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**Peace Officer Standards and  
Training**

**STATE OF COLORADO  
DEPARTMENT OF LAW**

**POST BOARD MEETING  
RECORD OF PROCEEDINGS**

*Friday, March 11, 2022  
10 A.M. – 12 P.M.*

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The Peace Officer Standards and Training Board held its 417th Board meeting at the Ralph L. Carr Colorado Judicial Center

**BOARD MEMBERS PRESENT**

DONALD ADDY, Public Member  
SENIOR INVESTIGATOR TONYA BARNES, Eighteenth Judicial District  
DEPUTY DA ASHLEY BECK, Public Member  
CHIEF GREGORY DALY, Avon Police Department  
LAURA DANIELS, Public Member  
CHIEF GEORGE DINGFELDER, Monte Vista Police Department  
OFFICER RACHEL ESTERS, City of Ouray  
CHIEF DEBRA FUNSTON, Rifle Police Department  
CHIEF TERRENCE GORDON, City of Thornton  
EXECUTIVE DIRECTOR STAN HILKEY, Colorado Department of Public Safety  
SHERIFF ROBERT JACKSON, Alamosa County Sheriff's Office  
SCOTT LEVIN, Public Member  
DEPUTY SHANNON LOFLAND, Arapahoe County Sheriff's Office  
SHERIFF DAVID MARTIN, Morgan County  
CHIEF JOHN MINOR, Silverthorne Police Department  
SHERIFF SHAWN MOBLEY, Otero County Sheriff's Office  
CHIEF CLINTON NICHOLS, Commerce City Police Department  
SHERIFF STEVE NOWLIN, Montezuma County Sheriff's Office  
SHERIFF ANTHONY SPURLOCK, Douglas County Sheriff's Office  
ATTORNEY GENERAL PHIL WEISER, Colorado Department of Law

**BOARD MEMBERS EXCUSED**

SHERIFF ANTHONY MAZZOLA, Rio Blanco County Sheriff's Office  
SPECIAL AGENT IN CHARGE MICHAEL SCHNEIDER, FBI- Denver  
COUNCILMEMBER WAYNE WILLIAMS, City of Colorado Springs

**BOARD MEMBERS ABSENT**

SHARLETTA EVANS, Public Member

**BOARD COUNSEL**

COLLEEN MOREY, Sr. Asst. Attorney General

JODY HASKINS, Sr. Asst. Attorney General

**POST STAFF MEMBERS PRESENT**

BOB BAKER, Training Manager

ERIK BOURGERIE, Director

STEVEN ECKELBERRY, Compliance Investigator

VICTORIA EDSTEDT, Administrative Coordinator

KIM HERNANDEZ, Grant Manager

KISHAWN LEUTHAUSER, Regional Grant Coordinator

MARIO NORIEGA, Administrative Coordinator

DAN OSTRANDER, Training Coordinator

CATHERINE RODRIGUEZ, Compliance Manager

COURTNAY SHWARTZ, Law Enforcement Accountability Officer

JARED TORSNEY, Marijuana Training Specialist

MARY VEKASY, Compliance Specialist

**MEMBERS OF THE PUBLIC IN ATTENDANCE**

SERGEANT IKE BEERS, City of Lakewood, Chair of SME ACT Committee

DEPUTY FREDERICK BORST, Pitkin County Sheriff's Office

LONNIE CHAVEZ, Denver DA

JANET LARSON, Chair of SME Curriculum Committee

COMMANDER KARL SMALLEY, Adams County Sheriff's Office, Chair of Driving SME

DEPUTY CHRIS SMITH, Larimer County Sheriff's Office

OFFICER KEVIN SMYTH, Aurora Police Department

BRIAN THERRIEN, Public Member

1. **Welcome** Attorney General Phil Weiser
2. **Pledge of Allegiance** Attorney General Phil Weiser
3. **Introduction of Board Members, SME Members, Staff and Guests**
4. **Roll Call** Director Erik Bourgerie  
  
Quorum of members present.
5. **In memoriam of Dan Griffin** Attorney General Phil Weiser

A moment of silence in recognition of POST's recent loss. Dan Griffin was a dedicated servant to the State of Colorado and will be greatly missed.

6. **Approval of POST Board Meeting Minutes  
From December 3, 2021**

Attorney General Phil Weiser

*Motion to approve – 1<sup>st</sup> Spurlock, 2<sup>nd</sup> Beck  
Approved unanimously*

7. **Subject Matter Expert Reports**

a. Arrest Control

Sergeant Ike Beers  
Chair

The Arrest Control Tactics SME committee is having a discussion around starting to meet in person on a regular basis again. There is a rise in program submissions and the committee would like to offer meeting with academies prior to applying, in order to help them succeed in the process. The committee also reported that it has increased the academy inspections, which were in a holding pattern due to COVID restrictions for the last couple of years.

b. Curriculum

Janet Larson  
Chair

The Curriculum SME committee had met three times in the quarter since the last POST Board meeting. The committee recommended changes be made to the Basic Academy Curriculum including the removal of a portion of crime scene searches, hazmat and SWAT. Ed Kafel is no longer on the committee, which leaves it at only 15 members. Law enforcement personnel with experience in teaching and writing curriculum are encouraged to apply. To learn more about the requirements, please visit [POST website](#).

*Motion to adopt changes to the Basic Academic Training Program – 1<sup>st</sup>  
Mobley, 2<sup>nd</sup> Barnes  
Approved unanimously*

c. Driving

Commander Karl Smalley  
Chair

The Driving SME committee approved one new SME Member and three Full Skills Instructors. The committee provided June 3, September 23 and December 2 as their next meeting dates, which are planned to be in person. Chair Karl Smalley requested the Board to allow discretion in scheduling SME meetings virtually for maximum attendance. The matter was noted and addressed during the SME Member Policy discussion. Chair Karl Smalley has also given an overview of the new features of recently released vehicles, Chevy Tahoes.

d. Firearms

*Filling in for Chair Commander Paul Gregory:  
Sergeant Bredehoeft*

The Firearms SME Committee has conducted all of the test-outs, including one on the Western Slope. The committee approved two new SME members and had no inspections recently.

8. **Peace Officer Certification  
Revocation Actions**

Director Erik Bourgerie

**POST Rule 9 - Revocation of Peace Officer Certifications:** Pursuant to § 24-31-305(2)(a), C.R.S., 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. A Colorado peace officer certification may also be suspended or revoked if pursuant to § 24-31-305(2.5), C.R.S., a law enforcement agency has found, by clear and convincing evidence, that the certificate holder has knowingly made an untruthful statement concerning a material fact while testifying under oath, or during an internal affairs investigation or comparable administrative investigation; or knowingly omitted a material fact on an official criminal justice record, or has otherwise failed to meet the certification requirements established by the Board. For purposes of this Rule 9, a deferred judgment and sentencing agreement, deferred prosecution agreement, or pretrial diversion agreement concerning a felony or any misdemeanor described in (1.5) of § 24-31-305, whether pending or successfully completed, also support the suspension or revocation of a Colorado peace office certification.

*The certificate holders in the following matters did **not** appear at the show cause hearing or indicate any intent to oppose the revocation. Unless any member objects and asks to consider one or all of these matters separately, they will all be presented to this Board as a group.*

Felony Convictions:

1. No. F21-08, Christopher Ramirez, Certification PID CO-7083-2284. On September 7, 2021, Respondent was sentenced after pleading guilty to one count of §18-4-502, First Degree Criminal Trespass, a felony, in Case No. 20CR146 in the District Court of Otero County. *The respondent was not employed as a peace officer on the date of the offense (Date of Offense: August 30, 2020).* The respondent has not complied with POST Show Cause Order No. F21-08 by failing to appear at the scheduled Show Cause Hearing on December 14, 2021. POST Director Erik J. Bourgerie recommends revocation of Christopher Ramirez's Colorado Peace Officer Certification, PID CO-7083-2284.
2. No. F21-09, Crystal Eileen Velasquez, Certification PID CO-2473-4935. On September 27, 2021, Respondent was sentenced after pleading guilty to one count of §18-8-112, Impersonating a Peace Officer, a felony, and one count of §18-

- 9-111(1)(a), Harassment-Strike/Shove/Kick in Case No. 20CR126 in the District Court of Clear Creek County. *The respondent was not employed as a peace officer on the date of the offense (Date of Offense: October 24, 2020).* The respondent has not complied with POST Show Cause Order No. F21-09 by failing to appear at the scheduled Show Cause Hearing on December 14, 2021. POST Director Erik J. Bourgerie recommends revocation of Crystal Eileen Velasquez's Colorado Peace Officer Certification, PID CO-2473-4935.
3. No. F21-10, Thomas George Mohan, Certification PID CO-129150. On September 29, 2021, Respondent was sentenced after pleading guilty to one count of §18-3-203(1)(c), (2)(a), Assault 2, a felony, in Case No. 21CR329 in the District Court of Larimer County. *The respondent was employed as a peace officer on the date of the offense (Date of Offense: February 20, 2021, Division of Revenue – Marijuana, Separated September 7, 2021).* The respondent has not complied with POST Show Cause Order No. F21-10 by failing to appear at the scheduled Show Cause Hearing on December 14, 2021. POST Director Erik J. Bourgerie recommends revocation of Thomas George Mohan's Colorado Peace Officer Certification, PID CO-129150.
  4. No. F21-12, Adam Christopher Lunn, Certification PID CO-5389-5285. On November 4, 2021, Respondent was sentenced after being found guilty of one count of §18-3-104(1)(a), Manslaughter-Reckless, a class 5 felony, in Case No. 19CR232 in the District Court of Boulder County. *The respondent was employed as a peace officer on the date of the offense (Date of Offense: September 9, 2018, Boulder County Sheriff's Office, Separated February 25, 2019).* The respondent has not complied with POST Show Cause Order No. F21-12 by failing to appear at the scheduled Show Cause Hearing on January 18, 2022. POST Director Erik J. Bourgerie recommends revocation of Adam Christopher Lunn's Colorado Peace Officer Certification, PID CO-5389-5285.
  5. No. F21-13, James E. O'Brien, Certification PID CO-114069. On November 4, 2021, Respondent was sentenced after being found guilty of one count of §18-3-104(1)(a), Manslaughter-Reckless, a class 5 felony, in Case No. 19CR234 in the District Court of Boulder County. *The respondent was employed as a peace officer on the date of the offense (Date of Offense: September 9, 2018, Boulder County Sheriff's Office, Separated February 25, 2019).* The respondent has not complied with POST Show Cause Order No. F21-13 by failing to appear at the scheduled Show Cause Hearing on January 20, 2022. POST Director Erik J. Bourgerie recommends revocation of James E. O'Brien's Colorado Peace Officer Certification, PID CO-114069.

Misdemeanor Convictions:

1. No. M21-08, Kent Everett Eddy, Certification PID CO-135107. On June 1, 2021, Respondent was sentenced after pleading guilty to one count of §18-9-111(1)(a) Harassment - strike/shove/kick, a misdemeanor, in Case No. 21M189 in the County Court of Montrose County. *The respondent was employed as a peace officer on the date of the offense (Date of Offense: February 27, 2021, Delta County*

*Sheriff's Office, Separated March 3, 2021*). The respondent has not complied with POST Show Cause Order No. M21-08 by failing to appear at the scheduled Show Cause Hearing on August 17, 2021. POST Director Erik J. Bourgerie recommends revocation of Kent Everett Eddys' Colorado Peace Officer Certification, PID CO-135107.

2. No. M21-09, Amanda Marie Martinez, Certification PID CO-134010. On April 14, 2021, Respondent was granted a deferred sentence after pleading guilty to one count of §18-3-204(1)(a) Assault 3 – know/reckless Cause Injury, a misdemeanor, in Case No. 20CR6476 in the County Court of El Paso County. *The respondent was not employed as a peace officer on the date of the offense (Date of Offense: November 19, 2020)*. The respondent has not complied with POST Show Cause Order No. M21-09 by failing to appear at the scheduled Show Cause Hearing on August 18, 2021. POST Director Erik J. Bourgerie recommends revocation of Amanda Marie Martinez' Colorado Peace Officer Certification, PID CO-134010.

Untruthfulness:

1. No. U21-25, Robert Paul Lyons, Certification (PID CO-6055-8838). On November 18, 2021, Aurora Police Department notified Colorado Peace Officer Standards & Training that the Respondent knowingly made an untruthful statement concerning a material fact or omitted a material fact during an internal affairs investigation and during an administrative investigation and/or disciplinary process on September 14, 2020 (Date of Separation: February 17, 2021). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Robert Paul Lyons' Colorado Peace Officer Certification (PID CO-6055-8838).

*Motion to revoke – 1<sup>st</sup> Martin, 2<sup>nd</sup> Dingfelder/Nowlin  
Approved unanimously*

9. **Vice Chair Selection** Attorney General Weiser

*Motion to re-select Sheriff Spurlock as Vice Chair – 1<sup>st</sup> Hilkey, 2<sup>nd</sup> Barnes  
Approved unanimously*

10. **Grants Subcommittee Opening** Grants Mgr. Kim Hernandez

Grants Subcommittee needs three new members: two public members and one member rank of sergeant or below. Mr. Levin, Ms. Daniels and Officer Esters volunteered to fill these openings.

11. **Rulemaking** Director Erik Bourgerie  
Board Counsel Jody Haskins

POST Administrative Coordinator, Victoria Edstedt, has confirmed audio recording of the POST Board Rule Making Hearing at 10:46 a.m. on Friday, March 11, 2022.

*No comments from the Board or the Public*

*Motion to approve changes to rules as proposed – 1<sup>st</sup> Esters, 2<sup>nd</sup> Mobley  
Approved unanimously*

12. **Commission on Improving First Responder Interactions With Persons With Disabilities Recommendations** Deputy Chris Smith  
Curriculum Committee Chair  
Janet Larson  
Deputy Shannon Lofland

The commission was established in response to HB 21-1122 to examine and improve first responder interactions with persons with disabilities. Today, the commission presented their recommendations to the Board in the areas of Basic Academy and In-Service curriculums. In-Service recommendation includes a sample lesson plan and resource toolkit for law enforcement agencies, while Basic Academic Training Program has been modified to provide a better service to the community of persons with disabilities. Both documents are available on the [POST website](#). The commission will continue their work as they are able to assess the impact of these changes.

*Motion to approve changes to Basic Academy Curriculum – 1<sup>st</sup> Spurlock, 2<sup>nd</sup> Beck  
Approved unanimously*

*Motion to approve changes to In-Service Curriculum – 1<sup>st</sup> Dingfelder, 2<sup>nd</sup> Mobley  
Approved unanimously*

13. **Appeal Subcommittee Findings:  
Damien Esparza  
Joshua Wood** Chief George Dingfelder

On January 6, 2022 upon serious consideration and deliberation, the Appeal Subcommittee granted the following:

1. An exemption per POST Rule 8(c) to Damien Esparza to become POST certified.
2. An exemption per POST Rule 11 to Joshua Wood with the condition that he successfully completes a POST refresher academy and passes all required POST certification examination.

14. **SME Member Policy Update** Compliance Mgr. Cathy Rodriguez

SME Member Policy has been modified to clarify POST rules and set up parameters for expectations of SME committees and their members. The question has been raised about making the SME meetings' requirements more flexible. Originally, all SME meetings were held in person. In order to increase participation from across the state, POST started adding some virtual options and during COVID all meetings went remote. Since SME positions are completely voluntarily, the Board concluded that one way to support them is to provide some flexibility in how and when SME members meet with the encouragement of in-person meetings.

*Motion to allow flexible options for SME meetings – 1<sup>st</sup> Barnes, 2<sup>nd</sup> Martin  
Approved unanimously*

*Motion to approve all other proposed changes to SME Member Policy – 1<sup>st</sup> Levin, 2<sup>nd</sup>  
Mobley  
Approved unanimously*

15. **Grant Plaque Samples** Grants Mgr. Kim Hernandez

A presentation of the plaque samples that can help highlight the projects financed by POST and provide an education component about the work that's being done across the state.

16. **Academy Review Policy** Sheriff Tony Spurlock  
Compliance Mgr. Cathy Rodriguez

POST is statutorily responsible for ensuring compliance for law enforcement training academies. To improve the application process for new and renewing academies, POST has developed guidelines, including purpose, scope and policy that were added to the existing documents.

*Motion to approve the POST Academy Renewal Application Process and the POST Academy New Application Process – 1<sup>st</sup> Spurlock, 2<sup>nd</sup> Barnes  
Approved unanimously*

17. **Approval of 2023 Meeting Dates** Director Erik Bourgerie

March 9	Work Session
March 10	Board Meeting
June 2	Board Meeting
September 7	Work Session
September 8	Board Meeting
December 1	Board Meeting

*Motion to approve proposed POST Board meeting dates in 2023 – 1<sup>st</sup> Dingfelder, 2<sup>nd</sup>  
Minor  
Approved unanimously*

18. **Comments From Others on POST Issues**

Brian Therrien, a former peace officer in Colorado, whose certification was revoked for untruthfulness, came before the Board to request a hearing on the matter. He claimed that he followed the established procedure and has sent a letter to POST requesting a hearing before the revocation, but POST never received it. The Board has discussed the possibility of mail being lost and agreed to make an exception and vote on giving Mr. Therrien another opportunity for a hearing. The formal path in such cases would be to file an objection with the District Court or the Office of Administrative Courts (OAC).



*Motion to grant another opportunity for a hearing – 1<sup>st</sup> Daly, 2<sup>nd</sup> Esters  
Approved by majority vote*

19. **Executive Session**

Attorney General Phil Weiser

*(Legal advice and discussion on statutory authority  
related to use of safety patrol officers)  
(Legal advice on active criminal investigation)  
(Legal advice on pattern and practice investigation)*

*Motion to disperse into Executive Session – 1<sup>st</sup> Spurlock, 2<sup>nd</sup> Martin  
Approved unanimously*

*Motion to adjourn Executive Session – 1<sup>st</sup> Beck, 2<sup>nd</sup> Hilkey  
Approved unanimously*

20. **Adjournment**

Attorney General Phil Weiser

*Motion to adjourn – 1<sup>st</sup> Nichols, 2<sup>nd</sup> Dingfelder  
Approved unanimously*