

POST COUNCIL MEETING

MINUTES

MARCH 5, 2015

The meeting was held at the Idaho Peace Officer Standards & Training, Building #3, Classroom D, 700 S. Stratford Dr., in Meridian, Idaho. Chairman Gary Raney called the meeting to order at 9:00 A.M.

Council Members Present:

Jan Bennetts, Prosecuting Attorney, Ada County
Dan Chadwick, Executive Director, Idaho Association of Counties
Kevin Fuhr, Chief of Police, Rathdrum Police Department
Sharon Harrigfeld, Director, Idaho Department of Juvenile Corrections
Kevin Kempf, Director, Idaho Department of Correction
Jeff Lavey, Chief of Police, Meridian Police Department
Lorin Nielsen, Sheriff, Bannock County
Paul Panther, Chief, Criminal Law Division, Attorney General's Office
Ralph Powell, Colonel, Idaho State Police
Gary Raney, Sheriff, Ada County
Craig Rowland, Sheriff, Bingham County (for Wayne Rausch)
Shane Turman, Chief of Police, Rexburg Police Department
Greg Wooten, Enforcement Bureau Chief, Idaho Department of Fish & Game

Council Members Absent:

Seth Grigg, Executive Director, Association of Idaho Cities
Ernst Weyand, SSRA, Federal Bureau of Investigation

Guests Present:

Stephanie Altig, Deputy Attorney General, Idaho State Police
Trish Christy, Management Assistant, Idaho Peace Officer Standards & Training
Myrna Harris, Retired, Ada County Sheriff's Office
Rosemary Knudsen, Idahoans for Non-Lethal Canine Encounter Training
Sharon Lamm, Administrative Support Manager, Idaho Peace Officer Standards & Training
Val Lubans, Director, Systems Design Group
Victor McCraw, Division Administrator, Idaho Peace Officer Standards & Training
Jeremy Morgan, Former Detention Deputy, Elmore County Sheriff's Office
Rory Olsen, Deputy Division Administrator, Idaho Peace Officer Standards & Training
Larry Plott, Retired Executive Director, Idaho Peace Officer Standards & Training
Marilyn Plott

Ken Robins, Deputy Attorney General, Idaho State Police
Doug Tangen, Basic Training Manager, Idaho Peace Officer Standards & Training
Joe Whilden, Curriculum Coordinator, Idaho Peace Officer Standards & Training
Edith Williams, Idahoans for Non-Lethal Canine Encounter Training

1. **Pledge of Allegiance**
2. **Introductions of Council Members and Guests**
3. **Recognition of Brent Reinke**

This item was pulled from the agenda.

4. **Jeremy Morgan, Former Detention Deputy, Elmore CSO – Oral Argument & Final Action Vote on Recommended Order for Denial of Waiver of Agreement to Serve**

Lorin Nielsen made a motion to convene into executive session pursuant to Idaho Code 67-2345(1)(d), “To consider records that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code.” Jan Bennetts seconded the motion.

Paul Panther made a substitute motion to uphold the Hearing Board’s Recommended Order and deny the waiver. Kevin Fuhr seconded, and the motion carried unanimously.

6. **POST Council Meeting Minutes Approval – December 4, 2014**

Lorin Nielsen made a motion to approve the minutes as submitted. Craig Rowland seconded, and the motion carried unanimously.

7. **Special POST Hearing Board Meeting Minutes Approval & Ratification of Actions – January 29, 2015**

Kevin Fuhr made a motion to approve an extension of the continuing training cycle to June 30, 2015 for Ruthann Chroninger-Gutierrez due to an FMLA issue with her child. Jan Bennetts seconded, and the motion carried unanimously.

Kevin Fuhr made a motion to suspend the certifications of the following officers due to non-compliance with the continuing training requirement:

Jacqueline Bridwell, Boise County Sheriff’s Office – Reserve Level 1
Michael J. Chapman, Camas County Sheriff’s Office – Reserve Level 1
Guy R. Cordle, Clearwater County Sheriff’s Office – Basic, Intermediate
Charles H. Day, Sandpoint Police Department – Detention Levels 1 & 2
Robert J. Fredricks, Valley County Sheriff’s Office – Basic, Intermediate
Edward R. Hofkins, Canyon County Sheriff’s Office – Basic, Intermediate
Ronald A. Jensen, Canyon County Sheriff’s Office – Basic, Intermediate, Advanced,
Detention Level 1

Beau D. Keading, Lincoln County Sheriff's Office – Detention Level 1
Steven E. Keckler, Fort Hall Tribal Police Department – Basic, Intermediate, Advanced
Russell R. Long, Elmore County Sheriff's Office – Reserve Level 1
Mark J. Loos, Fort Hall Tribal Police Department – Basic, Intermediate, Advanced,
Detention Level 1
Robert C. Miles, Canyon County Sheriff's Office – Basic, Intermediate, Advanced
David A. Neubacher, Fort Hall Tribal Police Department – Basic, Intermediate
Dennis O. Stokes, Canyon County Sheriff's Office – Basic, Intermediate, Advanced
Larry J. Torix, Minidoka County Sheriff's Office – Basic, Intermediate, Advanced
Christopher A. Wingfield, Camas County Sheriff's Office – Reserve Level 1

Lorin Nielsen seconded, and the motion carried unanimously.

10. Misdemeanor Probation Officer Job Task Analysis Final Report

Val Lubans outlined the procedure followed to identify the training needs of misdemeanor probation officers. In reviewing the current basic academy curriculum, most of it was found to be valid. Instruction needs to be added on recognizing signs of child or elder abuse, using social media, conducting computer searches, and on issues related to HIPAA/Rule 32. More extensive instruction is needed on self-defense skills. Although interpersonal communications is currently taught, there is dissatisfaction with how it is presented. The proposal includes a completely different, more comprehensive approach to interpersonal communications to include interpersonal skills, verbal and written communication, MPO safety, conflict resolution, crisis intervention, suicide prevention, motivational interviewing, and documentation. The essential tasks of a misdemeanor probation officer were identified, and a new job description created that any county can use when hiring. Based on the essential tasks, and with the help of a medical panel, medical screening guidelines were developed that any county can use to select misdemeanor probation officers in the future.

8. POST Quarterly Recap

Rory Olsen presented statistical data for the last quarter.

Ralph Powell requested the number of waiver requests received by the division administrator and the number referred by the division administrator be tracked.

Chairman Raney suggested dropping the chart on page five entitled “Total,” as training provider doesn’t have a lot of value.

Kevin Fuhr suggested dropping the chart on page four entitled “Cities Where Most Training Occurred.”

5. Felix Gayton, Former Detention Deputy, Kootenia CSO - Oral Argument & Final Action Vote on Recommended Order for Decertification

Joe Filicetti distributed handouts of a power point presentation.

Ken Robins stated he objected to Mr. Filicetti's augmentation of the record through use of a power point presentation, and requested it not be allowed. No one was given access to the materials prior to the meeting, and they were not presented during the hearing. Each party is to be allowed fifteen minutes for oral argument, and no evidence can be presented.

Joe Filicetti responded Jennifer Douglass put together the power point presentation for illustrative purposes only. It's not evidence, but a recap of the evidence and the issues between the two parties. There's no material in it that hasn't been presented. His comments will basically follow the power point, so the Council will receive it one way or the other.

Greg Wooten made a motion to allow the power point for illustrative purposes only and that it not be considered as evidence. Kevin Kempf seconded, and the motion carried unanimously.

Joe Filicetti and Ken Robins presented oral argument.

After much discussion, in the interest of fundamental fairness and due to the Council not having the full record, **Craig Rowland made a motion to continue the matter to allow Joe Filicetti time to file a brief with specific citations identifying the errors in the hearing officer's findings of fact, conclusions of law, and recommended order as required in IDAPA Rule, and also allow the Council to have the full record so they can conduct a proper review. Jan Bennetts seconded, and the motion carried unanimously.**

Chairman Raney advised Joe Filicetti that Stephanie Altig would be his point of contact for what he needed to provide.

11. Idaho Prosecuting Attorneys Association Training Report

Jan Bennetts stated the IPAA does two trainings a year for prosecutors, one in February and one in August. On July 1, 2014, the POST fund balance was \$52,950. The current balance is \$24,875.71. In May, a new training will be put on called Leadership and Management for Elected Officials in Prosecutors' Offices. Every other year training is put on for key personnel such as victim/witness coordinators.

12. Training Subcommittee Report

a. Canine Encounter Training

Lorin Nielsen stated Idahoans for Non-Lethal Canine Encounter Training recommend that POST provide mandatory canine encounter training in the basic academies. Many letters in support were received, as well as recommended lesson plans. The subcommittee agrees it is imperative

that every agency provide some kind of training, but the reality of academy hours also has to be taken into consideration. POST has some training available through their website. The subcommittee requested the POST staff's help in researching the matter further before making a recommendation to the Council.

Chairman Raney stated facilitating such training at the agency level on an on-going basis would probably be more effective, and would be in line with the POST 2020 vision.

Jeff Lavey stated it's the duty of each and every law enforcement agency to provide canine encounter training to their officers to insure they are aware of the options available to them. After giving the matter additional thought, he agrees that the subject needs to be discussed at POST. He's not asking that the academy be expanded or that something be deleted to make room for it, so would leave it to the POST staff to determine the extent of the training and where it fits. It's the responsibility of the agencies to go further into it. POST's online training should probably be reviewed and updated with the new information that has recently been received.

Edith Williams stated POST Council can count on her assistance in updating the information. Idahoans for Non-Lethal Canine Encounter Training did take the issue to the legislators because they felt they were not being heard by POST. The legislation is now on hold in order to allow the Council the opportunity to address the issue.

Chairman Raney stated canine encounter training is a concern to the Council as well. Idaho's academy is very short compared to other states. The Council is currently in the process of trying to figure out what should be included in that limited amount of basic academy time and how other training can be delivered throughout the span of an officer's career. They can't just rely upon the basic academy, but need to figure out how to deliver the necessary training to all employees of an agency rather than just the new officers in the academy.

Lorin Nielsen stated after further research is done, the subcommittee will be back with a recommendation.

b. Marine Deputy Training

This issue was pulled from the agenda.

c. Patrol Water Safety Course Objectives

Sheriff Nielsen stated the subcommittee recommends the following objectives be removed from the Patrol Water Safety course:

- Objective 04 - Demonstrate or explain how to use clothes for flotation
- Objective 12 - Demonstrate or explain recovery of a submerged victim
- Objective 13 - Demonstrate or explain methods of removing a victim from the water
- Objective 14 - Describe the characteristics of a sinking and submerged vehicle
- Objective 15 - Demonstrate or explain extrication of a victim from a submerged vehicle
- Objective 16 - Identify the signs and symptoms of a spinal injury (taught in first aid)

Objective 17 - Demonstrate proper use of the hip/shoulder splint and the head splint (taught in first aid)

Lorin Nielsen made a motion to remove the listed objectives. Sharon Harrigfeld seconded, and the motion carried unanimously.

d. Juvenile Detention Legal & Liability Objectives

Lorin Nielsen stated the subcommittee recommends approval of the following objectives:

01. Define and understand the basic rights of incarcerated youth
02. Understand the basics of due process
03. Identify the basics of Idaho's court system
04. Define and understand the Idaho Tort Claims Act
05. Understand personal liability risks, qualified immunity and §1983 of the Civil Rights Act of 1871
06. Understand the Civil Rights of Institutionalized Persons Act
07. Understand the basics of the Garrity Rule
08. Become familiar with the basics of the Idaho Public Records Act (other than confidential juvenile records) and discoverable communications
09. Understand the obligations for mandatory reporting under Idaho's Child Protection Act
10. Understand the importance of professional boundaries and the liability risks for not maintaining them

Lorin Nielsen made a motion to approve the objectives. Sharon Harrigfeld seconded, and the motion carried unanimously.

e. Detention Juvenile Procedures Objectives

Lorin Nielsen stated the subcommittee recommends approval of the following objectives:

01. Correctly list the four core protections of the Juvenile Justice and Delinquency Prevention Act
02. Identify the difference in the juvenile justice system and the adult criminal justice system
03. Identify the difference between a juvenile status offender and a juvenile delinquent offender
04. Explain the difference between secure custody and non-secure custody
05. Correctly apply the time rules when holding a juvenile delinquent offender in an adult jail
06. Describe the requirements and rules for booking a juvenile at an adult jail
07. Identify the requirements for a jail to have a rural exception for holding juveniles
08. Identify what crimes are automatically waived to adult court
09. Explain the requirements of holding a waived juvenile in an adult jail
10. Identify the basic difference between Idaho Jail Standards and Idaho Juvenile Detention Standards

Lorin Nielsen made a motion to approve the objectives. Sharon Harrigfeld seconded, and the motion carried unanimously.

13. Idaho Dept. of Fish & Game's Field Training & Evaluation Program Manual

Lorin Nielsen made a motion to approve Fish & Game's use of the manual in lieu of POST's Field Training Manual. Jeff Lavey seconded, and the motion carried unanimously.

14. Recertification of College Programs & MTC

Rory Olsen presented the December 2014 assessments of the College of Southern Idaho, Idaho State University, North Idaho College, and Management & Training Corporation.

Craig Rowland made a motion to recertify the programs for two years. Lorin Nielsen seconded, and the motion carried unanimously.

15. Standards Subcommittee Report

a. Idaho Department of Correction Special Investigations Unit Investigators Attending Patrol Academy

Dan Chadwick stated the Standards Subcommittee came to the conclusion that the IDAPA Rules don't provide for IDOC investigators to attend the patrol academy. It's going to require statutory change. The subcommittee doesn't want to start going down that road, so their recommendation is that the Council not approve IDOC's request.

Lorin Nielsen made a motion to deny the request. Ralph Powell seconded the motion.

Paul Panther stated the subcommittee also discussed suggesting to IDOC that they consider looking at some kind of statutory clarification of what the role of their fugitive recovery unit investigators would be.

The motion carried unanimously.

b. Minimum Standards for Continuing Training

Dan Chadwick stated the law is in place and the Council has created IDAPA Rules in reference to continuing training. The Standards Subcommittee thinks the administration of it is best done through policy and left to the administrator on how it's going to be implemented, and not require POST Council action to address the issue. A six-month grace period should be given, and possibly a reinstatement fee of some kind charged when an officer fails to meet their requirement. The Idaho Bar suspends and then charges a reinstatement fee.

c. Proposed IDAPA Rule Changes

i. Citizenship Documentation

Dan Chadwick stated the current IDAPA Rules say “U.S. passport” rather than “Valid U.S. passport.” The Standards Subcommittee determined a rule change isn’t needed, as the assumption is it has to be a valid passport. It should be left to the POST staff to make sure that documents are valid and legal.

Ralph Powell stated the subcommittee recommends that clarification be addressed in policy.

Dan Chadwick stated once the division administrator creates internal operating policies, the Council would probably like to see them, but not necessarily review and vote on them.

ii. Academy Attendance & Open/Closed Campus

Dan Chadwick stated the Standards Subcommittee recommends the language in reference to attending every academy class be deleted and addressed through policy, and the language in reference to not being late to class be deleted and addressed through a disciplinary matrix. The subcommittee recommends approval of the following IDAPA Rule changes:

11.11.01 - RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

071. BASIC TRAINING ACADEMY.

Every ~~peace and detention~~ officer shall must begin the respective POST Basic Training Academy within six (6) months from the date of their appointment as a full-time officer. Every ~~peace, detention, juvenile detention, and juvenile probation~~ officer shall must successfully complete the respective POST Basic Training Academy, including the field training portion, within twelve (12) months from the date of their appointment as a full-time officer. This time period includes probationary time. (4-7-11)(____)

01. Closed Campus. The POST Basic Patrol, Juvenile Detention, and Juvenile Probation Training Academies shall will operate as a closed campus Monday through Thursday. The POST Division Administrator may consider an exemption to this requirement in the case of a documented personal hardship for the applicant where no other reasonable alternative exists and provided the applicant’s agency head files a written request for review with the POST Division Administrator. A trainee granted a hardship exemption shall will be required to attend all mandatory classes, ~~and shall not be late to any class~~. Unauthorized lateness to or absence from any class shall will be grounds for revocation of the hardship exemption by the POST Division Administrator. The POST Council may consider an exemption to thise closed campus requirement on a case-by-case basis for a scheduled POST Basic Patrol, Juvenile Detention, or Juvenile Probation Training Academy. (4-7-11)(____)

~~02. POST Basic Misdemeanor Probation Academy. The POST Basic Misdemeanor Probation Academy may operate as a closed campus depending upon the availability of POST resources. (3-29-12)~~

032. Open Campus. All other POST Basic Training Academies shall will operate as an open campus. (4-2-08)()

~~04. Attendance. Attendance shall be required of each trainee at all classes in the Basic Training Academy. (3-29-12)~~

053. Completion. A trainee shall must successfully complete the Basic Training Academy within six (6) months of the date they enroll in such course. In a case of delay of more than six (6) months, the entire course shall must be repeated. (4-7-11)()

064. Field Training. The field training portion shall must be completed to be eligible for certification. (4-7-11)()

Paul Panther made a motion to approve the IDAPA Rule changes as proposed. Kevin Kempf seconded, and the motion carried unanimously.

Lorin Nielsen stated the Council needs to take a good hard look at the reasoning for closed campus, especially considering POST's financial situation and the rising costs of meals and housing.

Chairman Raney stated the Executive Subcommittee had that very same conversation yesterday. There's no logical reason behind which academies are open and which are closed. He asked Sharon Lamm to prepare for a future meeting an estimate of what the cost-per-student savings would be if all academies were open campus.

16. Discussion on Application of Standards

16A. Establish POST Investigation Review Panel

Chairman Raney stated the POST Council developed an improved decertification procedure a few years ago which allows for agency heads to have better input. POST has their first case where an agency head is challenging POST's decision to move forward with a decertification investigation. In such situations, the procedure indicates a review panel of three people not on POST Council will be assembled to review the information and determine whether an investigation should be conducted. The review panel is to include a chief, a sheriff, and a representative from a state organization. He asked the Council to consider whether that is still how they want to proceed, and then as a separate issue, decide whether to direct the POST staff to move forward with an investigation or accept the agency head's adamant plea that they not.

Mike Dillon stated the case in question involves an officer who was charged with two counts of misdemeanor petit theft. The officer pled to one count under Rule 11, entered a plea under Alford, and will be on probation for six months. Misdemeanor theft is a violation of the Code of

Ethics as well as the standards of professional conduct. There are indications there may be other issues uncovered if an investigation is conducted.

The agency head's response was read into the record: "With all due respect, I have to protest the decision to refer to an independent panel. First, the employee has received a withheld judgment with no probation after April 2015. Second, she is doing a great job handling her duties and the public in an effective and professional manner. Third, I see this as a witch hunt by a few individuals and using POST to facilitate their objective. Fourth, it appears that the opinion of the agency head doesn't mean anything where my letter was addressed to the division administrator and he didn't consider consulting me before making his decision to refer to the POST Council. I strongly disagree with the way this matter has been handled, and I strongly disagree with pursuing further. Please share this email with the Council tomorrow."

Chairman Raney stated Victor McCraw can't be involved at this point because he is a step of the process down the road. Mike Dillon has had a conversation with the agency head.

Jeff Lavey stated the Council told the sheriffs and chiefs the process included an option of a review panel, so the Council should proceed in that manner.

Chairman Raney stated the agency head isn't requesting a review panel. He's asking that it not be reviewed.

The Council agreed the three-member review panel should be identified and put in place.

Chairman Raney stated he would choose the people and put the panel in place. Now the request before the Council is that the review panel not be used in this particular case.

Lorin Nielsen stated that's not an option. The agency head can't prevent the investigation by saying he doesn't want it to go any further.

Shane Turman stated the review panel is for the agency head to have their say. The agency head has made a written request that there not be an investigation. The next step is the review panel.

Jeff Lavey stated if the agency head chooses not to take advantage of the review panel, POST simply moves forward with the investigation.

Chairman Raney stated the review panel is for the agency head's benefit, not POST's.

Lorin Nielsen stated giving the agency head the option of having a peer review of why he doesn't want the matter investigated is about as fair as you're going to get.

Ralph Powell stated the Council has to be very thorough in covering every base. They should respond to the agency head by clarifying the options available to him, stating the Council's willingness to put the review panel in place. That's the option the Council stands ready to offer him. If the agency head's only insistence is that POST not do the investigation, the only option left to the Council is to move forward with the investigation without the peer review.

Victor McCraw stated clarification of what leads to the panel should also be addressed, as the agency head doesn't seem to understand that the Division Administrator cannot talk to him about mitigating circumstances at this point in the process, as it would rob his employee of due process later.

Kevin Fuhr stated the Council already has something in place that spells out the steps. They should send the agency head a letter that says either he takes advantage of the peer review panel or the Council starts an investigation without one.

Chairman Raney stated a letter will be sent to the agency head giving him the two options. If he wants the review panel, we'll make it happen right away.

17. POST Budget Review

Sharon Lamm stated POST received 4.822 million dollars in spending authority from the Legislature for FY2015, of which 4.4 million is from dedicated funds. POST spent over 2.5 million, or approximately 56% of the dedicated fund budget, during the first seven months of the fiscal year. Projected expenditures for the remainder of the fiscal year are a little over 1.31 million dollars. If POST spends as projected, \$432,000 in dedicated fund spending authority will not be used. The FY2015 beginning cash balance was \$714,759. Total projected revenue from all sources for FY2015 is approximately 3.7 million dollars. Total projected expenditures are approximately 4 million dollars. POST should end the fiscal year with a cash balance over the mandated \$300,000. Including misdemeanor probation fees, the estimated ending cash balance will be a little over \$600,000. For the first seven months of the fiscal year, total revenue from the \$15 fee is a little over 1.6 million dollars, which is about \$5,000 less than last year, or less than 1% down. Total revenue from 14% of 10% for the first seven months of the fiscal year is approximately \$379,000, which is down over \$5,000 or 1.3% from last year. For the first seven months of the fiscal year, approximately \$39,400 has been received in misdemeanor probation fees, which is down about \$100 from last year. Total revenue from all sources is down approximately \$10,000, or about 1%, from last year. If revenues don't trend up, POST will be making some very hard decisions about expenditures. All of the capital expenditures have been put off until the last few months of the fiscal year to insure POST meets the mandated \$300,000 year-end cash balance.

18. POST Division Administrator's Update

a. Decertification Update

b. Findings & Short-Term Goals

Victor McCraw stated instructor certification needs to be looked at as far as what POST wants their instructors to know, what their instructors should be keeping documents on, how those documents should be kept, and what their instructors should be reporting to POST. POST's Instructor Development course will be improved. In addition, POST is going to propose a three-to four-hour Instructor Update training for all current POST instructors to make sure they're up

to speed. At the June Council meeting, a proposal will be presented that might include some slight IDAPA Rule changes in reference to instructors. The intended outcome is for POST to handle instructor certification more efficiently and lean away from POST telling agencies what to do and how to do it. His proposal will be that the instructors are trained well in their Instructor Development course and in their Instructor Update course about what POST requires them to do in their specialties that they're instructing. POST would then cease to require the instructors to come back on a regular basis to get recertified in their specialties. For example, no POST staff member knows more about fish and game than the Idaho Department of Fish & Game does. POST can accept Fish & Game's training and give them credit for it without certifying it. That certification doesn't mean anything. It would be better if POST spent more time and effort training Fish & Game's instructors up on what POST needs training record-wise after they teach their courses so POST can keep records and stand behind Fish & Game in court later. Fish & Game's instructors should be allowed to teach whatever they want to teach. Then if mid-year there's a change in something that they teach, they can implement it immediately without having to write and submit a new lesson plan to POST and wait for approval. If the instructor is properly trained and an expert in their field, they should be able to write the lesson plan to POST's standards and go teach it immediately without asking POST for permission. This will reduce POST's workload and allow agencies more leeway to do what they should be doing. POST can then focus on keeping track of all of the basic training curriculum and insuring that all of their firearms, EVOC, and defensive tactics instructors get at least eight hours of training in their specialty every two years, to include use of force and liability issues. POST would then only be tracking and certifying high-liability areas. The instructors would be able to teach everything else. As long as they do it to POST's standards and turn in a valid roster and lesson plan, it would go into POST's system just like it always has. The statute in reference to POST maintaining records requires POST to keep transcripts. It will be very easy for POST to be that one place an agency head can go to in order to see a college-like transcript of all the training an officer has. Currently POST's records are viewed and treated as comprehensive training records to the level that public records requests not only ask if an officer received DUI training, they want to know what date it was taken, who taught it, and also want to see the signed roster proving attendance on that date. The requests come from defense attorneys who want to downplay an officer's level of training as well as prosecutors who want to build up an officer's credibility in court. That requires a higher level of detail in the records than a transcript, so that's what POST has been keeping. In some cases, POST has good detail in their documentation and in other cases, they don't. Hopefully by retraining instructors POST will get a standardized level of detail in their records. A possible question for the Council at a future meeting is do they want POST to be the clearinghouse for all records or do they want those records to stay with the agency and POST to maintain only the officer's general training transcript as required by statute. Sheriff Nielsen has expressed that he wants to be in control of public records requests dealing with his officers. Currently POST is providing officers' training records to defense attorneys without any notification to employing agencies. Some guidance on whether POST should implement an agency notification procedure would be appreciated. One of the reasons the training records are kept the way they are is so officers can apply for advanced levels of certification. POST doesn't want to eliminate any incentives for training, but a concern is that some agencies' pay structures provide pay raises to officers who obtain advanced levels of certification. In those cases, officers get training for the sole purpose of getting more money rather than getting better at their job. That incentive should not detract from the quality of the

training POST is tracking and giving credit for. Doug Tangen, POST's Basic Training Manager, is retiring. His last day will be March 13th. The oral board to fill his position will be held on March 10th, so hopefully they'll have a candidate selected by March 13th. One of the applicants is a POST employee, so if that person is selected, they will have another vacancy to fill. Matt Archuleta has accepted a position with Meridian PD, and Mark Merrill is well into the hiring process with Boise PD, so POST will likely have two Basic Training Coordinator positions open. He is looking at ways to improve communication. He nixed a project his predecessor had in the works, which was an agency head landing page on POST's website. It required a special password for agency heads to get to a part of POST's website that no one else had access to. He wasn't sure what special secretive information intended only for agency heads was going to be made available through it, but it still required the agency heads to actively go and seek the information. Keeping it updated would also have been difficult. He would appreciate any input from the Council on what they think would be good communication. He recently learned agency heads aren't notified when he refers someone to the Hearing Board. Consequently, POST is looking at ways to accurately and actively notify agencies anytime the status changes on their POST applications or at least make the information available so agencies can check the status of their applications at any time. He doesn't want anything falling through the cracks like that, so would appreciate being notified if the Council becomes aware of any issues. In instances where bad news has to be delivered, he has instructed the POST staff to deliver it via a phone call or have the regional coordinators deliver and explain it in person. He tried to call the agency head concerned about the decertification investigation moving forward, but the agency head wasn't in. He wanted to explain why he could not speak to him about mitigating circumstances at this point in the process.

Lorin Nielsen stated he appreciated the willingness to keep the lines of communication open.

Jeff Lavey stated he wanted to pass on his thanks to Victor McCraw. The communication between his agency and POST is phenomenal, and has never been better. Communication is always going to be something that all agencies constantly have to work on. Last week during the Training Subcommittee meeting, Victor McCraw made a comment that POST should not be ramrodding things down the throats of the agency heads. He and Lorin Nielsen almost fell out of their chairs because that's not what they're used to. It's reassuring to know we're now one team trying to come up with positive outcomes for law enforcement.

9. Strategic Vision/Planning Discussion

Chairman Raney asked Victor McCraw to give the Council an update on POST 2020.

Victor McCraw stated development of the legal curriculum has been going well. How it's going to be implemented is the issue. It will be sprinkled throughout the academy. POST's task and challenge is putting it into the class where it's more operational than academic. The most recent discussion has been about what type and to what extent POST needs to give the students a foundation before they start implementing and teaching them about all the elements of their training. The goal is to tie every element of the training back to the legal aspect. When they're training on report writing, they are actually focusing on documenting the elements of a crime and documenting a proper timeline from when they arrived on scene until they left the scene. The

challenge for the legal instructors is to teach the students how to document to the legal standard necessary for prosecutors to do something with it. Once the students know that, they can put it into whatever report writing format their agency uses. He hopes to tie all of the scenarios back to a legal basis. In this way, the students not only demonstrate they can handle the skills, but they can articulate and document why they were able to use force against a person, what legal authority they had to put someone in handcuffs, etc.

Jan Bennetts stated the prosecutors would help POST with that.

Chairman Raney stated integrating adult learning principles throughout the training and scenarios is very difficult to implement, but absolutely worth every minute of time it takes to do it. He asked when POST anticipated piloting the first academy.

Victor McCraw stated Joe Whilden has applied for the Basic Training Manager position. If he gets it, they will need to hire a new curriculum coordinator. Even if Joe doesn't get the Basic Training Manager position, he will be leaving for six months of military training. Many of the projects translating the Job Task Analysis into actual curriculum will have to be put on hold while he's gone. The original plan was to delegate the projects to Susan Brushey, but she will be gone on maternity leave at the same time Joe is gone. The decision was made not to sacrifice quality, so everything currently in process will be completed, but no new projects will be started until Joe and Susan return. The initial completion date of March 2016 will need to be pushed back to at least the summer of 2016. Rather than piecemeal it, the entire basic training curriculum package will be completed before it's put into place. That will minimize the unintended consequences.

19. Future POST Council Meetings

Chairman Raney stated the next Council meetings are scheduled for June 4th and September 3rd.

20. Future POST Hearing Board Meetings

Chairman Raney stated the next Hearing Board meeting is scheduled for April 2nd.

Kevin Kempf made a motion to adjourn. Lorin Nielsen seconded, and the motion carried unanimously. The meeting adjourned at 1:30 P.M.

Respectfully submitted,



Victor R. McCraw
Division Administrator
Idaho Peace Officer Standards & Training

VRM:pac