



Department of Law
Ralph L. Carr
Colorado Judicial Center
1300 Broadway, 9th Floor
Denver, CO 80203
(720) 508-6721
Fax: (866) 858-7486
Email: POST@coag.gov

POST Board Meeting Agenda

Colorado Department of Law

Friday, June 4, 2021

SME Committee Meetings: 1:00 pm – 3:00 pm

**Peace Officer Standards and Training (POST) Board Meeting:
3:00 pm - 5:00 pm**

Board Members
Philip J. Weiser
Attorney General
Chair
Sheriff Anthony Spurlock
Douglas County
Vice Chair
Sr. Investigator Tonya Barnes
Eighteenth Judicial District
Ashley Beck
Public Member
Sergeant Lonnie Chavez
City of Grand Junction
Chief Cory Christensen
City of Steamboat Springs
Chief Gregory Daly
City of Avon
Chief George Dingfelder
City of Monte Vista
Chief Debra Funston
City of Palisade
Executive Director Stan Hilkey
Department of Public Safety
Kara Hoofnagle
Public Member
Sheriff Robert Jackson
Alamosa County
S. Zeke Knox
Public Member
Deputy Shannon Lofland
Arapahoe County
Sheriff Anthony Mazzola
Rio Blanco County
Chief John Minor
City of Silverthorne
Sheriff Shawn Mobley
Otero County
Chief Clinton Nichols
City of Commerce City
Sheriff Steve Nowlin
Montezuma County
Jane Quimby
Public Member
Special Agent in Charge
Michael Schneider
Federal Bureau of Investigation
Sheriff Justin Smith
Larimer County
Bradley F. Taylor
Public Member
Councilman Wayne Williams
City of Colorado Springs

1. **Welcome** Attorney General Phil Weiser
2. **Pledge of Allegiance** Attorney General Phil Weiser
3. **Introduction of New POST Staff** Director Erik Bourgerie

Administrative Coordinator Victoria Edstedt
Compliance Investigator Steven Eckelberry
Compliance Coordinator Megan Dimpsey
Compliance Specialist Janelle Moore
POST Board Counsel Colleen Morey
4. **Introduction of Board Members, SME Members, Staff and Guests**
5. **Roll Call** Director Erik Bourgerie
6. **Approval of POST Board Minutes From March 26, 2021** Attorney General Phil Weiser
7. **Subject Matter Expert Committee Reports**
 - a. **Arrest Control** Sergeant Ike Beers
Chair
 - b. **Curriculum** Janet Larson
Chair

POST Director
Erik J. Bourgerie

- | | | |
|-----|---|---------------------------------|
| c. | Driving | Commander Karl Smalley
Chair |
| d. | Firearms | Commander Paul Gregory
Chair |
| 8. | Request for Variance Denial Appeal
Taylor Koontz
(See supplemental handout – <i>green tab</i>) | Director Erik Bourgerie |
| 9. | Request for Variance Denial Appeal
Eric Martinez
(See supplemental handout – <i>red tab</i>) | Director Erik Bourgerie |
| 10. | Peace Officer Certification
Revocation Actions
(See supplemental handout – <i>purple tab</i>) | 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 officer certification.

Misrepresentation Cases:

1. Dustin Rust, Certification PID 2565-1981. On February 19, 2020, Respondent was granted a basic Colorado Peace Officer Certification. On July 17, 2020, Colorado POST discovered that the Certificate Holder did not meet the requirements for the variance that he was granted which permitted him to apply for Provisional Certification. The respondent complied with the POST Show Cause order by appearing at the scheduled Show Cause Hearing on January 21,

2021. Deputy Attorney General, **Bob Booth** recommends suspension of Dustin Rust's Colorado Peace Officer Certification, PID 2565-1981.

Misdemeanor Convictions:

1. No. M20-06, Donnie M. Brown, Certification PID 138052. On October 12, 2020, Respondent was granted pre-trial diversion after pleading guilty to one count of §18-9-111(1)(a), Harassment – strike / shove / kick, a Misdemeanor, in Case No. 20M358 in the County Court of Montezuma County. The respondent was employed as a peace officer on the date of the offense (Date of Offense: July 26, 2020, Montezuma County Sheriff's Office, Separated November 2, 2020). The respondent has complied with POST Show Cause Order No. M20-06 by appearing at the scheduled Show Cause Hearing on January 04, 2021. POST Director Erik J. Bourgerie recommends revocation of Donnie M. Brown's Colorado Peace Officer Certification, PID 138052.
2. No. M21-02, Tanner T. Chastain, Certification PID 7936-8543. On February 26, 2021, Respondent was granted a deferred sentence after pleading guilty to one count of §18-9-111(1)(a) Harassment – strike / shove / kick, a Misdemeanor, in Case No. 20M51 in the County Court of Bent County. The respondent was employed as a peace officer on the date of the offense (Date of Offense: May 8, 2020, Bent County Sheriff's Office, Separated May 14, 2020). The respondent has complied with POST Show Cause Order No. M21-02 by appearing at the scheduled Show Cause Hearing on April 29, 2021. POST Director Erik J. Bourgerie recommends revocation of Tanner T. Chastain's Colorado Peace Officer Certification, PID 7936-8543.

*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. F20-05, James K. Dolmas, Certification PID 2624-0412. On November 24, 2020, Respondent was sentenced after pleading guilty to two counts of §18-6-403(3)(a), Sexual Exploitation/child-induce/entice, a Felony, in Case No. 19CR2116 in the District Court of Arapahoe County. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: January 1, 2015). The respondent has not complied with POST Show Cause Order No. F20-05 by failing to appear at the scheduled Show Cause Hearing on February 15, 2021. POST Director Erik J. Bourgerie recommends revocation of James K. Dolmas' Colorado Peace Officer Certification, PID 2624-0412.
2. No. F21-01, Randolph S. Herrera, Certification B5777 (PID 113581). On December 17, 2020, Respondent was sentenced after pleading guilty to one count

- of §18-3-203(1)(i), Second Degree Assault/Strangulation, a Felony, and one count of §18-8-404, First Degree Official Misconduct, a Misdemeanor, in case number 20CR02 in the District Court of Costilla County. The respondent was employed as a peace officer on the date of the offense (Date of Offense: December 6, 2019, Costilla County Sheriff's Office, Separated January 13, 2020). The respondent has not complied with POST Show Cause Order No. F21-01 by failing to appear at the scheduled Show Cause Hearing on February 22, 2021. POST Director Erik J. Bourgerie recommends revocation of Randolph S. Herrera's Colorado Peace Officer Certification, B5777 (PID 113581).
3. No. F21-02, Brian J. Vockel, Certification B5243 (PID 113084). On February 19, 2021, Respondent was granted a deferred sentence after pleading guilty to one count of §18-6-403(3)(b.5),(5), Sexual Exploitation of a Child, a Felony, and one count of §18-3-404(1)(a), Unlawful Sexual Contact, a Misdemeanor, in case number 20CR878 in the District Court of Douglas County. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: May 20, 2019). The respondent has not complied with POST Show Cause Order No. F21-02 by failing to appear at the scheduled Show Cause Hearing on April 28, 2021. POST Director Erik J. Bourgerie recommends revocation of Brian J. Vockel's Colorado Peace Officer Certification, B5243 (PID 113084).

Misdemeanor Convictions:

1. No. M20-07, Keith A. Chagnon, Certification B4550 (PID 122187). On August 31, 2020, Respondent was granted a deferred sentence after pleading guilty to one count of §18-9-111(1)(a), Harassment – Strike / Shove / Kick, a Misdemeanor, in Case No. 20M776 in the County Court of Adams County. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: February 24, 2020). The respondent has not complied with POST Show Cause Order No. M20-07 by failing to appear at the scheduled Show Cause Hearing on January 4, 2021. POST Director Erik J. Bourgerie recommends revocation of Keith A. Chagnon's Colorado Peace Officer Certification, B4550 (PID 122187).
2. No. M21-01, Wade S. Arfsten, Certification B10164 (PID 115411). On February 1, 2021, Respondent was granted a deferred sentence after pleading guilty to one count of §18-8-103, Resisting Arrest, a Misdemeanor, in Case No. 20M436 in the County Court of Morgan County. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: December 04, 2020). The respondent has not complied with POST Show Cause Order No. M21-01 by failing to appear at the scheduled Show Cause Hearing on April 28, 2021. POST Director Erik J. Bourgerie recommends revocation of Wade S. Arfsten's Colorado Peace Officer Certification, B10164 (PID 115411).

Untruthfulness:

1. No. U20-13, Derek J. Wyberg, Certification (PID 134128). On November 16, 2020, Pueblo 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 or disciplinary process on April 27, 2020 (Date of Separation: July 16, 2020). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Derek J. Wyberg's Colorado Peace Officer Certification (PID 134128).
2. No. U20-19 David K. Proctor, Certification B00461 (PID 102505). On December 28, 2020, Eagle County Sheriff's Office notified Colorado Peace Officer Standards & Training that the Respondent knowingly made an untruthful statement concerning a material fact or omitted a material fact on an official criminal justice record on October 6, 2020 (Date of Separation: November 4, 2020). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of David K. Proctor's Colorado Peace Officer Certification B00461 (PID 102505).
3. No. U21-02 Justin L. Gressman, Certification B15901 (PID 135109). On February 23, 2021, Ouray County Sheriff's Office notified Colorado Peace Officer Standards & Training that the Respondent knowingly made an untruthful statement concerning a material fact or omitted a material fact on an official criminal justice record, during an internal affairs investigation, and during an administrative investigation and/or disciplinary process on January 6, 2021 (Date of Separation: February 22, 2021). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Justin L. Gressman's Colorado Peace Officer Certification B15901 (PID 135109).
4. No. U21-03 Isabell H. Koprucki, Certification (PID 2523-3254). On March 9, 2021, Colorado Springs 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 May 29, 2020 (Date of Separation: August 4, 2020). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Isabell H. Koprucki's Colorado Peace Officer Certification (PID 2523-3254).
5. No. U21-04 Noah G. Sartori, Certification (PID 1061-9165). On March 10, 2021, Trinidad 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 on an official criminal justice record, during an internal affairs investigation, and during an administrative investigation and/or disciplinary process between February 24,

2021 and March 8, 2021 (Date of Separation: March 9, 2021). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Noah G. Sartori's Colorado Peace Officer Certification (PID 1061-9165).

11. **Revised Grant Guidelines** Grants Manager Kim Hernandez
(See supplemental handout – *orange tab*)

12. **Grant Awards** Grants Manager Kim Hernandez
(See supplemental handout – *white tab*)

13. **Aims Community College** Director Erik Bourgerie,
(See supplemental handout – *yellow tab*) Compliance Manager
Cathy Rodriguez

14. **New Academy Processes** Compliance Manager
Montrose Cathy Rodriguez
Arapahoe

15. **Discussion of Academy Fees** Director Erik Bourgerie
(See supplemental handout – *thin blue tab*)

16. **Proposed Change to Rule 28** Director Erik Bourgerie
(See supplemental handout – *thin green tab*)

17. **Legislative Update** Deputy Attorney General
Kurt Morrison

- SB20-217 Updates/Pending Legislation (1250)
- Domestic Violence Firearms
- IDD Commission

18. **Updates**

- | | | |
|----|--------------------------|--------------------------------------|
| a) | Mental Health Curriculum | Training Specialist
Jared Torsney |
| b) | Database Creation | Director Erik Bourgerie |
| c) | Benchmark Transition | Director Erik Bourgerie |
| d) | “My Why” Project | Director Erik Bourgerie |
| e) | Job Task Analysis Update | Director Erik Bourgerie |

- | | | |
|----|--|-------------------------------|
| f) | RFP for Ethical Decision-Making Under Stress | Director Erik Bourgerie |
| g) | ICAT | Training Manager
Bob Baker |
| h) | Diversity and Inclusion | Training Manager
Bob Baker |
| i) | Independent Credentialing Body Program | Director Erik Bourgerie |

19. Comments From Others on POST Issues

20. Executive Session
(21CV31519)

Attorney General Phil Weiser

21. Adjournment

Attorney General Phil Weiser

Next POST Board Meeting

Friday, September 24, 2021

SME Meetings – 8 a.m.
POST Board Meeting – 10 a.m.