degree and two years of experience, an Associate's Degree and six years of experience or an approved equivalency for experience, or education or training.

In conclusion, the College's instructors are very proactive in providing up to date instruction and curriculum to students. As such, the College does not believe there is a need to utilize Master Instructors, nor is it



required to so by POST, the proper regulatory authority. Nonetheless, the College recognizes the positive benefit that at least one such instructor would bring to the College and has already had two part time basic course instructors begin this process by completing the POST Instructor Level II course.

Recommendation No. 3:

The College must reorganize the Advisory Committee to make it effective. The members must be made aware of their duties and responsibilities. The College must involve the committee by seeking and considering ideas and advice from the committee regarding Academy programs. Meetings, with pre-published agendas, must be held quarterly, at a minimum. They must be held on regularly designated dates and times and meet at one specific location (ideally on the College campus).

Response:

This recommendation requires further analysis and discussion with the newly comprised Committee which currently consists of the following local law enforcement executives:

- Kevin Conner, Chief of Police, City of Cathedral City
- Al Franz, Chief of Police, City of Palm Springs
- James McElvain, Captain, Riverside County Sheriff's Department and BCTC Director
- Leonard Purvis, Chief of Police, City of Banning
- Kate Singer, Chief of Police, City of Desert Hot Springs
- Steve Smith, Chief of Police, City of Blythe
- Stanley Sniff, Sheriff, Riverside County Sheriff's Department

The College acknowledges that the POST Academy Management Guidelines provides that the functions of the Advisory Committee are as follows:

- Providing guidance on ethical and professional standards
- Evaluating existing curriculum and making recommendations for curriculum changes
- Assisting in developing academy entrance standards
- Advising on qualifications and performance of academy staff and instructional personnel
- Assisting in recruiting students and instructional staff
- Publicizing the training program
- Participating in developing training goals that address future training needs

The above guidelines were provided to the Advisory Committee at its February 2011 meeting. (See Exhibit 16.) The Committee members who attended this meeting agreed with the POST guidelines. A Committee meeting was recently held on August 16, 2012, to again discuss the POST Advisory Committee guidelines.



This was presented again in light of several new members who were added to the Committee since April 2011. (See Exhibit 29.)

Holding quarterly advisory meetings is not a POST or community college requirement. In fact the POST guideline is one meeting per semester or two per year, which is the same frequency the BCTC advisory committee holds its meetings. Notwithstanding, Director Madigan will discuss the need for more than two meetings per year, which will be dependent upon what direction the Board of Trustees take with respect to the Sheriff's May 12, 2011, letter proposal, at its December 2012 Board meeting.

In light of the foregoing, Director Madigan anticipates receiving final direction on the scope of the Committee's duties and responsibilities and their role in managing the College's Academy program, along with the frequency of their meetings from the Board of Trustees at the same December 2012 Board meeting, at which the Board is expected to either provide direction or take action on the Sheriff's May 12, 2011, letter proposal.

Recommendation No. 4:

The College must immediately correct literature, including Internet sites, which incorrectly indicate that complete training to become a peace officer is available.

Response:

This recommendation has been implemented. Some literature, such as the college catalog, is produced for multiple years. Requisite changes in all publications will be implemented as new publications are produced.

Notwithstanding the above, in an effort to clear up any ambiguity, the College's "Basic Peace Officer Training" webpage has been revised as follows:

"The two classes now available in our Module Training Program are as follows:

- 1. BPOT-061 Basic Peace Officer Training Module III**
- 2. BPOT-062 Basic Peace Officer Training Module II**

The College further agrees that it "is not currently certified to offer Module I Training." To clarify this point, the College's "Basic Peace Officer Training" webpage has been revised to indicate that Module I training is currently offered at the Ben Clark Training Center in Riverside. The revised language is set forth below:

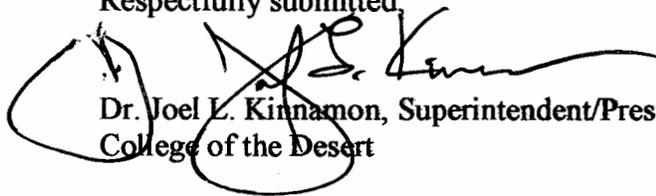
"Note: COD does not offer a Module-I course. The closest available Module-I course currently being offered is through the Riverside Sheriff's Department at the Ben Clark Training Center in Riverside."



(See Exhibit 9.)

Please do not hesitate to contact my office if the Grand Jury needs any additional information regarding the subject matter of the ***“2011-2012 Grand Jury Report College of the Desert – Public Safety Academy.”***

Respectfully submitted,



Dr. Joel L. Kinnamon, Superintendent/President
College of the Desert

Enclosures: Exhibits 1 – 32

cc: Board of Trustees, College of the Desert

PROOF OF SERVICE

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STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I am over the age of 18, employed in the County of Riverside and not a party to the within action. My business address is 41750 Rancho Las Palmas Drive, Suite P-1, Rancho Mirage, California 92270.

On September 21, 2012, I served the foregoing document described as **Grand Jury Response on behalf of College Of the Desert Public Safety Academy** on the parties in this action, by placing a true and correct copy thereof, enclosed in a sealed envelope addressed as follows:

Nelson Fowlkes, Foreperson
2011-12 Riverside County Grand Jury
P.O. Box 829
Riverside, California 92502

BY MAIL - CERTIFIED MAIL - RETURN RECEIPT REQUESTED

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Cathedral City, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

BY FAX (WITHOUT EXHIBITS)

Using facsimile machine telephone number: (760)770-1724, transmitting to the following:
(951) 955-8989

The facsimile machine I used complied with California Rules of Court, Rule 2003, and no error was reported by the machine. Pursuant to California Rules of Court, Rule 2006(d), I caused the machine to print a transmission record of the transmission, a copy of which is attached to this declaration.

(State) I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 21, 2012 at Rancho Mirage, California.


MICHAEL COOK