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POST Board Meeting

Colorado Department of Law

Friday, June 14, 2019

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

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

Board Members
Philip J. Weiser
Attorney General
Chair

Chief Dan Brennan
City of Wheat Ridge
Assistant 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 John Collins
City of Englewood

Deputy Amanda Cruz-Giordano
Arapahoe County

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

Sheriff Anthony Mazzola
Rio Blanco County

Chief John Minor
City of Silverthorne

Sheriff Shawn Mobley
Otero County

Sheriff Steve Nowlin
Montezuma County

Chief Michael Phibbs
Auraria Dept. of Public Safety

**Special Agent in Charge
Dean Phillips**
Federal Bureau of Investigation

Jane Quimby
Public Member

Mayor Ron Rakowsky
City of Greenwood Village

Sheriff Justin Smith
Larimer County

Sheriff Anthony Spurlock
Douglas County

Bradley F. Taylor
Public Member

**POST Director
Erik Bourgerie**

1. **Welcome** Attorney General Phil Weiser
2. **Pledge of Allegiance** Attorney General Phil Weiser
3. **Recognition of Departing
SME Committee Members** Attorney General Phil Weiser
4. **Introduction of Board Members, SME Members, Staff and
Guests**
5. **Roll Call** Director Erik Bourgerie
6. **Approval of POST Board
Minutes from March 1, 2019** Attorney General Phil Weiser
(See supplemental handout-Red tab)
7. **Appointment of Vice
Chair** Attorney General Phil Weiser
8. **Subject Matter Expert Committee Reports**
 - A. **Arrest Control** Agent Ike Beers
Chair
 - B. **Curriculum** Director Cathy LaBrecque
Chair
 - C. **Driving** Commander Karl Smalley
Chair

D. Firearms

Commander Paul Gregory
Chair

9. **Request for Variance Appeal
Lynnette White**
(See supplemental handout-Yellow tap) Director Erik Bourgerie
10. **Request for Appeal of Revocation
Austin Proctor-Raney**
(See supplemental handout-Blue tab) Director Erik Bourgerie
11. **Peace Officer Certification
Revocation Actions**
(See supplemental handout-Pink tab) Director Erik Bourgerie

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. M19-02, Austin Alexander Proctor-Raney, Certification (PID 7081-4974).
On January 11, 2019, Respondent was convicted of one count of Harassment-Telephone-Threat/Obscene §18-9-111(1)(e), a class 3 Misdemeanor and Official Misconduct 1 §18-8-404 in Case No. 2018CR233 in Las Animas District Court. The respondent was employed as a peace officer on the date of the offense (Date of Offense: May 1, 2018 to September 10, 2018) with Trinidad Police Department (Date of Separation: September 24, 2018). The respondent **has** complied with the POST Show Cause Order No. M19-02 by appearing at the scheduled Show Cause Hearing on February 25, 2019. Director Bourgerie recommends revocation of Austin Alexander Proctor-Raney's Colorado Peace Officer Certification (PID 7081-4974).

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. F19-01, Bianca Rebecca Roberts, (PID 6688-1417). On December 17, 2018, Respondent was convicted of one count of Firearms-Straw Purchase, §18-12-111(1), a class 4 Felony, in Case No. 2017CR1062 and of one count of Violation of Bail Bond Conditions, §18-8-212(1), a class 6 Felony, in Case No. 2018CR639 in the District Court of Douglas County. The respondent was employed as a peace officer on the date of the offense (Date of Offense: February 9, 2017) with the Douglas County Sheriff's Office, Date of Separation May 18, 2017. The Respondent has failed to comply with a POST Show Cause Order No. F19-01 by failing to appear at the scheduled Show Cause Hearing on February 11, 2019. Director Bourgerie recommends revocation of Bianca Rebecca Robert's Colorado Peace Officer Certification (PID 6688-1417).
2. No. F19-02, David Oren Baker, Certification B2801 (PID 117096). On December 17, 2018, Respondent was convicted of one count of Second Degree Assault, §18-3-203(1)(g), a class 4 Felony, an act of domestic violence, in Case No. 2018CR32 in the District Court of Delta County. The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: February 1, 2018). The respondent has failed to comply with a POST Show Cause Order No. F19-02 by failing to appear at the scheduled Show Cause Hearing on March 25, 2019. Director Bourgerie recommends revocation of David Oren Baker's Colorado Peace Officer Certification B2801 (PID 117096).

Misdemeanor Convictions:

1. No. M19-03, Donna Marie Parker, Certification (PID 135881). On January 18, 2019, Respondent was convicted of one count of Third Degree Assault §18-3-204(1)(a), a class 3 Misdemeanor in Case No. 2018CR404 in Garfield District Court. She was granted a deferred judgment and sentence for one year. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: August 5, 2018). The respondent has failed to comply with POST Show Cause Order No. M19-03 by failing to appear at the scheduled Show Cause Hearing on February 25, 2019. Director Bourgerie recommends revocation of Donna Marie Parker's Colorado Peace Officer Certification (PID 135881).

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| 12. Sunrise Review – Adams County
Fire Protection | Director Erik Bourgerie |
| 13. Needle Stick Required Testing | Officer Arpad Bality, Greeley PD |
| 14. Decertification for Untruthfulness
(See supplemental handout-Lime tab) | Director Erik Bourgerie |
| 15. ERPO Policy and Training | Training Specialist Dan Ostrander |
| 16. Grant Awards
(See supplemental handout-Orange tab) | Grants Manager Kim Hernandez |

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| 17. | Revised Grant Guidelines
(See supplemental handout-White tab) | Grants Manager Kim Hernandez |
| 18. | Grants Subcommittee Opening | Attorney General Phil Weiser |
| 19. | Minimum Age Limit for Certification
(See supplemental handout-Green stripe tab) | Director Erik Bourgerie |
| 20. | Appeal Subcommittee 2019.04.01 Update
(See supplemental handout-Blue stripe tab) | Sheriff Shawn Mobley |
| 21. | Rule 28 Noncompliance | Director Erik Bourgerie
Senior AG Stacy Worthington |
| 22. | POST Exam Update | Compliance Manager
Cathy Rodriguez |
| 23. | Academy Metrics
(See supplemental handout-Red stripe tab) | Compliance Specialist
David Schuetz |
| 24. | Otero Junior College | Compliance Manager
Cathy Rodriguez |
| 25. | POST Priorities for Upcoming Year | Attorney General Phil Weiser |
| 26. | Comments from Others on POST Issues | |
| 27. | Adjournment | Attorney General Phil Weiser |

POST Board Work Session
September 19, 2019
9:30 am – 4:00 pm

Next POST Board Meeting

September 20, 2019

Ralph L. Carr Colorado Judicial Center
1300 Broadway
Denver CO

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