



Department of Law
Ralph L. Carr
Colorado Judicial Center
1300 Broadway, 9th Floor
Denver, CO 80203
(720) 508-6721
Fax: (866) 858-7486
Email: POST@coag.gov

POST Board Meeting

Colorado Department of Law

Friday, June 1, 2018

SME Committee Meetings: 8:00 am – 10:00 am

Peace Officer Standards and Training (POST) Board Meeting:
10:00 am – 12:00 pm

Board Members
Cynthia H. Coffman
Attorney General
Chair
Chief Dan Brennan
City of Wheat Ridge
Assistant Chair
Sr. Investigator Tonya Barnes
Eighteenth Judicial District
Sheriff Ron Bruce
Hinsdale County
Sergeant Lonnie Chavez
City of Grand Junction
Chief Cory Christensen
City of Steamboat Springs
Chief John Collins
City of Englewood
Deputy Amanda Cruz-Giordano
Arapahoe County
Sheriff Chad Day
Yuma County
Chief Debra Funston
City of Palisade
Executive Director Stan Hilkey
Department of Public Safety
Kara Hoofnagle
Public Member
S. Zeke Knox
Public Member
Robert A. Lees
Public Member
Sheriff Michael McIntosh
Adams County
Chief John Minor
City of Silverthorne
Sheriff Steve Nowlin
Montezuma County
Chief Michael Phibbs
Auraria Dept. of Public Safety
Jane Quimby
Public Member
Mayor Ron Rakowsky
City of Greenwood Village
Special Agent in Charge
Calvin Shivers
Federal Bureau of Investigation
Sheriff Anthony Spurlock
Douglas County
Bradley F. Taylor
Public Member
Sheriff Frederick Wegener
Park County

- Welcome** Attorney General Cynthia Coffman
- Pledge of Allegiance**
- Recognition of Departing Board Members** Attorney General Cynthia Coffman
Sheriff Ron Bruce – Hinsdale County Sheriff's Office
Mr. Robert A. Lees – Robert A. Lees and Associates
Sheriff Fred Wegener – Park County Sheriff's Office
- Introduction of New Board Member** Attorney General Cynthia Coffman
Senior Investigator Tonya Barnes
Eighteenth Judicial District
- Recognition of Departing SME Member** Attorney General Cynthia Coffman
Lead Instructor Eric Schuyler
Firearms SME Committee
- Introduction of Board Members, SME Members, Staff and Guests**
- Roll Call** Director Erik Bourgerie

POST Director
Erik Bourgerie

8. **Subject Matter Expert Committee Reports**

- A. Arrest Control Agent Ike Beers, Chair
 - B. Curriculum
(See supplemental handout) Sgt. Graham Dunne, Chair
 - C. Firearms Trng. Mgr. John Hood, Vice-Chair
 - D. Law Enforcement Driving Cmdr. Karl Smalley, Chair
9. **Approval of POST Board Minutes for March 9, 2018**
(See supplemental handout) Attorney General Cynthia Coffman
10. **Curtis Martindale Rule 7 Appeal**
(See supplemental handout) Director Erik Bourgerie
11. **Katrina Baltodono Rule 8 Appeal**
(See supplemental handout) Director Erik Bourgerie
12. **John McDonald Rule 8 Appeal**
(See supplemental handout) Director Erik Bourgerie
13. **Abdisalam Mumin Rule 8 Variance**
(See supplemental handout) Director Erik Bourgerie
14. **Peace Officer Certification Revocation Actions**
(See supplemental handout) Director Erik Bourgerie

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, or has been convicted on or after July 1, 2001, of any misdemeanor described in subsection (1.5) of § 24-31-30 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.

- 1. No. F18-01, Andrew Espinoza, Certification B9191 (PID 112446). On December 8, 2017, Respondent was convicted of eight counts of Wildlife-illegal Sale/Purchase-big Game §33-6-113(1),(2)(a) CRS, a Class 5 Felony. The Respondent was employed as a peace officer on the date of the offense (Date of Offense: November 14, 2014, Costilla County Sheriff’s Office, Date of Separation January 02, 2017). The Respondent has failed to comply with POST Show Cause Order No. F18-01 by failing to appear at the scheduled

Show Cause Hearing on February 23, 2018. Director Bourgerie recommends revocation of Andrew Espinoza's Colorado Peace Officer Certification B9191 (PID 112446).

2. No. F18-02, Michael Taylor, Certification B13025 (PID 129744). On December 12, 2017, Respondent was convicted of one count of Insurance Fraud §18-5-211(1),(4) CRS, a Class 5 Felony. The Respondent was employed as a peace officer on the date of the offense (Date of Offense: June 13, 2010, Basalt Police Department, Date of Separation December 19, 2010 and Silt Police Department, Date of Separation November 21, 2017). The Respondent has failed to comply with POST Show Cause Order No. F18-02 by failing to appear at the scheduled Show Cause Hearing on February 23, 2018. Director Bourgerie recommends revocation of Michael Taylor's Colorado Peace Officer Certification B13025 (PID 129744).
3. No. F18-03, Leonard Portugal, Certification B4665 (PID 127139). On February 28, 2018, Respondent was convicted of one count of Attempt to Influence a Public Servant §18-8-306 CRS, a Class 4 Felony and one count of Embezzlement of Public Property §18-8-407 CRS, a Class 5 Felony. The Respondent was employed as a peace officer on the date of the offense (Date of Offense: January 8, 2015, Mountain View Police Department, Date of Separation April 20, 2017). The Respondent has complied with POST Show Cause Order No. F18-03 by appearing at the scheduled Show Cause Hearing on April 5, 2018. Director Bourgerie recommends revocation of Leonard Portugal's Colorado Peace Officer Certification B4665 (PID 127139).
4. No. F18-04, Daniel Garrison, Certification B130283 (PID 130283). On January 5, 2018, Respondent was convicted of one count of Motor Vehicle Theft §18-4-400 CRS, a Class 6 Felony. The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: January 10, 2017). The Respondent has failed to comply with POST Show Cause Order No. F18-04 by failing to appear at the scheduled Show Cause Hearing on March 9, 2018. Director Bourgerie recommends revocation of Daniel Garrison's Colorado Peace Officer Certification B130283 (PID 130283).
5. No. F18-05, Anthony Joiner, Certification B13505 (PID 130255). On December 18, 2017, Respondent was convicted of one count of Attempt to Influence a Public Servant §18-8-306 CRS, a Class 4 Felony, one count of Embezzlement of Public Property § 18-8-407, a Class 5 Felony, one count of Forgery-check/commercial Instrument § 18-5-102(1)(c), a Class Felony, and one count of Theft \$1,000-\$20,000 § 18-4-401(1),(2)(c), a class 4 Felony. The Respondent was employed as a peace officer on the date of the offense (Date of Offense: January 1, 2016, Morrison Police Department, Date of Separation December 30, 2016). The Respondent has failed to comply with POST Show Cause Order No. F18-05 by failing to appear at the scheduled Show Cause Hearing on April 5, 2018. Director Bourgerie recommends revocation of Anthony Joiner's Colorado Peace Officer Certification B13505 (PID 130255).

6. No. F18-06, Terrie Ann Chevarria (Findley), Certification B01596 (PID 107269). On March 2, 2018, Respondent was convicted of one count of Controlled Substance-dist-sch 3/4 §18-18-405(1)(2)(d)(I), a class 4 Felony. The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: April 28, 2017). The Respondent has failed to comply with POST Show Cause Order NO. F18-06 by failing to appear at the scheduled Show Cause Hearing on April 27, 2018. Director Bourgerie recommends revocation of Terrie Ann Chevarria's Colorado Peace Officer Certification B01596 (PID 107269).

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. Revocation of peace officer certificates based upon conviction(s) of misdemeanor crimes are recognized in § 24-31-305(1.5) (b) thru (h), C.R.S.

1. No. M18-01, Ewall Strickland, Certification B134779 (PID 134779). On December 4, 2017, Respondent was convicted of one count of False Reporting-False Identification §18-8-111(1)(d) CRS, a Class 3 Misdemeanor. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: August 16, 2017). The Respondent has failed to comply with POST Show Cause Order No. M18-01 by failing to appear at the scheduled Show Cause Hearing on February 23, 2018. Director Bourgerie recommends revocation of Ewall Strickland's Colorado Peace Officer Certification B134779 (PID 134779).
2. No. M18-02, Mark Thornton, Certification B6106 (PID 121935). On November 15, 2017, Respondent was convicted of one count of Assault 3-Know/reckless cause injury §18-3-204(1)(a) CRS, a Class 1 Misdemeanor. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: April 5, 2016). The Respondent has failed to comply with POST Show Cause Order No. M18-02 by failing to appear at the scheduled Show Cause Hearing on February 26, 2018. Director Bourgerie recommends revocation of Mark Thornton's Colorado Peace Officer Certification B6106 (PID 121935).
3. No. M18-04, Reuben Liska, Certification B2249-4778 (PID 2249-4778). On November 27, 2017, Respondent was convicted of one count of Official misconduct §18-8-404 CRS, a Class 2 Misdemeanor. The respondent was employed as a peace officer on the date of the offense (Date of Offense: January 20, 2017, Cortez Police Department, Separated February 4, 2017). The Respondent has failed to comply with POST Show Cause Order No. M18-04 by failing to appear at the scheduled Show Cause Hearing on April 5,

2018. Director Bourgerie recommends revocation of Reuben Liska's Colorado Peace Officer Certification B2249-4778 (PID 2249-4778).

4. No. M18-05, Adam Alcon, Certification B13530 (PID 130126). On July 5, 2017, Respondent was convicted of one count of Official misconduct §18-8-404 CRS, a Class 2 Misdemeanor. The respondent was employed as a peace officer on the date of the offense (Date of Offense: January 1, 2017, Montezuma County Sheriff's Office, Separated April 24, 2017). The Respondent has failed to comply with POST Show Cause Order No. M18-05 by failing to appear at the scheduled Show Cause Hearing on April 5, 2018. Director Bourgerie recommends revocation of Adam Alcon's Colorado Peace Officer Certification B13530 (PID 130126).
5. No. M18-06, Michael Thomas Martinez, Certification R2699 (PID 139067). On February 15, 2018, Respondent was convicted of one count of one count of Controlled Substance-unlawful use §18-18-404(1) CRS, a Class 2 Drug Misdemeanor. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: November 1, 2017). The Respondent has failed to comply with POST Show Cause Order No. M18-06 by failing to appear at the scheduled Show Cause Hearing on April 5, 2018. Director Bourgerie recommends revocation of Michael Thomas Martinez's Colorado Peace Officer Certification R2699 (PID 139067).
6. No. M18-07, Branden Michael Burbank, Certification B17713 (PID 138681). On March 6, 2018, Respondent was convicted of one count of one count of Harassment-strike/shove/kick §18-9-111(1)(a) CRS, a Class 3 Misdemeanor. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: September 10, 2017). The Respondent has failed to comply with POST Show Cause Order No. M18-07 by failing to appear at the scheduled Show Cause Hearing on April 17, 2018. Director Bourgerie recommends revocation of Branden Michael Burbank's Colorado Peace Officer Certification B17713 (PID 138681).
7. No. M18-08, Arthur Ortega, Certification B14540 (PID 133292). On July 12, 2017, Respondent was convicted of one count of one count of Harassment-strike/shove/kick §18-9-111(1)(a) CRS, a Class 3 Misdemeanor. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: April 6, 2017). The Respondent has failed to comply with POST Show Cause Order No. M18-08 by failing to appear at the scheduled Show Cause Hearing on April 27, 2018. Director Bourgerie recommends revocation of Arthur Ortega's Colorado Peace Officer Certification B14540 (PID 133292).
8. No. M18-09, Orlando Chavez Rubio, Certification B0105-8251 (PID 0105-8251). On March 12, 2018, Respondent was convicted of one count of one count of Assault 3-Know/reckless cause injury §18-3-204(1)(a) CRS, a Class 1 Misdemeanor. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: August 20, 2017). The Respondent has

failed to comply with POST Show Cause Order No. M18-09 by failing to appear at the scheduled Show Cause Hearing on April 27, 2018. Director Bourgerie recommends revocation of Orland Chavez Rubio's Colorado Peace Officer Certification B0105-8251 (PID 0105-8251).

15. **Grant Awards** Kim Hernandez
POST Grant Coordinator
16. **HB 18-1198 – Establishment of Best Practices for State Boards and Commissions** Director Erik Bourgerie
17. **Comments from Others on POST Issues**
18. **Adjournment** Attorney General Cynthia Coffman

Next POST Board Meeting

September 14, 2018

Work Session
September 13, 2018

Ralph L. Carr Colorado Judicial Center
1300 Broadway
Denver CO

SME Meetings – 8:00 am
POST Board Meeting – 10:00 am