

PEACE OFFICER STANDARDS AND TRAINING COMMISSION

September 14, 2021

10:00 AM

**Peace Officer Standards and Training Commission
Remote Participation**

PUBLIC MEETING MINUTES

Documents Distributed in Advance of the Meeting:

- Revised Use of Force Regulations

In Attendance:

- Chair Margaret R. Hinkle
- Commissioner Hanya Bluestone
- Commissioner Lawrence Calderone
- Commissioner Clementina M. Chéry
- Commissioner Marsha V. Kazarosian
- Commissioner Charlene D. Luma
- Commissioner Kimberly P. West
- Commissioner Michael Wynn

1. Call to Order

- The Chair recognized a quorum.

2. Discussion and Vote to Approve Revised Use of Force Regulations Following August 27, 2021 Public Hearing

- Prior to the meeting, the Commissioners were provided with a copy of the revised use of force regulations for their review.
- The Chair asked Commissioners Kazarosian, West, and Wynn to explain the revisions to the regulations following the August 27 public hearing.
- Commissioner Kazarosian summarized the public comments received by the Commission and MPTC and subsequent meetings between the Commission and the MPTC discussing those comments. Commissioner Kazarosian provided that based on those comments and their discussions, the Commission and MPTC drafted proposed responses to those comments warranting a response.
- Commissioner West provided that while the regulations have been revised in response to the comments, she is confident that the spirit of the draft the Commission approved prior to the public hearing remained. The changes suggested by the Commission and MPTC are to improve clarity, and do not alter the substance of the regulations.
- Commissioner Wynn added that the comments rejected were comments “in the weeds” on specific policies and the comments approved were on clarity and formatting.

- The Chair asked the Commission for any questions regarding the revisions.
 - There were no questions.
 - The Chair asked for a motion to approve the revised use of force regulations.
 - Commissioner Luma moved to approve the regulations.
 - Commissioner Chéry seconded the motion.
 - The Commission unanimously voted to approve the revised use of force regulations.
 - The Chair thanked Commissioners Kazarosian, West, and Wynn for their time working on the regulations.
 - Mr. Povich provided an overview of the next steps towards finalizing the regulations, including communicating the Commission’s approval to MPTC, the need for review by A&F, and final submission to the Secretary of State for publication on September 17 and an effective date of October 1.
3. New Business the Chair Did Not Anticipate at the Time of Posting
- Mr. Povich updated the Commission that Anderson & Kreiger LLP has starting drafting regulations as prescribed to statute, such as regulations on preliminary and adjudicatory hearings.
 - Mr. Povich also updated the Commission that Mr. Enrique Zuniga had successfully negotiated a contract for the position of Executive Director and would start in that position on September 20. Mr. Povich explained and he and Ms. Lee would orient Mr. Zuniga to his new position.
 - The Screening Committee provided an update on its hiring process for the position of General Counsel. There were initially 22 applicants, and the Screening Committee has interviewed 7 of those candidates.
 - Commissioner Kazarosian suggested to the Commission that they should delegate to the Chair authority to make the final decision on who should be offered the position of General Counsel, given that she is the only full-time Commissioner, a former judge, and therefore in the best position to understand the needs and requirements of a successful General Counsel.
 - Commissioner Kazarosian made a motion to delegate the authority to the Chair.
 - Commissioner West seconded the motion.
 - Commissioner Luma asked if the Chair would be delegated the authority in lieu of the Commission meeting and interviewing the finalists, and Commissioner Kazarosian confirmed that would be the process.
 - Commissioner Bluestone expressed her respect for the Chair and said she would support the Chair’s ultimate decision, but expressed that she was not in favor of the motion.

- The Commission voted on the motion. Commissioners West, Wynn, Calderone, Kazarosian, Hinkle, and Chéry voted in favor of the motion. Commissioners Luma and Bluestone voted against the motion. The motion carried.
 - The Chair assured the Commission she would keep them apprised as the hiring process continued.
 - There were no questions from the public.
4. Adjournment
- Commissioner Kazarosian moved to adjourn the meeting.
 - The Commission unanimously voted to adjourn.