

Meeting Minutes

July 25, 2024, 9:00 AM

Video Recording Available at: <https://oag.ca.gov/sb882>

In-Person Location:

Junipero Serra Office Buildings

320 W. Fourth Street, Carmel Room

Los Angeles, California 90013

SB 882: Advisory Council on Improving Interactions between People with Intellectual and Developmental Disabilities and Law Enforcement /State of California-Department of Justice

Members Present: Chair Jim Frazier, Vice Chair Astrid Zuniga, Member Rick Braziel, Member Olwyn Brown, Member Elizabeth Burt, Member Lauren Libero, Member Christina Petteruto, and Member Clifford Phillips. All Members attended the meeting remotely.

Members Absent: Member Emada Tingirides

1. Call to Order, Welcome Roll Call to Establish a Quorum

Chair Frazier called the second meeting of the SB 882 Advisory Council to order at approximately 9:14 am on Thursday, July 25, 2024. The meeting was conducted via Zoom with an in-person location for public comment at the Junipero Serra Office Buildings, 320 W. Fourth Street, Carmel Room in Los Angeles, California.

Chair Frazier thanked the council for their commitment to making the world a better place and making strides in interactions between people with disabilities and law enforcement. He also thanked the DOJ staff and mentioned looking forward to hearing from the meeting's speakers.

Then **Deputy Attorney General (DAG) Ben Conway** called the roll to determine whether a quorum was established.

Members present, at the time the roll was called: Chair Jim Frazier, Vice Chair Astrid Zuniga, Member Rick Braziel, Member Olwyn Brown, Member Elizabeth Burt, Member Dr. Lauren Libero, Member Christina Petteruto, and Member Clifford Phillips.

DAG Conway informed **Chair Frazier** that there were **9** members on the Council and **5** members were needed for a quorum. There were **8** members present at the time the roll was called. **DAG Conway** requested that Chair Frazier skip to agenda item #3 due to technical difficulties experienced by **Parliamentarian Johnson**.

MOTION:

Chair Frazier made a motion to move to agenda item #3, **Discussion Item: Department of Justice (DOJ) Update on Conflict-of-Interest Code Exemption.** The motion was seconded by **Vice Chair Zuniga.**

DAG Conway called the roll for the vote on the motion.

Ayes: Chair Frazier, Vice Chair Zuniga, Member Braziel, Member Brown, Member Burt, Member Libero, Member Petteruto, Member Phillips

Nays: None

DAG Conway stated that there were 8 Advisory Council members present and voting: **8 Ayes, 0 Nays**

2. Chair Frazier moved to Agenda Item # 3, Discussion Item: Department of Justice (DOJ) Update on Conflict of Interest Code Exemption

Supervising Deputy Attorney General (SDAG) Marissa Malouff recapped the conflict of interest code exemption request that was presented at the April Advisory Council meeting. The exemption request was presented to the California Fair Political Practices Commission (FPPC) and approved by the FPPC on June 13th, 2024. As a result of the FPPC's approval of the request, the Council is exempted from the conflict of interest code.

3. Chair Frazier moved to Agenda Item # 4 - Discussion Item: DOJ Update on Legislation and Supreme Court Case. The presenters were SDAG Malouff and DAG Lucia Choi.

SDAG Malouff stated that the DOJ does not recommend that the Council provide interim recommendations on legislation and further stated Section 13016 of the Penal Code, which discusses the Council's duties, provides that the Council issue a report compliant with section 9795 of the Government Code. SDAG Malouff further stated that DOJ's interpretation is that the legislature intended that the Council would receive information and then provide a final report, which would include recommendations.

The Supreme Court and Legislative updates are provided as an attachment to the meeting agenda. A video of this presentation will also be posted on the [SB 882 Council website](#); and a digital copy of the policy summaries is available under the meeting materials section for this meeting.

Chair Frazier inquired about a fiscal analysis for AB 2002/SB 1285. He also commented that if it has a fiscal impact, it will be challenging to pass due to the budget.

DAG Choi confirmed the current status of AB 2002 and SB 1285, which are both in the Assembly and Senate Appropriations' committees.

Vice Chair Zuniga requested summaries from the Appropriations committee regarding presented bills. She also noted that this is the second time that the driver's license bill (AB 2002/SB 1285) is stuck in Appropriations. When that bill was previously brought forward it had

a \$500,000 price tag and it died in Appropriations. Vice Chair Zuniga thanked DOJ staff for the bill summaries and appreciated learning about the other bills.

SDAG Malouff confirmed that there is a bill analysis on AB 2002, which includes a fiscal effect analysis. **SDAG Malouff** mentioned that the fiscal effect analyses can be included in future meeting materials moving forward.

Chair Frazier and **Vice Chair Zuniga** confirmed that would be appreciated. **Chair Frazier** also requested the links to *leginfo.com* for future bills presented. **SDAG Malouff** stated that the blue underlined font in the pdf file should lead to *leginfo.com*.

4. Chair Frazier moved to Agenda Item # 5 - Public Comment

Associate Governmental Program Analyst (AGPA) Julianna Bardon introduced public comment. The public comment time period was for 39 minutes from 9:36 a.m. to 10:15 a.m., with comments from remote attendees between 9:36 a.m. to 9:51 a.m., and from participants who were in-person between 9:51 am to 10:15 a.m. Each person was designated two minutes to speak (or more as allowed). Members of the public were further advised that in addition to making public comments, they could also send written comments to: sb882@doj.ca.gov. **AGPA Bardon** also noted that the public can subscribe to council updates via: <https://oag.ca.gov/sb882>, to receive information about future meetings.

There were 5 comments: 0 in-person comments and 5 comments provided via Zoom. Public comments were from commenters who were familiar with POST trainings regarding developmental disabilities, who work with people with disabilities, who is a parent of a developmentally disabled child, and who is a developmentally disabled self-advocate who is on the state council for law enforcement and provides trainings to police departments.

The public comments mentioned the following issues:

- Analysis of POST certified course LD 37 that focuses on developmental disabilities, which noted the need for an increased course focus on the fifth category of disabilities, paying people with disabilities for sharing their experiences with classes, CIT programs, pre-crisis responses with a clinician team before the 911 call.
- Description of a negative interaction between law enforcement and a regional center client, and statement that face-to-face trainings help law enforcement learn the material.
- Worry as parent of a child with a developmental disability about how current support systems could harm her child, and people of color who have developmental disabilities.
- Redefinition of a crisis as someone needing the right tools, and statement that CIT and STAR programs help law enforcement provide the right response.
- Feedback that law enforcement has been responsive to what the disability community is going through and that law enforcement has asked for assistance in bridging the communication between them and people with IDD.

While the public comment period was still open and no one was in the queue, **SDAG Malouff** checked whether **Parliamentarian Johnson** continued to experience technical difficulties. **Parliamentarian Johnson** confirmed those issues were resolved. **Chair Frazier** asked whether

they could address agenda #2 item during the public comment. **SDAG Malouff** confirmed that they could and encouraged audience members to raise their hand to contribute to public comment.

5. Chair Frazier moved to Agenda Item #2 - Action Item: Approve April 15, 2024 Meeting Minutes

MOTION:

Vice Chair Zuniga made a motion to approve the meeting minutes as presented. The motion was seconded by **Member Burt**.

Parliamentarian Johnson called for discussion on the motion of **Action Item: Approval of the April 15, 2024 Meeting Minutes**. After hearing no discussion, **Parliamentarian Johnson** called the roll for the vote on the motion.

Ayes: Chair Frazier, Vice Chair Zuniga, Member Braziel, Member Brown, Member Burt, Member Libero, Member Petteruto, Member Phillips

Nays: None

Parliamentarian Johnson stated that there were 8 Advisory Council members present and voting: **8 Ayes, 0 Nays**

Chair Frazier noted that the item was approved by the Council.

Chair Frazier moved the meeting back to **Agenda Item #5: Public Comment**.

Chair Frazier also noted to the public that if a person wants their comment read to the public by staff, that staff could do that. **SDAG Malouff** agreed with this. **SDAG Malouff** stated that audience members could also sign up to be on the email list serve to be aware of when the agenda is posted and other SB 882 council events.

The public comment section was ended by **SDAG Malouff** at 10:15 a.m.

6. Break (time: 10:15 – 10:30)

7. Re-Establish Quorum

Chair Frazier reconvened the meeting and **Parliamentarian Johnson** reestablished quorum for the second meeting of the Advisory Council, on Thursday, July 25, 2024, at 10:31 a.m.

Members present during the roll call were: Chair Frazier, Vice Chair Zuniga, Member Braziel, Member Brown, Member Burt, Member Libero, Member Petteruto, Member Phillips

Parliamentarian Johnson stated that there were **9** members on the Council and **5** were needed for a quorum. There were **8** members were present at the time the roll was called, and quorum was re-established. **Chair Frazier** confirmed a quorum was established.

8. Chair Frazier moved to Agenda Item #8: Presentation on General Issues Regarding Police Interactions with Individuals with Intellectual and Developmental Disabilities (10:35 – 11:55)

Chair Frazier introduced witness **Teresa Anderson**, the Executive Director for the California Policy Center for Intellectual & Developmental Disabilities.

A video of this presentation will be posted on the [SB 882 Council website](#) and a digital copy of the slides is available under the meeting materials section for this meeting. **Anderson** made her presentation, using the slides.

Chair Frazier asked if there were any questions, after thanking **Anderson** for her informative presentation.

General Comments: Council members thanked **Anderson** for the presentation. **Member Burt** added that she looked forward to working with **Anderson**. **Vice Chair Zuniga** encouraged the public to reach out to **Anderson** for more information. **Member Phillips** also mentioned liking that they are focusing on safety, keeping guns off the street, and that he loves to help police and others.

Chair Frazier raised the following comments and questions:

1. It's wonderful to work with people who are committed to an undervalued population. Through communication and different opportunities, we will hopefully meet intended outcomes. Having the mental health department partner with law enforcement in a pilot program in Solano County helped create crisis intervention teams.
2. Advocates connecting with local members, engagement in that capacity can be helpful at the local level if they feel they are not being heard.
 - a. **Anderson:** Subject matter experts cover so many areas of expertise. It's important to get that full picture, include everybody, law enforcement, family members, everybody. [**Chair**] **Frazier** you know this, there's good bad and ugly in every policy. With the DOJ portal, we will have access to data for 3, 5 and 7 years. Will we see different trends in that data? It's important to look at how we measure improvement and outcomes.

Member Libero raised the following comments and questions:

1. Appreciated the comprehensiveness of background. Also, **Anderson** mentioned a need to strengthen coordination between law enforcement and dispatch. *What would you mean by expanding that?*
 - a. **Anderson:**
 - We would like to expand all of it, specifically mobile crisis. Is there a way to coordinate law enforcement agencies? Does law enforcement know about mobile crisis? Can we expand on them? Because mobile crisis units have been really successful.
 - Next steps: Tracking the data regarding hospitalizations, getting help to people before the 5150. Los Angeles has seven regional centers. If

we have an area that has an expanded need, why not expand it? If we have enhanced behavioral supports available, let's get those safety net services well before the law enforcement interaction.

- Problems to address: Too many 5150s, Example: Ryan Gainer. Law enforcement went out many times before. The family was struggling. Why can't we put enhanced supports for him in home? There are ways that the continuum of services could be implemented in so many places.

Member Burt raised the following comments and questions:

1. Release of information is one of the barriers we are seeing between police, hospitals etc. *How do we get these agencies to talk to each other in emergency situations (and to find where those resources are)?*
 - a. **Anderson**: MOUs (memorandums of understanding) with county and behavioral health are ways to agree to confidentiality.
2. *What about dispatcher training?* She has heard that there is a HIPAA barrier, and that law enforcement does not want dispatcher training.
 - a. Response from **Anderson**:
 - Dispatcher training is done. **Member Libero**, do you know when they are releasing it?
 - Giving accurate information at the front end via dispatcher training is so important, and it's voluntary. That's how they got around the privacy issues.
 - Recommendation: Toby Ewing at the Mental Health Oversight and Accountability Commission. Every county has their mental health services act fund, and an innovation fund, which issue grants for pilot projects or other options.
 - b. Response from **Vice Chair Zuniga**
 - Referencing **Member Burt's** question about training of law enforcement: When we drafted the legislation, we wanted the information to be automatically provided to address HIPAA, which some law enforcement agencies might be afraid of. Some jurisdictions have already used it. It's an opt-in system. Having this system allows people to not worry about the HIPAA law.
 - Possibility of Cal OES discussing the Manny Alert Act feasibility study with the council.
 - c. **Anderson** responded to **Vice Chair Zuniga**
 - Awareness about how the Manny Act pilot program is working is also important. We're not creating a registry for discrimination, to be used in a bad way. If you create opportunities to show success in these programs, more families are willing to engage with them. Like the

Manny Alert Act, more families and individuals will feel better about using it.

3. *For DOJ staff: Is someone noting these recommendations?*
 - a. Response from **SDAG Malouff**
 - confirmed that minutes are being taken
 - DOJ staff will follow up with **Anderson**
4. In Southern California, we have different resources. There's good work with Ventura CIT, State Council, Autism Society, and in Los Angeles (2 programs) and San Diego. *Would the committee entertain putting this information in one spot?*
 - a. Response from **Vice Chair Zuniga**
 - It's unclear if staff or website could accommodate the request
 - We could provide links to the resources in the minutes or agendas so if they want to learn more, they can use the link to do their own research
 - b. Response from **SDAG Malouff**
 - The materials that we present to you will be on [the SB 882] website. Aligned with discussion about providing interim recommendations in a piece meal matter on pending legislation, we would need to think through whether having a list of what the council is saying are best practices, may have a similar concern. Saying that there are links to things that we believe are best practices would go outside the council's scope of producing a mandated report and giving recommendations through that mechanism. That being said, all of the materials that are presented at these meetings are on the website, briefings and more. Also the report will, and should contain best practices that the council recommends.
 - c. **Vice Chair Zuniga** responded to **SDAG Malouff**
 - We could have a disclaimer that notes these resources are not endorsed by the council when posting them on the website.
 - d. **SDAG Malouff** responded to **Vice Chair Zuniga**
 - We will need to discuss the logistics and language for what is posted on the website, but we are happy to work with you post-meeting to discuss that. If there are meeting materials that are not already included in agenda materials, maybe they could be included in the next meeting's agenda. We can discuss best way to accommodate your request.

Member Petteruto raised the following questions:

1. *Are there counties or regional centers that you feel are doing mobile crisis centers, coordinating responses really well?*
 - a. Response from **Anderson**:
 - Alta, Westside has forensic specialists who understand the need to coordinate those pieces. San Joaquin has a great relationship with

county mental health, utilize MOUs, good way to utilize general resources for mental health.

9. Chair Frazier again thanked **Anderson** for her presentation, then called a recess for lunch from 11:48 – 12:55.

10. DAG Conway reconvened the meeting at 12:56 p.m. and called the roll to reestablish quorum for the second meeting of the Advisory Council, on Thursday, July 25, 2024, at 12:56 p.m.

Members present during the roll call were: Chair Frazier, Vice Chair Zuniga, Member Braziel, Member Brown, Member Burt, Member Libero, Member Petteruto

DAG Conway stated that 7 of 9 members were present at the time the roll was called, and a quorum was re-established. **Member Phillips**, initially noted as not present was noted as on camera at 12:59 p.m. **DAG Conway**, at 2:05 p.m. following POST's presentation and before moving to Agenda Item #14.

11. Chair Frazier moved to **Agenda Item #11: Discussion Item: Presentation from Commission on Peace Officer Standards and Training (POST) Regarding Training, Resources, and Requirements.**

A video of this presentation will be posted on the [SB 882 Council website](#) and a digital copy of the slides is available under the meeting materials section for this meeting.

- **Panelists from POST**
 - i. **Megan Poulos, Legislative Liaison**
 - ii. **William Baldwin, Mental Health Training Services Unit**
 - iii. **Michael Radford, Bureau Chief**
- Summary of POST Presentation**

Poulos: POST only certifies courses. We don't create courses. Experts come up with the content. POST's job is to certify courses that LEAs wish to get credit for. Agencies still get the freedom to develop and create the courses they choose.

The summation of questions and answers below was organized according to speaker instead of chronologically for organization and readability.

Member Burt:

1. *In terms of data, we see mental health and intellectual developmental disability counted together. It's hard to separate the information, for example for individuals that are in jail or arrested. I know there's overlap, but can we look at the groups separately? The needs for these populations seem to be different.*
 - a. **Baldwin:** I'm not aware of an attempt to distinguish (between the two groups). We are definitely open to hearing needs. Our main focus is on standardizing the way law enforcement looks at folks who are dealing with mental, developmental or substance disabilities to identify, respond, attempt to de-escalate in a way that

treats the health or emergency portion of it, rather than strictly physical enforcement.

- b. **Radford:** No, we are not planning to do that. There is a topic about distinguishing between different disabilities.... Also, there is a video training example: video plot, person is autistic, the police officer realizes this and responds.
2. Regarding data: mental health and developmental disability, the CIT 40 hour is gold standard. *Regarding the developmental disability training, do you have data on whether a 2-, 4-, or 8-hour course is more efficient? What would that recommendation look like? Is the 4-hour course really what we would be looking at or do you have any data? Which courses have better outcomes?*
 - a. **Poulos:** We can run that data of the different courses on that specific topic. They might have courses that are only a couple hours or courses that are 8 hours and on. We could see the breakdown of that and how many students have attended each course. That's the extent of our data. POST is constantly looking at ways to deliver any training. As **Member Braziel** noted with rural agencies, taking 1 officer away means 1 of the other 4 is stepping into that role, or there is no one in that role for that time period. We are working to create micro courses that can be taken in a patrol car. If you are waiting in-between calls in a car, you can spend 15 minutes learning about a topic.
 - b. **Radford:** The SB 11 is set up for 4 hours, but not many agencies will have 4-hour trainings because of logistics. They do the 8-hours courses. The 4-hour courses or 2-hour courses are better on the learning portal as an online course or these "Did you know?" videos that spark ideas for officers.
 - c. **Member Braziel:** Slide 5 was talking about online courses. Dispatchers are that first interaction. POST made an online dispatch course that they can take between calls. It is an interactive training that allows them to make decisions and then go back, rethink what they did and start anew after learning from mistakes. We tend to focus on the officers. But when dispatchers get the call, they set the tone for first responders. And we can't pull them away from a terminal, but we might be able to use these little opportunities between calls that include like **Poulos** said these micro trainings that include online decision making and using technology to our advantage. We tend to think about classrooms, but the young officers and young dispatchers are out in the field. They're so adept at technology, we forget to leverage that modality as a way of improving their performance, and their awareness.

Member Libero:

1. *POST certifies but doesn't develop content. Can you explain for LD course 37, is there an outline that trainers are developing content for?*
 - a. **Poulos:** The learning domains (and related workbooks and training specifications) are only taught in the academy, not outside of the academy. Training for in-service officers is more advanced and will look different than academy training.

Every recruit has to attain their level of learning. The training and testing specifications can be viewed on the website.

2. *Who develops those workbooks? POST?*
 - a. **Poulos:** POST with experts, The Basic Training Bureau solely focuses on updating the academy trainings, testing specifications and workbooks.
 - b. **Baldwin:** POST facilitates the process of developing the courses for the trainings. Experts know the trends and have updated understanding of the topic. We leverage that, make sure it falls within testing standards.
3. *Some content covers disabilities, some covers de-escalation, but is there content that merges those two topics?*
 - a. **Radford:** It's going to be generalized in terms of de-escalation.
 - b. **Baldwin:** The guidebook that is available is a resource for law enforcement at the ground level. It focuses on strategic communication, having empathy, asking questions, creating the proper environment. The emphasis is that this isn't just criminal behavior. De-escalation is trying to solve a problem through lesser means.

Chair Frazier:

1. *Can you define subject matter experts? Are they industry experts? Every day people?*
 - a. **Baldwin:** they are a diverse group of folks, from advocacy to law enforcement. We have psychological technicians, doctors, people with disabilities, lawyers and attorneys, law enforcement officers experienced in police tactics. It's not just clinical technicians. We try to look at advocacy, because together we develop a process that law enforcement can listen to suggestions by others, be educated, make sound decisions based on technical information that professionals give while maintaining officer safety. There is no one that is off limits as long as they can be seen as flag-bearing stakeholders. We look for advocacy and other folks that we feel like can bring information to the table.
 - b. **Radford:** We will be updating the SB 11 course in September. We look at subject matter experts who have proven themselves. We will also look at other people who have had experience doing that to get fresher views. We want to send out a questionnaire and ask for their background. How long they have been working there? Why are they considered subject matter experts? If we send 20 requests, and only get 13 back, we work with what we have. I like having an expert on curriculum, to present it to the academic field.

Chair Frazier: when updating SB 11, encourage seeing moms as subject matter experts. A mom's or dad's perspective can be very helpful when we talk about the human factor because they really know their child.

2. *On the trainings, could there be a training module (example: like shoot or not shoot) for this population with different scenarios brought before those in the academy?*

- a. **Baldwin:** Each academy goes through a scenario-based testing scenario at the end of each domain. The scenario may not involve people with disabilities, but they are put in a live scenario where they make split second decisions and they have to come to a conclusion that is satisfactory for the evaluator. Virtual trainings encourage interactivity. The evaluators break down and discuss the scenario, what would they do, what they see wrong. This is specified to the agency, with the facilitator and facility in mind.

Chair Frazier: I recommend including more trainings that have scenarios involving interactions with people with disabilities and more virtual panels/models that look at what could happen.

3. *When an officer rolls up onto the scene, you talk about stigma, but how are people with physical challenges, sight or hearing impaired addressed?*
 - a. **Baldwin:** In the guidebook, we talked about methods of approach, working with them, and identification. I wouldn't want to speak any further without looking at the components or course outlines, but it's something that is identified and they push that out.
 - b. **Radford:** Those types of things, it's easier if its legislatively mandated, because we can specifically say "you need this." The language of the penal code right now is broad. It's mental illness, intellectual disabilities and substance use disorder. As far as breaking it down further, it's not required so we can't follow up on that.

Chair Frazier: That's one of the great things that having this conversation, we have people that are developmentally disabled who are sight impaired or hearing impaired. We have this mix of dual diagnosis of individuals with mental health and IDD issues. This is enlightening to me that it's not mandated, and helpful.

Member Petteruto:

1. *Are there tools you utilize to assess effectiveness of the trainings? Do you survey officers, to gauge how that information and training is being received, how effective they thought it was?*
 - a. **Radford:** There is an QAP (survey), and one of the sections is about learner validation, that focuses on whether they meet the learning objectives and looks at their engagement with the courses. But once the course is done, we don't track how they do out in the field.

Vice Chair Zuniga:

1. *Is it possible to have more of a hands-on component to the trainings? Where officers spend time working in these programs and school settings and have the chance to interact with people who have developmental disabilities?*
 - a. **Baldwin:** The more training the better, the more hands on the better. If agencies feel like a training builds or enhances their response and professionalism as law enforcement, POST supports it. We may even give certification which allows

monetary reimbursement or assistance. Without a legislative requirement it's difficult. If the Commission said, "Hey this is something we want to look forward to," then we are absolutely for it. When I was with TPS, there were a lot of times questions as far as "What's required for mental health?" Though we might tell them, "Well only this is required," we would constantly encourage—and still do—that mental health training be a staple in any peace officer's training, above and beyond professional skills or continued professional training. It was always something that we strongly encourage that agencies build within their training profiles.

- b. **Radford:** With 40-hour Memphis model CIT training, they take students to facilities and talk to practitioners there. There's also a component where they talk to people who have a mental illness or IDD. It is a small portion, but it is a part of the curriculum.
 - c. **Baldwin:** And as I talked about individualized, many years ago I visited LAPD. I sat in on one of their courses. It was only a 4-hour course, but they brought in someone who was an advocate for ID. And the instructor brought her son who has an intellectual disability to the class. They interacted, and they got that firsthand experience.
2. There was a Little Hoover survey that was done in 2020. Some officers felt they weren't adequately trained. *What can be done to ensure that our officers feel they are better equipped? Or maybe some ideas you have for trainings to enhance them and make sure officers have the tools they need to do their jobs more effectively?*
- a. **Radford:** I would find out, what tools did they need, and where are they lacking? If it's a mental illness course that they're taking, then we could QAP that to make sure that it's up to standards. Maybe it's a good course on paper, but they have facilitators that were just assigned to do it because they needed somebody.
 - b. **Poulos:** We're constantly looking at the courses and how could they be better? We're constantly reviewing the courses that maybe aren't POST-related. Obviously, we want the field to have the best tools and training.
 - c. **Baldwin:** One of the big things that we hear is the time or budget it takes to do the training. One of the things that POST works on is take away those excuses. Giving POST plans, giving financial reimbursement to agencies so that they could allow their officers to attend trainings that are beyond the minimum standards and try to focus on areas that are more important or they feel are emerging. Several years ago we used monies to push out reimbursement standards. We pushed out the free guidebook. Over 70,000 copies of those guidebooks were sent to law enforcement officers across the state.

Vice Chair Zuniga: The officers felt there should be more consistency. That's something to keep in mind, how we can ensure that the trainings are more consistent. It may go back to legislation.

Member Braziel: Eventually we'll have to talk about the tremendous amount of mandates. Smaller jurisdictions just don't have staff. Pulling someone offline to give them an extra several hours of training is difficult at times. The larger jurisdictions, LAPD and Sacramento they've got the resources to do it. POST really struggles with, how do we get training out into the rural areas, and how do we get creative with those trainings? They just don't have a lot of law enforcement or other resources that all of you work with, those providers.

Chair Frazier: I appreciate that, and I was always frustrated with the unfunded mandate. So I completely understand the constraints on rural areas.

Chair Frazier: Thanked the panel and asked the Council if they had any other questions. **Chair Frazier** stated the presentation was enlightening and he looked forward to working with POST in the future and betterment of these interactions with law enforcement. Also, **Chair Frazier** noted he could not find a way for the public to contact the commissioners on the POST website. **Chair Frazier** then asked the Council whether they wanted to take the scheduled break or power through to finish the meeting.

Member Brown voiced powering through the rest of the meeting, and **Vice Chair Zuniga** agreed.

12. Chair Frazier moved to Agenda Item #14a.- Discussion & Potential Action Items:

a. Law Enforcement Agency Survey Conducted by DOJ; and

b. Formation of a Law Enforcement Agency Survey Subcommittee.

12b) Agenda Item #14b - Discussion Items: Presentation by DOJ staff, DAG Robin Goldfaden and Research Associate, Dr. Casey O'Donnell with the Research Services Branch of the DOJ, on Potential Law Enforcement Agency Survey followed by Question and Answer with Advisory Council Members.

A video of this presentation will be posted on the [SB 882 Council website](#) and a digital copy of the slides is available under the meeting materials section for this meeting.

12c) Chair Frazier moved to Agenda Item #14c - Action Item: Authority to DOJ to Conduct the Law Enforcement Agency Survey

DAG Goldfaden mentioned the benefit of having 1-2 members on the subcommittee.

Member Braziel suggested that Council members work with POST to identify what data they would benefit from and keep the survey short to help response rates.

Chair Frazier stated that he appreciated Member Braziel's comments and asked for motion on forming a subcommittee.

Vice Chair Zuniga had no questions but thought it would be useful to get the perspective from law enforcement agencies and what they're doing to hear their best practices.

12d) Chair Frazier moved to Agenda Item #14d - Discussion and Action Item: Formation of Subcommittee on the Law Enforcement Agency Survey

MOTION:

Vice Chair Zuniga moved to authorize the DOJ to move forward with conducting and implementing the survey. This motion was seconded by **Member Burt**.

Parliamentarian Johnson called for discussion on the motion and seeing that there was no discussion, restated the motion and called the roll for the vote.

Ayes: Chair Frazier, Vice Chair Zuniga, Member Braziel, Member Brown, Member Burt, Member Libero, Member Petteruto, and Member Phillips

Nays: None

Parliamentarian Johnson stated that there were **8** Council Members present and voting: **8 Ayes, 0 Nays**.

Chair Frazier then stated the motion passed.

MOTION:

Member Zuniga moved to authorize the DOJ to move forward with creating, conducting, and implementing a survey and have the Council establish a subcommittee to facilitate the survey. This motion was seconded by **Member Burt**.

Parliamentarian Johnson called for discussion on the motion of whether subcommittee will be created.

Member Burt:

1. *Why are there only two members requested for the subcommittee? Is it due to quorum issues?*
 - a. **DAG Goldfaden:** If there are over two members are on the subcommittee, a public notice for the subcommittee meetings is needed.
 - b. **Parliamentarian Johnson:** If you have more than two members on a subcommittee, you have created a meeting under the Bagley-Keene Act. If there are two or less members, you are a subcommittee of two, and will not need to give public notice, pursuant to the Bagley-Keene Act for the subcommittee meetings.
 - c. **DAG Goldfaden** Also if the subcommittee is no more than two members, they can report to the Council and give a presentation.
 - d. **Parliamentarian Johnson** clarified, the motion is to form a subcommittee for this item, of not more than 2 Council members.

Parliamentarian Johnson called the roll for the vote:

Ayes: Chair Frazier, Vice Chair Zuniga, Member Braziel, Member Brown, Member Burt, Member Libero, Member Petteruto, and Member Phillips

Nays: None

Parliamentarian Johnson stated that there were **8** Council Members present and voting: **8 Ayes, 0 Nays.**

Chair Frazier then stated the motion passed and a subcommittee of two would be created.

12e) Chair Frazier moved to Agenda Item #14e - Action Item: Choosing Survey Subcommittee Members

Member Libero volunteered to be on the survey subcommittee. **Member Burt** also wanted to join the subcommittee but was willing to allow someone else with law enforcement experience to be on it.

Member Braziel declined a subcommittee position to avoid conflicts of interest since he is also on the POST Commission and noted that the subcommittee can work with POST directly.

SDAG Malouff also mentioned that the DOJ could consult with law enforcement agencies internally if no one with law enforcement experience or **Member Braziel** could not serve on the subcommittee.

MOTION:

Chair Frazier moved that **Members Libero** and **Burt** serve as volunteers for the survey subcommittee. This motion was seconded by **Vice Chair Zuniga.**

Parliamentarian Johnson called for discussion on the motion and seeing that there was no discussion, called the roll for the vote.

Ayes: Chair Frazier, Vice Chair Zuniga, Member Braziel, Member Brown, Member Burt, Member Libero, Member Petteruto, and Member Phillips

Nays: None

Parliamentarian Johnson stated that there were **8** Council Members present and voting: **8 Ayes, 0 Nays.** **Frazier** then stated the motion passed. **Chair Frazier** confirmed that the motion passed and that **Members Libero** and **Burt** are the Law Enforcement Agency Survey subcommittee members that were selected and approved.

13. Agenda Item #15 - Discussion and Action Items: Setting Third Meeting Date and Agenda, or Alternatively, Grant Authority to DOJ to Set Third Meeting Date and/or Set Agenda Subject to Approval by the Chair and the Vice-Chair

MOTION:

Chair Frazier moved to authorize the DOJ to set the next Council meeting with the approval of the chair. This motion was seconded by **Vice Chair Zuniga**.

Parliamentarian Johnson noted that the chair cannot make motions and must ask the Council for a motion moving forward. Then she called for discussion on the motion of giving DOJ authority to set the next meeting date, time, and agenda.

Parliamentarian Johnson called the roll for the vote on the motion.

Ayes: Chair Frazier, Vice Chair Zuniga, Member Braziel, Member Brown, Member Burt, Member Libero, Member Petteruto, and Member Phillips

Nays: None

Parliamentarian Johnson stated that there were **8** Council Members present and voting: **8 Ayes, 0 Nays**. **Frazier** then stated the motion passed.

SDAG Malouff clarified that the item also is about authorizing DOJ to set the agenda for the next meeting. Also, the council could discuss the agenda now and provide additional input via email.

Chair Frazier noted that he wanted Yolanda Cruz to provide a presentation at a future council meeting.

MOTION:

Vice Chair Zuniga moved that the council allow DOJ to set the agenda for the next meeting. This motion was seconded by **Member Burt**.

Parliamentarian Johnson called for discussion on the motion of giving DOJ authority to set the next meeting agenda, date and time.

DAG Kelly Burns requested feedback about organizing the meetings, whether the Council wanted separate meetings for IDD versus MH, having meetings based on geography, or in chronological way based on law enforcement response.

There was no discussion regarding **DAG Burns'** comments.

Parliamentarian Johnson called the roll for the vote to give DOJ authority to set the agenda for the next meeting.

Ayes: Chair Frazier, Vice Chair Zuniga, Member Braziel, Member Brown, Member Burt, Member Libero, Member Petteruto, and Member Phillips

Nays: None

Parliamentarian Johnson stated that there were **8** Council Members present and voting: **8 Ayes, 0 Nays**.

Chair Frazier stated the motion passed.

14. Chair Frazier moved to Agenda Item #16:- Discussion Item: Closing Remarks by Chair

Chair Frazier provided closing remarks. He thanked the staff for setting the agenda. He also noted this Council meeting had 20 public participants. He appreciated that they attended. He also congratulated **Member Braziel** on the new position with UCLA. He also mentioned that the Director of Developmental Services Nancy was retiring. He acknowledged her service and mentioned looking forward to a successor. He also thanked the council, mentioned looking forward to engaging with them. He also mentioned reaching out to POST to review the training modules.

15. Agenda Item #17 - Action Item: Adjournment of Meeting

MOTION:

Vice Chair Zuniga made a motion to adjourn the second meeting of the SB 882 council.

Member Burt seconded the motion. (**Member Phillips** also seconded.)

Chair Frazier called for discussion. There was no discussion and **Parliamentarian Johnson** called the roll for a vote on the motion.

Ayes: Chair Frazier, Vice Chair Zuniga, Member Braziel, Member Brown, Member Burt, Member Libero, Member Petteruto, and Member Phillips.

Nays: None

Chair Frazier announced the vote results, 8 ayes, 0 nays for the meeting to adjourn. The motion passed.

The second meeting of the SB 882 Council adjourned at 2:51 pm PST on the 25th of July, 2024.