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**Board Members**

**Philip J. Weiser**  
Attorney General  
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**Sheriff Anthony Spurlock**  
*Douglas County*  
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**Kara Hoofnagle**  
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*Alamosa County*

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**Sheriff Shawn Mobley**  
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**Sheriff Steve Nowlin**  
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**Special Agent in Charge Michael Schneider**  
*Federal Bureau of Investigation*

**Sheriff Justin Smith**  
*Larimer County*

**Bradley F. Taylor**  
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**POST Director**  
Erik J. Bourgerie

# POST Board Meeting

*Via Zoom*

<https://zoom.us/j/98714067223>

**Meeting ID: 987 1406 7223**

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**Friday, September 18, 2020**

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

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

- Welcome** Attorney General Phil Weiser
- Pledge of Allegiance** Attorney General Phil Weiser
- Recognition of Departing POST Board Members** Attorney General Phil Weiser  
Daric Harvey, Canon City Police Department
- Recognition of Departing SME Committee Member** Attorney General Phil Weiser  
Jarrod Hardy – Arrest Control Tactics SME Committee
- Introduction of Board Members, SME Members, Staff and Guests**
- Roll Call** Director Erik Bourgerie

7. **Approval of POST Board Minutes from May 29, 2020** Attorney General Phil Weiser
  
8. **Subject Matter Expert Committee Reports**
  - A. Arrest Control Agent Ike Beers  
Chair
    - Proposed Curriculum Change
      - o SB20-217
  
  - B. Curriculum Janet Larson  
Chair
    - Board Member Vacancy
  
  - C. Driving Commander Karl Smalley  
Chair
  
  - D. Firearms Commander Paul Gregory  
Chair
    - Proposed Curriculum Change
      - o SB20-217
  
9. **Request for Variance Appeal Michael Steger** Director Erik Bourgerie  
(See supplemental handout)
  
10. **Request for Variance Appeal Luke Northrup** Director Erik Bourgerie
  
11. **Peace Officer Certification Revocation Actions** Director Erik Bourgerie  
(See supplemental handout)

**POST Rule 9 - Revocation of Peace Officer Certifications:** § 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. F20-02, James Michael Daugherty, Certification (PID 1701-5654). On April 30, 2020, Respondent was granted a deferred judgement after pleading guilty to one count of §18-3-203(1)(g), Second Degree Assault – Cause Serious Bodily Injury, a Felony, and one count of §18-3-204(1)(a) Third Degree Assault, a Misdemeanor, in Case No. 19CR188 in Summit County District Court. The respondent was employed as a peace officer on the date of the offense (Date of Offense: July 13, 2019) with Adams County Sheriff’s Office (Date of Separation: May 21, 2020). The respondent **has** complied with POST Show Cause Order No. F20-02 by appearing at the scheduled Show Cause Hearing on June 16, 2020. POST Director Erik J. Bourgerie recommends revocation of James Michael Daugherty’s Colorado Peace Officer Certification (PID 1701-5654).
2. No. M20-01, Richard Allen Herman, Certification B7201 (PID 113577). On March 9, 2020, Respondent plead guilty to one count of §18-9-111(1)(c) Harassment-follow person in public place, a Misdemeanor, and one count of §18-9-111(1)(h) Harassment-insults/taunts/challenges, a Misdemeanor, in Case No. 19CR311 in the District Court of Montrose County. The respondent was employed as a peace officer on the date of the offense (Date of Offense: March 28, 2018) with Ouray County Sheriff’s Office (Date of Separation: July 1, 2019). The respondent **has** complied with POST Show Cause Order No. M20-01 by appearing at the scheduled Show Cause Hearing on June 01, 2020. POST Director Erik J. Bourgerie recommends revocation of Richard Allen Herman’s Colorado Peace Officer Certification B7201 (PID 113577).

*The certificate holder in the following matter did **not** appear at the show cause hearing or indicate any intent to oppose the revocation.*

**Misdemeanor Convictions:**

1. No. M20-03, Anna Whitney McCain, Certification (PID 1961-7374). On June 9, 2020, Respondent pled guilty to one count of §18-3-404 (1)(a) Unlawful Sexual Contact, a Misdemeanor, in Case No. 19CR465 in the County Court of Douglas County. The respondent was employed as a peace officer on the date of the offense (Date of Offense: March 21, 2019) with Englewood Police Department (Date of Separation: May 14, 2019). The respondent has failed to comply with POST Show Cause Order No. M20-03 by failing to appear at the scheduled Show Cause Hearing on August 4, 2020. POST Director Erik J. Bourgerie recommends revocation of Anna Whitney McCain’s Colorado Peace Officer Certification (PID 1961-7374).

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|-----|--|------------------------------|
| 13. | <b>Grant Guidelines Modification</b>       | Grant Manager Kim Hernandez  |
| 14. | <b>Academy SFST Instruction</b>            | Director Erik Bourgerie      |
| 15. | <b>Number of Academies</b>                 | Director Erik Bourgerie      |
| 16. | <b>Rule 28 and COVID-19</b>                | Director Erik Bourgerie      |
| 17. | <b>Rule Making</b>                         | Director Erik Bourgerie      |
| 18. | <b>Legislative Update</b>                  | Director Erik Bourgerie      |
| 19. | <b>Comments from Others on POST Issues</b> |                              |
| 20. | <b>Executive Session (If Necessary)</b>    | Director Erik Bourgerie      |
| 21. | <b>Adjournment</b>                         | Attorney General Phil Weiser |

**Next POST Board Meeting**

**December 11, 2020**

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