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 Tom Mullen
 Compliance Officer
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 Grant & Training Coordinator
 Lori Jencks
 Administrative Assistant

POST Board Meeting

Colorado Department of Law

Friday, March 6, 2015

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 Cynthia Coffman
2. **Pledge of Allegiance** Attorney General Cynthia Coffman
3. **Introduction of Board Members, SME Members, Staff and Guests**
4. **Roll Call** Interim Director Larry Adkisson
 Declaration of a Quorum (11)
5. **Approval of POST Minutes from November 21, 2014**
 (See supplemental handout)

Presentations:

6. **Subject Matter Expert (SME) Committee Reports:**
 - A. **Curriculum** Sgt. Graham Dunne, Chair
 Dir. Cathy LaBrecque, Vice-Chair
 Dep. Amanda Cruz-Giordano,
 Board Member
 - B. **Arrest Control** Cmdr. Erik Bourgerie, Chair
 VACANT, Vice-Chair
 Inv. Gilbert Perales, Board Member

- C. **Firearms**
(See supplemental handout) Trng. Mgr. John Hood, Vice-Chair
Chief Dan Brennan, Board Member
- D. **Law Enforcement Driving**
(See supplemental handout) Cmdr. Karl Smalley, Chair
Al Padilla, Vice-Chair
Chief John Camper, Board Member

Action Items:

- 7. **Grant Subcommittee Appointments** Interim Director Larry Adkisson
- 8. **Peace Officer Certification Revocation Actions** Compliance Investigator Tom Mullen
(See supplemental handout)

A. **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. F14-17, **Fidel Eugene Garcia**, Certification No. B4354 (PID 119991).
On December 4, 2013, Respondent pled guilty to one count of Leaving Scene of Accident, Involving Death, § 42-4-1601 (1),(2)(C) C.R.S., a class 3 felony. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: June 19, 2013, Separated October 12, 2004.* The Respondent has failed to comply with POST Show Cause Order F14-17 by failing to appear at the scheduled Show Cause Hearing. Interim Director Adkisson recommends revocation of Fidel Eugene Garcia’s Colorado Peace Officer Certification No. B4354 (PID 119991).
- 2) No. F14-18, **Jeffrey Frank Warkocz**, Certification No. B8939 (PID 124120).
On October 30, 2014 Respondent was convicted of one count of Controlled Substance-obtain By Fraud/deceit, §18-18-415(1)(a) C) C.R.S., a class 4 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: April 12, 2014, Separated February 11, 2015.* The Respondent has failed to comply with POST Show Cause Order F14-18 by failing to appear at the scheduled Show Cause Hearing. Interim Director Adkisson recommends revocation of Jeffrey Frank Warkocz’s Colorado Peace Officer Certification No. B8939 (PID 124120). Please note the conviction is under first name of **Jeffery, not Jeffrey.**

B. 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. M14-12, **Brian Keith Holland**, Certification No. B17644 (PID 138816). On April 4, 2014, Respondent pled guilty to 1 count of Harassment-Repeat Phone Calls, §18-9-111(1)(f), C.R.S., a class 3 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: December 12, 2013, – Separated: December 17, 2013).* The Respondent has failed to comply with POST Show Cause Order M14-12 by failing to appear at the scheduled Show Cause Hearing. Interim Director Adkisson recommends revocation of Brian Keith Holland’s Colorado Peace Officer Certification No. B17644, (PID 138816).
2. No. M14-13, **Don Arthur Mendoza**, Certification No. B17199 (PID 136720). On September 22, 2014, Respondent pled guilty to one count of Official Misconduct I §18-8-404, C.R.S., a class 2 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: January 4, 2014, – Separated: March 31, 2014).* The Respondent appeared at the scheduled Show Cause Hearing M14-13, and Director Dunbar recommended revocation of Don Arthur Mendoza’s Colorado Peace Officer Certification No. B17199 (PID 136720).
3. No. M14-14, **Robbie Lee Herzberger**, Certification No. 13041, (PID 117454). On September 30, 2014, Respondent was convicted of 1 count of Obstructing Government Operations, § 18-8-102, 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: January 22, 2014, – Separated: September 14, 2010).* The Respondent has failed to comply with POST Show Cause Order M14-14 by failing to appear at the scheduled Show Cause Hearing. Interim Director Adkisson recommends revocation of Robbie Lee Herzberger’s Colorado Peace Officer Certification No. 13041, (PID 117454).
4. No. M14-15, **Ryan Hafner**, Certification No. B15027, (PID 134232). On October 21, 2014, Respondent pled guilty to 1 count of False Reporting, § 18-9-111(1)(c), C.R.S., a class 3 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: August 17, 2014, – Separated: October 31, 2014).* The Respondent has failed to comply with POST Show Cause Order M14-15 by failing to appear at the scheduled Show

Cause Hearing. Interim Director Adkisson recommends revocation of Ryan Hafner's Colorado Peace Officer Certification No. B15027, (PID 134232).

5. No. M14-16, **Elizabeth Ann Hafner (Simpson)**, Certification No. B15034, (PID 134242). On October 21, 2014, Respondent pled guilty to 1 count of False Reporting, § 18-9-111(1)(c), C.R.S., a class 3 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: August 17, 2014, – Separated: November 17, 2014)*. The Respondent has failed to comply with POST Show Cause Order M14-16 by failing to appear at the scheduled Show Cause Hearing. Interim Director Adkisson recommends revocation of Elizabeth Ann Hafner (Simpson's) Colorado Peace Officer Certification No. B15034, (PID 134242).

Informational Items:

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| 9. | Crisis Intervention Training (CIT) | Chief John Camper |
| 10. | Proposed Decertifying Misdemeanors Update
(See supplemental handout) | Interim Director Larry Adkisson |
| 11. | Marijuana Looking Forward | Carolyn Berry
Marijuana Curriculum Coordinator |
| 12. | In-Service Training Perishable Skills Waivers | Interim Director Larry Adkisson |
| 13. | In-Service Training Update | Bob Baker
In-Service Training Manager |
| 14. | Marijuana Curriculum Update | Carolyn Berry
Marijuana Curriculum Coordinator |
| 15. | POST Director Application Process | Attorney General Cynthia H. Coffman |
| 16. | Comments from others on POST Issues | |
| 17. | Adjournment | Attorney General Cynthia Coffman |

Next POST Board Meeting

June 12, 2015

Ralph L. Carr Colorado Judicial Center
1300 Broadway
Denver CO

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