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POST Board Meeting

Colorado Department of Law

Friday, December 6, 2013

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

**Peace Officer Standards and Training (POST) Board Meeting:
 10:00 a.m.**

Introductions:

- | | | |
|----|--|--------------------------------------|
| 1. | Welcome | Chief Mark Beckner,
Chair pro tem |
| 2. | Pledge of Allegiance | Chief Mark Beckner,
Chair pro tem |
| 3. | Introduction of Board Members, SME Members, Staff and Guests | |
| 4. | Formal Board Recognition of Departing Subject Matter Expert Committee Members | Chief Mark Beckner,
Chair pro tem |
| 5. | Roll Call | Director Pete Dunbar |
| | Declaration of a Quorum (11) | |
| 6. | Approval of POST Minutes from September 20, 2013 (See supplemental handout) | |

Presentations:

7. Subject Matter Expert (SME) Committee Reports:

A. Curriculum

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

B. Arrest Control

Sgt. Richard Webb, Co-Chairperson
Capt. Erik Bourgerie, Co-Chairperson
Inv. Gilbert Perales, Board Member

C. Firearms

Dep. Ed Kafel, Chairperson
Trg. Mgr. John Hood, Vice-Chairperson
Sheriff Chris Johnson, Board Member

D. Law Enforcement Driving

Cmdr. Karl Smalley, Chairperson
Al Padilla, Vice-Chairperson
Chief John Camper, Board Member

Action Items:

8. Firearms Remediation

(See supplemental handout)

Dep. Ed Kafel
Firearms SME Chair

9. 2014 Proposed Statutory Changes

(See supplemental handout)

Director Pete Dunbar

10. Update on Below 100

(See supplemental handout)

Director Pete Dunbar
Michael Papi, Knowledge Factor

11. Peace Officer Certification Revocation Actions

(See supplemental handout)

Chief Mark Beckner,
Chair pro tem
Director Pete Dunbar
Board Counsel Julie Selsberg

A. 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, 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. 13-12, **Matthew Russell Keefe**, Certification No. B00337, (PID 106492). On September 14, 1995, Respondent pled guilty to one count of Assault 3 know/reckless/cause injury, § 18-3-204, 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: July 15, 1997 –Never Employed)*. 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 Matthew Russell Keefe’s Colorado Peace Officer Certification No. B00337, (PID 106492).
- 2) No 13-13, **Michael Eugene Pyle**, Certification No. B15567 (PID 134648). On July 22, 2013, Respondent pled guilty to two counts 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: February 27, 2013 – Separated: May 23, 2013)*. The Respondent has failed to comply with POST Show Cause Order 13-13 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Michael Eugene Pyle’s Colorado peace officer Certification, Number B15567 (PID 134648).

B. 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. F13-13, **Kevin David Osborne**, Certification No. B7151 (PID 114092). On August 6, 2013, Respondent pled guilty to and was convicted of one count of Theft, 1000-20,000, § 18-4-401 (1)(2)(C), C.R.S., a class 4 felony. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: March 20, 2013 –Separated June 24, 2009)*. The Respondent has failed to comply with POST Show Cause Order 13-13 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of **Kevin David Osborne**, Colorado Peace Officer Certification No. B7151 (PID 114092).

12. Formal Rule Making Hearing
(See supplemental handout)

Chief Mark Beckner,
Chair pro tem
Board Counsel Julie Selsberg
Director Pete Dunbar

Public Announcement of Formal Rule Making Hearing

- A. Summary of Proposed POST Rule Change
Colorado Department of Regulatory Affairs Review/Response
a. Rule 1 – Definitions
b. Rule 11 – Provisional Certification
c. Rule 13 – Renewal of Basic Certification
d. Rule 27 – Retired Law Enforcement Officer Authority to Carry Concealed Firearms

Director Pete Dunbar

B. Public Comment on Rule Making

C. Board Vote

13. **2014 POST Board Meeting Dates and Offsite Meeting Date Change**

Director Pete Dunbar

Tentative dates: Friday, March 7, 2014

Thursday and Friday, June 12 & 13, 2014 Offsite–Lake City, Hinsdale County

Friday, September 12, 2014

Friday, December 5, 2014

Informational Items:

14. **POST Online Test Update**

Director Pete Dunbar

15. **Strategic Plan Update**

Director Pete Dunbar

16. **School Resource Officer and Elder Abuse Curricula**

Director Pete Dunbar

17. **Comments from others on POST Issues**

18. **Adjournment**

Chief Mark Beckner,
Chair pro tem

Next POST Board Meeting

March 2014 (TBD)

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