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 Attorney General

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Public Member

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City of Wheat Ridge

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Hinsdale County

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Becky Calomino
Grant & Training Manager

Cristine S. Mack
POST Investigator

Tom Mullen
Compliance Officer

Stefanie Mackey
Grant & Training Coordinator

Lori Jencks
Administrative Assistant

POST Board Meeting

Colorado Department of Law

Friday, June 13, 2014

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

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

Introductions:

1. **Welcome** Attorney General John Suthers
2. **Pledge of Allegiance** Attorney General John Suthers
3. **Introduction of Board Members, SME Members, Staff and Guests**
4. **Welcome New Board Members**
 Chief John Collins, Englewood Police Department
 Deputy Amanda Cruz-Giordano, Arapahoe County Sheriff's Office
 Chief John Dyer, Rifle Police Department
 Chief Michael Phibbs, Elizabeth Police Department
5. **Roll Call** Director Pete Dunbar

 Declaration of a Quorum (11)
6. **Approval of POST Minutes from March 7, 2014**
 (See supplemental handout)

Presentations:

7. **Subject Matter Expert (SME) Committee Reports:**
 - A. **Curriculum** Sgt. Graham Dunne, Chairperson
 Dir. Cathy LaBrecque, Vice-Chair
 Sheriff Kirk Taylor, Board Member

- B. **Arrest Control** Capt. Erik Bourgerie, Chairperson
Inv. John Tucker, Vice-Chair
Inv. Gilbert Perales, Board Member

- C. **Firearms** Dep. Ed Kafel, Chairperson
Trng. Mgr. John Hood, Vice-Chair
Vacant, Board Member

- D. **Law Enforcement Driving** Cmdr. Karl Smalley, Chairperson
Al Padilla, Vice-Chair
Chief John Camper, Board Member

Action Items:

- 8. **Approval of Fiscal Year 2015 POST Grant Awards** Becky Calomino
(See supplemental handout) POST Grant Manager

- 9. **Approval of Fiscal Year 2015 Grant Guidelines** Becky Calomino
(See supplemental handout) POST Grant Manager

- 10. **Appointment of Board Vice Chairperson** Director Pete Dunbar

- 11. **Appointment of Firearms SME Committee Board Representative** Director Pete Dunbar

- 12. **Schedule POST Board Work Session** Director Pete Dunbar

- 13. **Peace Officer Certification Revocation Actions** Director Pete Dunbar
(See supplemental handout)

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 § 24-31-30 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. 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. 13-14, **Robert Frank Bankenstein**, Certification No. B183, (PID 117203), On September 26, 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 not employed as a peace officer on the date of the offense (Date of Offense: May 25, 2013, – Separated: May 25, 1990).* The Respondent has failed to comply with POST Show

Cause Order 13-14 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Robert Frank Bankenstein's Colorado Peace Officer Certification No. B183, (PID 117203).

- 2) No 13-15, **Al K. Joyce**, Certification No. B3682 (PID 121685). On November 12, 2013, Respondent pled guilty to 1 count of Obstructing a Peace Officer; § 18-8-104(1)(a), 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: October 14, 2013 – Separated: February 24, 2012).* The Respondent has failed to comply with POST Show Cause Order 13-15 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Al K. Joyce's Colorado Peace Officer Certification No. B3682 (PID 121685).
- 3) No 14-01, **William Robert Metzler**, Certification No. B17080 (PID 137794). On January 16, 2014, Respondent was convicted of 2 counts of Sexual Contact – No Consent; § 18-3-404(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: April 8, 2013 – Separated: June 15, 2013).* The Respondent has failed to comply with POST Show Cause Order 14-1 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of William Robert Metzler's Peace Officer Certification No. B17080 (PID137794).
- 4) No. 14-02, **Eric Alan Seymore**, Certification No. B10695 (PID 118507). On September 19, 2013, The Respondent pled guilty to 1 count of Harassment-repeat Telephone Calls § 18-9-111(f), 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: August 11, 2013 – Separated: July 25, 2013).* The Respondent has failed to comply with POST Show Cause Order 14-2 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Eric Alan Seymore's Peace Officer Certification No. B10695 (PID 118507).

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. 14-1, **John Jose Romero**, Certification Number 10873 (PID 123786). On July 1, 2013, Respondent pled guilty to and was convicted of one count of Burglary 3, §18-4.204(1) C.R.S., a class 5 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: July 7, 2011, Separated February 2, 2012).* The Respondent has failed to comply with POST Show Cause Order 14-1 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends

revocation of John Jose Romero's Colorado Peace Officer Certification No. 10873 (PID 123786).

- 2) No 14-2 **Robert Michael French**, Certification Number B2984 (PID 117092). On January 17, 2014, Respondent pled guilty to 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 January 22, 2013, Separated February 11, 2013).* The Respondent has failed to comply with POST Show Cause Order 14-2 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Robert Michael French's Colorado Peace Officer Certification No. B2984 (PID 117092).
- 3) No 14-4, **Wendy Hansen**, Certification Number B4402 (PID 115471). On March 30, 2012, Respondent pled guilty to and was convicted of one count of Felony Menacing-real/simulated Weapon 3, § 18-3-206(1)(a)/(b) C.R.S., a class 5 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense August 22, 2011, Separated December 2, 2011).* The Respondent has failed to comply with POST Show Cause Order 14-4 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Wendy Hansen's Colorado Peace Officer Certification No. B4402 (PID 115471).
- 4) No 14-5, **David Lee Russell**, Certification Number B00493 (PID 114251). On July 1, 2013, Respondent pled guilty to and was convicted of three counts of Contributing to the Delinquency of a Minor, §18-6-701 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 November 3, 2012, Separated January 31, 2003).* The Respondent has failed to comply with POST Show Cause Order 14-5 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of David Lee Russell's Colorado Peace Officer Certification No. B00493 (PID 114251).
- 5) No 14-6, **Roger Alan Pacheco**, Certification Number B10145 (PID 100259). On January 8, 2013, Respondent pled guilty to one count of Stalking-Emotional Distress, § 18-3-602 (1)(c) C.R.S., a class 5 felony. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense July 23, 2012, Never hired).* The Respondent has failed to comply with POST Show Cause Order 14-5 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Roger Alan Pacheco's Colorado Peace Officer Certification No. B10145 (PID 100259)

Informational Items:

14. **Mandated Training Update**

Director Pete Dunbar

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

16. **Adjournment**

Attorney General John Suthers

Next POST Board Meeting

September 12, 2014

Ralph L. Carr Colorado Judicial Center
1300 Broadway
Denver CO

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