

POST BOARD MEETING

RECORD OF PROCEEDINGS

September 20, 2013 10:00 am

The Peace Officer Standards and Training Board held its 384th Board meeting at the Hampton Inn & Suites-North, Pueblo, Colorado with the following in attendance:

BOARD MEMBERS

DETECTIVE SCOTT BLACK
CHIEF JOHN CAMPER
OFFICER RAFAEL CHANZA
SHERIFF JAMES FAULL
SHERIFF CHRIS JOHNSON
CHIEF DANIEL OATES
INVESTIGATOR GILBERT PERALES
SPECIAL AGENT IN CHARGE THOMAS RAVENELLE
ATTORNEY GENERAL JOHN SUTHERS
SHERIFF KIRK TAYLOR
SHERIFF DAVID WEAVER
CHIEF DAVE WOHLERS

BOARD MEMBERS ABSENT

MR. RONALD BECKHAM (excused)
CHIEF MARK BECKNER (excused)
CHIEF DAN BRENNAN (excused)
SHERIFF RON BRUCE (excused)
EXECUTIVE DIRECTOR JAMES H. DAVIS (excused)
COMMISSIONER DAVID DONALDSON (excused)
SHERIFF SHAYNE HEAP (excused)
CHIEF ROBERT C. WHITE (excused)

BOARD COUNSEL

JULIE SELSBERG, Senior Assistant Attorney General

STAFF MEMBERS

MATTHEW DURKIN, Deputy Attorney General
PETE DUNBAR, POST Director
CRISTINE MACK, POST Investigator
TOM MULLEN, POST Compliance Officer
STEFANIE MACKAY, POST Grant & Training Coordinator
LORI JENCKS, POST Administrative Assistant

MEMBERS OF THE PUBLIC IN ATTENDANCE

CAPTAIN ERIK J. BOURGERIE, Summit County Sheriff's Office
TECHNICIAN AARON BRILL, Denver Police Department
INVESTIGATOR CHRIS BROOKS, Mesa County Sheriff's Office
SERGEANT MICHAEL CUMMINGS, Arapahoe County Sheriff's Office
CHIEF OF INVESTIGATIONS FRANCINE GONZALES, Colorado DOR, MVIU
SERGEANT JIM HINRICHS, Adams County Sheriff's Office Academy
DIRECTOR DOYLE JONES, Weld County Sheriff's Office
SERGEANT CHRIS JUUL, Aurora Police Department Training Academy
DEPUTY EDWARD KAFEL, El Paso County Sheriff's Office
INVESTIGATOR JAMES KAUTZ, Colorado Department of Revenue, MVIU
DIRECTOR CATHY LABRECQUE, Pikes Peak Community College
JAMES MASON, Mental Health Institute at Pueblo
TECHNICIAN DEVIN MCGINTY, Denver Police Department
SERGEANT DARREN O'DRISCOLL, El Paso County Sheriff's Office
SERGEANT JIM RODGERS, Colorado Springs Police Department
KATHY SASAK, Colorado Department of Public Safety
DETECTIVE KENNY SHERMAN, Adams County Sheriff's Office
COMMANDER KARL SMALLEY, Adams County Sheriff's Office
OFFICER SHANNON SNUGGS, Colorado Springs Police Department
DETECTIVE KAREN TURNBULL, Lakewood Police Department
TECHNICIAN MICHAEL WALKER, Denver Police Department
LIEUTENANT MARK WALTERS, Aurora P.D.
LIEUTENANT ERIC WITTMAN, Aurora Police Department
ACADEMIC COORDINATOR JANICE WORTHEM, Colorado State Patrol

The following Subject Matter Expert Committees met prior to the regular POST Board meeting on September 20, 2013.

Arrest Control Subject Matter Expert Committee
Curriculum Subject Matter Expert Committee
Law Enforcement Driving Subject Matter Expert Committee

Introductions:

1. Welcome

Attorney General John Suthers

General Suthers welcomed all to the Board meeting, hosted by Sheriff Kirk Taylor and the Pueblo County Sheriff's Office. Sheriff Taylor welcomed members and guests. General Suthers introduced new Board counsel Julie Selsberg who is replacing former Board counsel Diane Dash, who resigned from the Department of Law.

2. Pledge of Allegiance

3. Introduction of Board Members, SME Members, Staff and Guests

4. Roll Call

Director Pete Dunbar

Declaration of a Quorum

5. Approval of POST Board Minutes for June 14, 2013

Approved Unanimously

Presentations:

6. Subject Matter Expert (SME) Committee Reports

a. Arrest Control

*Sgt. Richard "JJ" Webb, Co-Chair
Capt. Erik Bourgerie, Co-Chair
Chief Dan Oates, Board Member*

Capt. Bourgerie presented the report. Revisions of the Arrest Control Instructor program were approved by Committee; they will be formatted and submitted to POST before the next ACT SME meeting. The Western Colorado Peace Officers Academy (WCPOA) and Aims Community College site and safety plans were reviewed and approved. Approval for the Durango/Mancos site was tabled at the August 2nd meeting because photos of mats were not provided. Photos have since been provided and site was approved by the Committee via email in August. The lesson plans for the Delta/Montrose Refresher Academy were approved. Craig Klukas, Denver PD, was approved as a full instructor. Frank Kramer of the Delta/Montrose Refresher Academy was approved as an assistant instructor. At the next meeting the Committee will review wording for site approvals and requirements for mats. Condolences to the Bob Koga family on the passing of Mr. Koga, who standardized arrest control systems nationwide.

Chief Oates submitted his resignation as Board Liaison for the Arrest Control Committee. Inv. Gilbert Perales has volunteered as Board Liaison with the agreement of all Board members.

b. Curriculum

*Sgt. Darren O'Driscoll, Chairman
Sgt. Graham Dunne, Vice-Chairman
Sheriff Kirk Taylor, Board Member*

Sgt. O'Driscoll reported. The Committee welcomes new member Sgt. Jimmy Rodgers of Colorado Springs PD. Guest Linda Johnston, Colorado District Attorneys' Council, Ending Violence Against Women Project, proposed ideas for changes to the domestic violence and sexual assault investigation sections of the Basic Academic Training Program curriculum. The ideas were well received, but were tabled along with other curriculum changes until the larger Basic curriculum revision project begins. A proposal was made to include Lone Wolf training in the Basic curriculum. The Committee reviewed the proposal and decided that individual agencies should provide this training if they feel it is necessary. There was another discussion about the Advanced Roadside Impaired Driving Enforcement (ARIDE) program and its place in the Basic curriculum. The Committee feels that though the Basic curriculum should include some drug impairment training, the ARIDE program is too advanced for the Basic academy.

The revision of the Basic Academic Training Program curriculum is beginning and will include the development of standardized lesson plans.

Curriculum changes for Reserve and Refresher Academic Training Programs have been completed and are included in the agenda packet for approval by the Board. After review, the minimum required hours for both programs were increased. The biggest change to the Refresher program was the addition of Arrest Control. The Board was prepared to vote without further review and a motion was made for approval of the Refresher and Reserve Academic Training Program curricula as presented.

Approved Unanimously

General Suthers presented information from a discussion at the September 19th, 2013, POST Board work session regarding the possibility of different levels of reserve officers, to include different levels of training, instructor qualifications and in-service training requirements. There were different levels of reserve officers in the past and it was determined by the Board that the possibility should be revisited. Rural agencies have difficulty finding Arrest Control and Firearms instructors that meet POST instructor requirements and different levels would allow smaller and rural agencies to hire people that would like to act as reserve officers but cannot attend a full reserve academy.

c. *Law Enforcement Driving*

*Cmdr. Karl Smalley, Chairman
Mr. Al Padilla, Vice-Chairman
Chief John Camper, Board Member*

Cmdr. Smalley reported. An inspection of the Denver Police Academy took place on June 27th, 2013. The site video for WCPOA facility was viewed and site and safety plans were approved. The site and safety plans for the Colorado Springs PD and El Paso County SO academies' backup driving site at Fort Carson were approved. Technician Devin McGinty of Denver PD was approved as a full instructor. The test-out process was discussed with POST Compliance Officer Tom Mullen. There is an upcoming inspection at the end of October for the El Paso County academy. The Driving Programs section of the 2014 POST manual has been revised with a new revision date (2007) for the International Association of Directors of Law Enforcement Standards and Training (IADLEST) Manual. The IADLEST Manual was also added to the Curriculum Bibliography. General Suthers thanked Cmdr. Smalley for his presentation on the *Below 100* program given at the POST Board work session on September 19th, 2013.

d. *Firearms*

*Deputy Ed Kafel, Chairman
Training Mgr. John Hood, Vice-Chair
Sheriff Chris Johnson, Board Member*

Deputy Kafel reported. After a presentation by Chief Luis Velez of Pueblo PD at the POST Board work session on September 19, 2013, regarding the 100% firearms qualification requirement, Deputy Kafel drafted a memo to the Board.

Chief Velez expressed concerns that the 100% qualification requirement is too stringent and requiring an individual to attend the full 64-hour Firearms Training Program again if he/she fails the qualification after a third attempt is unrealistic and puts an unfair burden on the agencies hiring the individuals. Deputy Kafel's memo explained the foundation for the 100% qualification requirement. There is an expectation that peace officers are fully accountable for every round they fire. It is the Committee's view that in a course of fire in a controlled environment without the distractions of an actual life-threatening situation, a lesser pass rate would be a contradiction.

In December 2009, the Committee proposed and presented the revision of the Firearms program to the Board. After extensive discussion by the Board members, they voted in support of it. The adoption of the revision, including the 100% qualification standard, required a review of methodology and training techniques. Prior to implementation of the 100% requirement, the qualification requirement was 80% and the failure rate was higher. Currently the average pass rate at academies is approximately 98.5%. The course of fire now is not as difficult, but is still fair. The current course of fire requires a lifelike, man-sized silhouette target, without scoring rings. Most agencies/academies use a TQ-15 type target, but there is not a standard target. Remediation is allowed between the first and second attempts and between the second and third attempts. The amount of remediation is up to the agency/academy. The passing score for the other skills programs is not 100%, but the standards outlined in the POST Manual must be met. The only area that typically requires significant remediation is firearms, and may need to be considered differently.

The Committee is willing to consider alternatives to an individual attending the full 64-hour program if he/she does not successfully complete the firearms qualification, but hopes the 100% standard will remain. The Firearms SME Committee must work closely with the Driving and Arrest Control SME Committees and with Director Dunbar to create a standard for remediation. An individual has three chances to take the written exam, and if he/she fails three times, he/she is required to re-attend the academy. The standard for the firearms qualification was based on that precedent.

The Board asked the Firearms SME Committee to prepare the following presentations and information for the next Board meeting:

- 1) Suggestions for a standard target for the qualification course of fire.
- 2) A remediation alternative to the full 64-hour Firearms Training Program, if the 100% qualification is kept.
- 3) A comparison of Colorado to other states' qualification scores.
- 4) An alternative to the 100% qualification standard.
- 5) A video demonstration of the course of fire.

Action Items:

7. Strategic Plan Adoption

Director Pete Dunbar

At the POST Board work session on September 19th, 2013, Board members and POST staff went through a strategic planning process to determine areas the Board should focus on for the next three years. It began with a list of more than 20 items and goals from group discussion, which was narrowed down to five and prioritized. A summary of the items and goals, along with suggestions and strategies for accomplishing them, were provided to the Board. Director Dunbar requested that the Board provide direction by adopting the strategic plan.

Approved unanimously

8. Sunrise Review

*Sheriff David Weaver
Subcommittee Chair*

General Suthers described the statutory process by which a group seeking peace officer status can present their request to the POST Board. After review, the POST Board then makes a recommendation to the legislature as to whether the group should be approved for peace officer status.

Sheriff Weaver reported that the Sunrise Review Subcommittee conducted its review of the applicants on July 26, 2013, at the Colorado Department of Law. In attendance were Sheriff Chris Johnson, Chief David Wohlers, Chief Mark Beckner, Detective Scott Black, Senior Assistant Attorney General Diane Dash, Director Pete Dunbar, and Sheriff Weaver.

The Department of Revenue (DOR) Criminal Tax Enforcement Section (CTES) Special Agents requested peace officer status as they presently must rely on other agencies for arrests, seizure, case filing, etc. The CTES originally requested that they “may” be POST-certified by statute, but the Subcommittee recommends that they “shall” be POST-certified and that they assume all costs associated with certification. The CTES stated they would meet 40 hours per year continual training and agreed that “shall” be POST-certified will be included in the recommendation to the legislature. The Subcommittee recommended the investigators receive peace officer status.

The POST Board recommended to the legislature that DOR CTES Special Agents be given peace officer status, provided the statute language includes “shall be POST-certified.”

Approved unanimously

The DOR Motor Vehicle Investigations Unit (MVIU) Investigators, as with the Criminal Tax Agents, also rely on other agencies for arrests, warrants, case filing, etc. They are requested peace officer status to be able to handle all elements of the law in performance of their duties. Three of the six investigators are presently POST-certified, and three will become POST-certified.

Chief of Investigations Francine Gonzales and Investigator James Kautz of DOR MVIU made a brief presentation. The Unit has a heavy caseload and having peace officer status would increase efficiency and allow the MVIU to better assist other agencies and focus on fraud and corruption. The Subcommittee recommended the investigators receive peace officer status.

The POST Board recommended to the legislature that DOR MVIU Investigators be given peace officer status, provided the statute language includes “shall be POST-certified.”

Approved unanimously

9. Peace Officer Certification Revocation Actions *Director Pete Dunbar*

POST Rule 9 – Revocation of Peace Officer Certifications – Misdemeanor Convictions:

§24-31-305, C.R.S.(2)(a) A Colorado peace officer certification issued pursuant to subsection (1) or (1.3) of this section or 24-31-308 shall be suspended or revoked by the POST Board if the certificate holder *has been convicted of a felony at any time*, or has been convicted on or after July 1, 2001, of any misdemeanor described in subsection (1.5) of § 24-31-305 C.R.S., or, has otherwise failed to meet the certification requirements established by the Board.

For purposes of this rule, the term ‘conviction’ includes any deferred judgments or deferred sentences imposed by a court or judge.

1. No. 13-05, **Gerald L. Bumgarner**, Certification No. B14430, (PID 133119), On March 6, 2013, Respondent pled Nolo Contendere to 1 count of Attempted Official Misconduct I, § 18-8-404, C.R.S., a class 3 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: January 1, 2012 – Separated: May 12, 2012)*. The Respondent appeared at and gave testimony at the show cause hearing May 15, 2013. (Appeal documentation included in agenda packet) Director Dunbar recommended Mr. Bumgarner attempt to have the charge changed to a non-decertifying charge and explained that Mr. Bumgarner could appeal to the Board. Mr. Bumgarner has not made contact with Director Dunbar since his show cause hearing. Director Dunbar recommends revocation of Gerald L. Bumgarner’s Colorado Peace Officer Certification No. B14430 (PID 133119).

Approved unanimously

2. No. 13-06, **James Michael Gallegos**, Certification No. B11416 (PID 120679). On March 14, 2013, Respondent pled guilty to 1 count of Harassment/Strike-Shove-Kick; § 18-9-111(1)(a), C.R.S., a class 3 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: September 25, 2011 – Separated: July 3, 2012)*. The Respondent has failed to comply with POST Show Cause Order 12-06 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of James Michael Gallegos’ Colorado Peace Officer Certification No. B11416 (PID 120679).

Approved unanimously

3. No. 13-07, **Nicholas Joseph Ward**, Certification No. NONE ISSUED (PID 136111). On October 24, 2012, the Respondent pled guilty to 1 count of Assault 3 – Know/Reckless Cause Injury, § 18-3-204(1)(a), C.R.S., a class 1 misdemeanor. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: September 11, 2012 – Never Employed)*. The Respondent has failed to comply with POST Show Cause Order 13-07 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Nicholas Joseph Ward's Colorado Peace Officer Certification (PID 136111).

Approved unanimously

4. No. 13-08, **Robert Alan Vasko II**, Certification No. B17100 (PID 137793). On May 14, 2013, the Respondent pled guilty to 1 count of Assault 3 – Know/Reckless Cause Injury, § 18-3-204(1)(a), C.R.S., a class 1 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: January 20, 2013 – Separated: February 15, 2013)*. The Respondent has failed to comply with POST Show Cause Order 13-08 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Robert Alan Vasko II's Colorado Peace Officer Certification No. B17100 (PID 137793).

Approved unanimously

5. No. 13-09, **Kelsey Elise Houser**, Certification No. NONE ISSUED (PID 134168). On May 23, 2013, the Respondent pled guilty to 1 count of Assault 3 – Know/Reckless Cause Injury, § 18-3-204(1)(a), C.R.S., a class 1 misdemeanor, and 1 count of Resisting Arrest, §18-8-103 C.R.S., a class 2 misdemeanor. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: July 21, 2012 – Separated: March 18, 2010)*. The Respondent has failed to comply with POST Show Cause Order 13-9 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Kelsey Elise Houser's Colorado Peace Officer Certification (PID 134168).

Approved unanimously

6. No. 13-10, **David Trevino Galvan**, Certification No. B10241 (PID 100294). On August 17, 2012, the Respondent was found guilty of 1 count of Assault 3 – Know/Reckless Cause Injury, § 18-3-204(1)(a), C.R.S., a class 1 misdemeanor. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: September 17, 2012 – Never Employed)*. The Respondent has failed to comply with POST Show Cause Order 13-10 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of David Trevino Galvan's Colorado Peace Officer Certification No. B10241 (PID 100294).

Approved unanimously

7. No. 13-11, **Jeffrey Allan Haifley**, Certification No. B13316 (PID 129845). On April 15, 2013, Respondent was found guilty of 1 count of Harassment –Strike-Shove-Kick, § 18-9-111(1)(a), C.R.S., a class 3 misdemeanor. *The Respondent was not*

employed as a peace officer on the date of the offense (Date of Offense: April 9, 2013 – Separated: November 24, 2008). The Respondent has failed to comply with POST Show Cause Order 13-11 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Jeffrey Allan Haifley’s Colorado Peace Officer Certification No. B13316 (PID 129845).

Approved unanimously

POST Rule 9 – Revocation of Peace Officer Certifications – Felony Convictions:

§24-31-305, C.R.S.(2)(a) A Colorado peace officer certification issued pursuant to subsection (1) or (1.3) of this section or 24-31-308 shall be suspended or revoked by the POST Board if the certificate holder *has been convicted of a felony at any time*, or has been convicted on or after July 1, 2001, of any misdemeanor described in subsection (1.5) of § 24-31-305 C.R.S., or, has otherwise failed to meet the certification requirements established by the Board.

For purposes of this rule, the term ‘conviction’ includes any deferred judgments or deferred sentences imposed by a court or judge.

1. No. 13-01, **Hector Abraham Paez**, Certification No. B13617 (PID 129989). On December 18, 2012, Respondent was found guilty and was convicted of one count of Kidnapping 2 – Victim Sex offense/Robbery, § 18-8-302(1)(3), C.R.S., a class 2 felony; one count Sex Assault –Victim In Custody, § 18-3-402(1)(f), C.R.S., a class 4 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: May 16, 2010 –Separated February 22, 2013).* The Respondent has failed to comply with POST Show Cause Order 13-01 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Hector Abraham Paez’s Colorado Peace Officer Certification No. B13617 (PID 129989).

Approved unanimously

2. No. 13-08, **Eric K. Janusz**, Certification No. B01401 (PID 111696). On August 27, 2012, Respondent was found guilty and was convicted of one count of Sexual Assault/Child/Position of Trust/Vic 15-18, § 18-3-405 (3)(1), C.R.S., a class 4 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: July 7, 2000 –Separated February 18, 2012).* The Respondent has failed to comply with POST Show Cause Order 13-08 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Eric K. Janusz’s Colorado Peace Officer Certification No. B01401 (PID) 111696).

Approved unanimously

3. No. 13-09, **Christian Dale McCracken**, Certification No. B13461 (PID 130368). On February 11, 2013, Respondent pled guilty to 1 count of Stalking – Threat/Following/Surveil; § 18-3-602(1)(a), C.R.S., a class 5 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: March 1, 2012 – Separated August 15, 2012).* The Respondent has failed to comply with POST Show

Cause Order 13-09 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Christian D. McCracken's Colorado Peace Officer Certification No. B13461 (PID 130368).

Approved unanimously

4. No. 13-10, **Darrell Lingle**, Certification No. NONE ISSUED (PID 135119). On April 18, 2013, Respondent pled guilty and was convicted of one count of Sexual Exploitation/Child Poss Material, § 18-6-403 (3)(b.5), C.R.S., a class 6 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: August 10, 2011 –Separated September 12, 2011).* The Respondent has failed to comply with POST Show Cause Order 13-10 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Darrell Lingle's Colorado Peace Officer Certification (PID 135119).

Approved unanimously

5. No. 13-11, **Sydney Rose Huffman**, Certification No. B14828 (PID 133103). On April 29, 2013, Respondent pled guilty to and was convicted of one count of Public Servant-Attempt To Influence, §18-8-306, a class 4 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: April 7, 2010 –Separated May 2, 2013).* The Respondent has failed to comply with POST Show Cause order 13-11 by failing to appear the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Sydney Rose Huffman's Colorado Peace Officer Certification No. B14828, (PID 133103).

Approved unanimously

6. No. 13-12, **Michael Samuel Jimenez**, Certification No. B7776, (PID 113659). On June 14, 2013, Respondent pled guilty to and was convicted of one count of Vehicle Assault - DUI, §18-3-205 (1) (b), a class 4 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: January 9, 2013 –Separated May 2, 2013).* The Respondent has failed to comply with POST Show Cause order 13-12 by failing to appear the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Michael Samuel Jimenez's Colorado Peace Officer Certification No. B7776, (PID 113659).

Approved unanimously

10. Formal Rule Making Hearing

*Attorney General John Suthers
Board Counsel Julie Selsberg
Director Pete Dunbar*

Public Announcement of Formal Rule Making Hearing

Opened at 11:35 a.m.

- A. Summary of Proposed POST Rule Change *Director Pete Dunbar*
 - Colorado Department of Regulatory Affairs Review/Response
 - a. Rule 1 – Definitions

- b. Rule 15 – Certification Examination-Basic, Provisional, Renewal
Rule 1 and Rule 15 changes clarify the passing score for the POST certification exam and the process for determining the passing score. Once set, it will be reviewed every 5 years.
- c. Rule 20 – Vehicle Identification Number Inspector Programs
This change corrects the Form number used for the VIN Inspector certification.

These Rules changes were originally voted on at the last POST Board meeting, June 14, 2013, but the filing date was missed by one day. There are no other changes.

B. Public Comment on Rule Making

No comments from Board or public

C. Board Vote

Unanimously adopted

Session closed at 11:37 a.m.

Informational Items:

11. POST Board Member Reimbursement

Director Pete Dunbar

Board members are reminded that if their agency does not reimburse them for the expenses (lodging, mileage, and meals) incurred by attending POST Board meetings, they are eligible to submit a request for reimbursement to POST. New forms were provided to members who chose to request reimbursement.

12. POST Online Test Update

Director Pete Dunbar

I/O Solutions is the company with whom POST contracted to develop a test and questions and to move the test online. The test developed by I/O Solutions is too difficult and the passing score is approximately 50%. I/O Solutions has been unable to develop a test that is adequate to our needs. Our contract states that POST determines whether the test is adequate and allows us to seek a third party expert's opinion. POST has consulted a third-party expert (Dr. Thomas Haladyna) to assess the test questions.

There have been a number of meetings with SME Committee members to go over test items. The SME group met to help determine the "cut score." POST is working with Dr. Haladyna to get the test developed and online. At present the written exam is still being administered as a paper test throughout the state with a passing score of 70% and the statewide passing rate is approximately 80%.

POST will have a progress report at the December Board meeting.

13. Comments from Others on POST Issues

No comments.

14. Adjournment

Attorney General John Suthers

General Suthers called for a motion to adjourn.

Approved unanimously

Meeting end: 11:45 am (1 Hour 45 Minutes)

Next POST Board Meeting:

**Friday, December 6, 2013
POST Board Meeting – Colorado Dept. of Law
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 1st Floor
Denver CO 80203**