



DECEMBER 2020 | VOL 1 ISSUE 2

# THE POST DISPATCH

THE LATEST NEWS AND UPDATES FROM  
COLORADO POST

LETTER FROM THE DIRECTOR

## New Year, New Records Management System

I am not sure if I have ever looked forward to seeing a year in the rearview mirror as much as this one. 2020 has seemingly challenged us all. And just when we thought there couldn't be any more mountains of difficulty to climb, it decided to prove us wrong. It was almost like a whole chorus of folks said the "Q...t" word in unison, and then kept repeating it. Over and over, and over again. The good thing about 2021 is that it is most likely destined to be better than 2020, right?

One improvement we are anticipating is the roll out of POST's new records management system (RMS). Per state finance rules, we are required to send contracts out for rebid every five years. This time, we wanted to see if there was something on the market that would not only create efficiencies within POST, but also make it easier on our partner law enforcement agencies. With fewer than 50 POST-type agencies in the U.S., and only a couple of similar organizations internationally, there are not many companies which offer products for us to use.

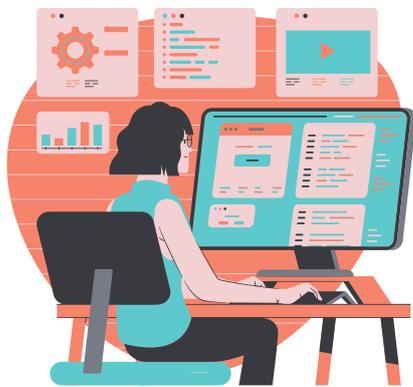
At the end of our process, we decided that the best route for the state was to change vendors to Benchmark Analytics. With this change, POST will be able to eliminate a lot



of functions that required physical data input: certification expiration dates for 17,000 plus active certifications, assigning "Rule 28 certifications," and in other cases to also eliminate paper forms. Unlike our current system, Benchmark Analytics is capable of automizing these tasks. Our partner agencies (you) will no longer have to access the system through a separate portal. Access will now be given into the main RMS, with role-based permissions that ensure each user has the appropriate view and edit permissions based on their role in the agency.

One of my biggest frustrations was that the information an agency entered into POST's

portal was extremely difficult to get back out. Once someone was separated from that agency, the agency lost all ability to access this still relevant information. In addition, agencies couldn't see any information from before the peace officer was hired. In Benchmark, designated Hiring Managers (or "Super Agency Admins") will be able to view an applicant peace officer's employment (or appointment) history, along with the manner of separation from previous agencies in order to help them comply with the background requirements of §24-33.5-115, CRS. Employing agencies will also be able to see the entire training history of their peace officers from the beginning of their career to the separation date with that agency (or at least the information that has been provided to POST).



We are working on making it easier to submit information to POST. Moving forward, critical information for tracking can be entered directly into Benchmark. As an alternative, we wrote into our contract with Benchmark that agencies could opt in to have a connection created between their RMS system and POST's for \$5,000 annually, with a small annual percentage increase. While we know this amount is going to have

different impacts on agencies depending on their size, we tried to negotiate the best deal we could get. What if this connection breaks due to an upgrade in Benchmark or the agency's RMS? Benchmark will fix the issue by updating the connection as part of the annual subscription cost. I will note that no one is required to participate in this program, but we felt it was extremely important that our software solution offers a reasonable alternative to agencies having to double enter their training information. Lastly, the forms that currently have to be downloaded from our website, filled out, then emailed back to POST will now be completed and submitted directly in Benchmark. These forms will automatically attach to the agency's or peace officer's file within the system. Those forms that require numerous document submissions will be uploaded through one electronic Benchmark form that will walk you through the process seamlessly. We anticipate that this feature will be especially helpful to our academies. This workflow process will help both, the person submitting the form and POST staff, to ensure accuracy and completeness of submissions. These are just a small sampling of the improvements we anticipate our partner agencies will experience as we launch the new system in January 2021.

While we fully expect this change to be extremely positive for all of us in the long term, the transition over the next six to eight weeks is going to be rough. Our current contract ends on December 31. The vendor is going to perform a "data dump" at

at the end of contract, which Benchmark will then need to upload and check for data integrity, along with working on some needed deliverables. Agencies will not have access into the Benchmark system until January 18, with the exception of 10 stakeholder agencies from across the state who will be participating in a weeklong pilot project prior to “go live.” Even after that, Benchmark will be working on increasing functionality. While this should have minimal impacts on our partner agencies, we will be asking for some patience as there will be a short-term increase in workload on POST staff.

Overall, POST is excited about this transition and we are hoping that it will be a helpful change for both POST and our partner agencies. As always, please feel free to reach out to us at POST if you have any questions, concerns, or comments.

*ATTORNEY GENERAL PHIL WEISER'S REMARKS*

## **The Work Ahead**

I am delighted to welcome a group of new POST Board members, City of Colorado Springs Councilperson Wayne Williams as the local government representative, Chiefs Greg Daly with Avon PD, Clint Nichols with Commerce City PD and George Dingfelder with Monte Vista PD as Chief of Police Representatives, and Deputy Shannon Lofland with the Arapahoe County SO as an Active Peace Officer Rank of Sergeant and Below representative, who all joined us for our December Board meeting. I also appreciate Chief Mike Phibbs with the

Auraria Campus PD, Chief John Collins with Englewood PD, Chief Daric Harvey with Canon City PD, and Deputy Amanda Cruz-Giordano with the Arapahoe County SO, who rotated off the Board. As we welcomed the new Board members to POST, we discussed our top priorities for this fiscal year. Let me use this letter to share our priorities and the work ahead.

First off, we are committed to building confidence in law enforcement. This is a central goal of POST, informing our work in recruiting, certifying, and overseeing members of the law enforcement profession. On the recruitment and academy training front, we are working on a few critical initiatives this year. First off, we have rolled out a scholarship program to support small and rural communities' ability to sponsor new cadets to attend a law enforcement training academy.

Moreover, we are going to work on identifying the core competencies for law enforcement professionals, developing a “job task analysis,” or JTA. This JTA will start from first principles, consulting with law enforcement professionals, academy leaders, and community members to identify what training topics our academies should focus on. The next step for our work, in the years ahead, will be to take these topics and work with partners to develop training modules that can re-imagine academy training. We look forward to being one of the national leaders in this area. On the topic of building confidence in law enforcement, we recognize the amount of work required of POST as part of Senate Bill

217 and allied efforts to ensure that peace officers enjoy the trust and respect of their communities. Under SB 217, for example, we will need to develop two sets of databases—one of officers who were decertified and another of officers fired for cause.

The first database will include officers decertified for criminal activity as well as for untruthfulness. The second database will seek to address the concern that hiring authorities will inadvertently hire someone who was fired for cause at a prior agency. The concern about bad apples staying in law enforcement is also why we are committed to effective oversight over those applying to join this critical profession — if someone applies to become POST certified and lies about a prior criminal history, POST now has authority to investigate and take action to address such misconduct.

At the federal level, we are seeing efforts to encourage confidence in law enforcement through a new certification program that we are being asked to administer. We agreed to do so, allowing agencies to be certified as easily as possible and be eligible for federal grants (including COPS funding). (On another front, we also are in litigation against illegal conditions being imposed on such grants, seeking to commandeer state and local resources in violation of the Tenth Amendment.) In substance, the certification requirements overlap with existing legal requirements and include a number of best practices, including implementing appropriate training and guidance on using de-escalation tactics.

At this moment, where law enforcement officials are being asked to do more than ever we need to find ways to celebrate the profession and recruit qualified individuals to join in this work. As noted above, we are now hosting a grant program at host to support scholarships for small and rural agencies. More than that effort, we are also developing a “My Why” project, spreading the word about why members of law enforcement have joined in this crucial work.



**If you are interested in sharing resources, or being a part of this effort, please contact POST**  
**Administrative Coordinator**  
**Victoria Edstedt at [victoria.edstedt@coag.gov](mailto:victoria.edstedt@coag.gov)**  
**or POST Director Erik “Bo” Bourgerie at [erik.bourgerie@coag.gov](mailto:erik.bourgerie@coag.gov).**

#### UPDATES

## Public Service Loan Forgiveness

Government employment, including law enforcement, qualifies for federal Public Service Loan Forgiveness (PSLF). As long as all requirements are met, PSLF can provide forgiveness of public service employees’ federal Direct Loans. If you are interested in applying, please review [this document](#) for more details, also available [in Spanish](#).

The U.S. Department of Education has just released a new PSLF form. You can use it to:

- Certify your employment annually.
- Find out whether your employer qualifies or not.
- Verify how many qualifying payments you have made.
- Apply for PSLF after you make 120 qualifying monthly payments.
- Request Temporary Expanded PSLF if you are ineligible for PSLF only because some or all of your payments were not made on a qualifying repayment plan for PSLF.



You can fill out this form in two ways:

1. Use the [PSLF Help Tool](#) to assist you in starting the PSLF form. Once you enter your information, you'll be able to print the partially completed form for you and your employer to sign.
2. Download the [PSLF form](#) and complete all sections on your own before submitting it.

NOTE: the Department of Education recently updated its [definition of a qualifying payment](#).

The payment counts as a qualified payment when it was made in full and no later than 15 days after the payment due date. This change allows borrowers to make

prepayments or lump-sum payments and have those payments potentially count as qualifying payments (given employment certification is on file and all other eligibility conditions are met) under the PSLF Program for up to 12 months or until the next time their income-driven repayment plan is due for certification, whichever comes first. If you are having trouble with your student loan servicer, you can submit a complaint to the Attorney General's office [HERE](#).

#### COMPLIANCE

## Managing Operations During the Pandemic

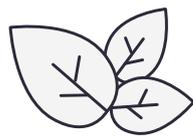
Since the Fall academies began, Compliance has been busy providing technical assistance regarding COVID-19 issues and working with various academies on remediation plans and compliance orders. Many academies have experienced positive COVID-19 results to differing degrees and some have struggled with ensuring effective policies are in place to contain the virus. POST continues to monitor the situation and assist whenever possible.

Skills inspections were suspended through the majority of 2020 due to the pandemic, but will be resumed after the first of the year when it is safer to get back into the academies. The Curriculum Subject Matter Expert (SME) Committee is continuing its review of a multitude of lesson plans for new academies and academies requiring assistance to come into compliance with POST Rule.

The "untruthfulness" de-certification process

began with the hiring of the Compliance Investigator, Steve Eckelberry, in the summer of 2020. Currently all notifications received by POST have been processed and are either being referred for revocation to the Board or are being investigated/reviewed. De-certification pursuant to SB20-217, see § 24-31-305(2.5), will begin after new POST Rules go into effect on January 31, 2021.

Compliance has experienced short staffing since April and the rest of the POST staff has generously pitched in to assist in covering essential duties. Compliance is currently hiring two new team members for vacant positions.



#### TRAINING

## Peace Officer Wellness Is Our Priority

Peace officer wellness is often a topic that goes unspoken. This year has been especially tough on our community, so the Attorney General, POST Board, and POST staff have identified peace officer mental health as a top priority. We've been working diligently on numerous projects, including peace officer wellness training, agency resource support, and academy curriculum changes.

POST staff has promoted and expanded our resources to assist peace officers and their agencies. We collaborated with Subject Matter Experts statewide to develop two incredible online courses accessible to all Colorado peace officers: "Preparing for Traumatic Experiences" and "Critical

Incident Support for Peace Officers." They offer two distinct and comprehensive courses that are in-depth, yet to the point with information.

The POST Board has granted the creation of a Mental Health Sub-Committee designated to improve the Academy Training Program's curriculum. This effort has been long overdue and is being supported throughout the academies. The committee, comprised of Academy Directors, mental health professionals, and Agency Wellness Coordinators, has had many in-person and online meetings to develop and create a standardized mental health program that best fits today's peace officers' needs. The Sub-Committee has worked thoroughly on a course of action and continues to meet its goals to develop future training that will benefit peace officer mental health and wellness.

POST continues to provide outreach and serve as a resource guide for agencies to expand their support to Law Enforcement. POST is excited to be involved with an International Association of Directors of Law Enforcement Standards and Training (IADLEST) working group on peace officers safety and wellness, which we hope brings international collaboration. POST staff routinely attends training on mental health and resiliency, and emails announcements on peace officer wellness seminars and training available to Colorado peace officers. POST will continue to work closely with state and national foundations and agencies that can assist in our goals of improving the health and well-being of our peace officers.

## Southwest Training Region Site Visit

In October POST Grant Coordinator, Kishawn Leuthauser, traveled to Durango for a Southwest Training Region monitoring visit of the regional grant program. While there, she performed grant equipment inspections at Durango PD, La Plata County Sheriff's Office, Mancos Marshal's Office and Montezuma County Sheriff's Office.



*KISHAWN WITH SGT. BOBBIE FENDER OF LA PLATA CSO IN THEIR NEWLY RENOVATED BUILDING AND TRAINING ROOM. THE ROOM'S A/V TECHNOLOGY WAS INSTALLED IN JUNE AND WAS FUNDED IN PART THROUGH A POST CAPITAL EXPENDITURE GRANT.*



*KISHAWN WITH MEMBERS OF THE MONTEZUMA COUNTY SHERIFF'S OFFICE AT THEIR NEARBY FIRING RANGE. UPGRADES TO THE RANGE SUCH AS THE CONCRETE PATHS WERE ALSO MADE AVAILABLE THROUGH LAST YEAR'S CAPITAL EXPENDITURE GRANT PROGRAM.*

## Rural and Small Academy Scholarship Grant Program

The Colorado POST Board has set aside \$100,000 for the 2020-2021 fiscal year to be awarded for the new Rural and Small Academy Scholarship Grant Program.

This program was developed in accordance with House Bill 20-1229 to provide scholarships to law enforcement agencies in rural and smaller jurisdictions with limited resources. Funding is available to assist such agencies with the payment of tuition costs for peace officer candidates to attend an approved basic law enforcement training academy. As a condition of the legislation and the scholarship program, the recipient recruit is obligated to work for a small and rural law enforcement agency for three years. This program is meant to help small and rural agencies who would otherwise be unable to pay for academy tuition to recruit members of their communities to serve as certified peace officers.

The Grant's team, including Grant Manager Kim Hernandez and Grant Coordinator Kishawn Leuthauser, met with the POST Grant Subcommittee on November 9, 2020 to review and approve the submitted grant applications. POST received a total of 27 applications with requests totaling \$308,975.18. The Subcommittee approved 19 applications in the total amount of \$103,364.00. The Subcommittee agreed and voted upon allocating an additional \$3,364.00 to fund the Rural and Small Academy Scholarship Grant Program.

*SME OF THE QUARTER*

## **Ike Beers, POST ACT SME Committee Chair**

2020 has been a difficult year for Law Enforcement. As a police officer and trainer, I can't remember feeling this much

frustration as over the course of the last several months. It's disappointing because most peace officers I talk to agree that the general public still holds our profession in high regard and supports our efforts to better the community.

When I am in uniform, I receive a lot more positive feedback from citizens than what's shown on the news. I am convinced that many people not only understand the critical role police play in society, but also recognize intelligent, motivated peace officers who want to do their job right, and serve the citizens they are called to protect. That's why my disappointment and frustration turns to encouragement – as trainers, we are the ones who can help shift things, because we are on the front lines! Trainers educate, prepare and equip Colorado agencies and academies with the most up to date, relevant, and applicable training that will allow peace officers to successfully do their job and enjoy a long career. Being the Chair for the POST Arrest Control Tactics Subject Matter Expert (ACT SME) Committee, I know that trainers and educators across the state are doing everything they can to promote a culture of professionalism and pride for law enforcement.



With that in mind, trainers need to stay on top of current expectations from the public without sacrificing peace officers' safety and tactics. After multiple incidents across the country that spurred a national response, law enforcement in Colorado is now dealing with changes correlated to the Law Enforcement Integrity Bill (SB 20-217). Many law enforcement professionals agree that it was hastily passed. However, it is law now and we have to find ways to make it work. If you still have not reviewed the bill in detail, please do so [HERE](#).

From our committee's perspective, the two areas of Arrest Control Tactics (ACT) training for academies that were affected by the new legislation are the Use of Force Considerations and the Neck Restraints section. The committee has prepared changes for the POST Board to review and approve for the Arrest Control Programs in academies moving forward. These changes could also be applied as discussion topics during in-service training.

We are proposing to keep the Neck Restraint section in the ACT curriculum considering that it is critical for officers to know how to defend themselves against attacks to the neck. Verbiage changes were made to reflect this idea, as well as the language that is now being used in statute § 18-1-707, a peace officer's authority to use force. These proposals were reviewed by the POST Board at the December meeting. I hope and pray that everyone reading this continues to hold fast to their passion and commitment to our honorable profession. More than ever before, the brothers and

sisters in the law enforcement community need to encourage one another to rise above the challenges as we continue to work together with the citizens we have been sworn to serve.



#### *POST BOARD MEETING HIGHLIGHTS*

## **December 11 Session**

The POST Board held its quarterly meeting on December 11. During that meeting the Board revoked the certifications of six peace officers for untruthfulness. It is the first time the Board has decertified officers for such actions under [Senate Bill 19-166](#), which was enacted by the General Assembly during the 2019 legislative session. The press release on the matter is available [HERE](#).

A peace officer's POST certification can also be revoked for conviction of a felony or certain misdemeanors. In addition to the six revocations for untruthfulness, the Board also decertified one peace officer who was convicted of felony Second Degree Burglary, and another peace officer who accepted a pretrial diversion plea agreement for one count of Third Degree Assault and one count of Harassment, both of which are misdemeanors.

Due to a Presidential Executive Order, the U.S. Attorney General has designated POST as the Independent Credentialing Body, to certify law enforcement agencies as meeting certain criteria for U.S. Department of Justice discretionary grant funds. Grants Manager Kim Hernandez is the initial point of contact for certification applications and certification denial/issuance.

The Board approved updates to the Arrest Control Tactics and Firearms academy curricula, as a result of SB20-217.

The Board conducted a rule making hearing, updating several POST Rules and adding a rule regarding the POST Grant program.



Have ideas on how to improve this newsletter? Contact [victoria.edstedt@coag.gov](mailto:victoria.edstedt@coag.gov).  
Happy Holidays!

