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# POST Board Meeting Agenda

*Friday, September 9, 2022*

## Board Members

**Philip J. Weiser**  
Attorney General  
*Chair*

**Sheriff Anthony Spurlock**  
*Douglas County*  
*Vice Chair*

**Donald Addy**  
*Public Member*

**Sr. Investigator Tonya Barnes**  
*Eighteenth Judicial District*

**Ashley Beck**  
*Public Member*

**Chief Gregory Daly**  
*Town of Avon*

**Laura Daniels**  
*Public Member*

**Chief George Dingfelder**  
*City of Monte Vista*

**Officer Rachel Esters**  
*City of Ouray*

**Sharletta Evans**  
*Public Member*

**Chief Debra Funston**  
*Town of Rifle*

**Chief Terrence Gordon**  
*City of Thornton*

**Chief Maris Herold**  
*City of Boulder*

**Executive Director Stan Hilkey**  
*Department of Public Safety*

**Sheriff Robert Jackson**  
*Alamosa County*

**Scott Levin**  
*Public Member*

**Deputy Shannon Lofland**  
*Arapahoe County*

**Sheriff David Martin**  
*Morgan County*

**Sheriff Anthony Mazzola**  
*Rio Blanco County*

**Sheriff Shawn Mobley**  
*Otero County*

**Sheriff Steve Nowlin**  
*Montezuma County*

**Special Agent in Charge**  
**Michael Schneider**

*Federal Bureau of Investigation*  
**Chief Jeffrey Swoboda**

*City of Fort Collins*  
**Councilmember Wayne Williams**

*City of Colorado Springs*

POST Director  
**Erik J. Bourgerie**

**Peace Officer Standards and Training (POST) Board Meeting:**  
**10 a.m. – 12 p.m.**  
**Hampton Inn**  
**205 Main Street, Grand Junction, CO 81501**

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. **Departing Board Members** Attorney General Phil Weiser
  - a. John Minor, Chief, Silverthorne Police Department
  - b. Clinton Nichols, Chief, Commerce City Police Department
5. **New Board Members** Attorney General Phil Weiser
  - a. Maris Herold, Chief, Boulder Police Department
  - b. Jeff Swoboda, Chief, Fort Collins Police Services
6. **New Board Counsel** Attorney General Phil Weiser
  - a. Tara Buchalter
7. **Roll Call** Director Erik Bourgerie
8. **Approval of Board Meeting Minutes From June 3, 2022** Attorney General Phil Weiser
9. **Subject Matter Expert Committee Reports**
  - a. Arrest Control Sergeant Ike Beers  
Chair

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|-----|--|------------------------------------|
| b.  | Curriculum   | Janet Larson<br>Chair              |
| c.  | Driving  | Commander Karl Smalley<br>Chair    |
| d.  | Firearms   | Undersheriff Paul Gregory<br>Chair |
|     | <ul style="list-style-type: none"><li>• Proposed Changes to Rule 23<br/><i>(See supplemental materials)</i></li><li>• Proposed Handgun Instructors Program<br/><i>(See supplemental materials)</i></li><li>• SME Membership Proposal<br/><i>(See supplemental materials)</i></li></ul> |                                    |
| 10. | <b>Request for Appeal -<br/>Rule 8 Variance: Tyko Costandine</b><br><i>(See supplemental materials)</i>  | Director Erik Bourgerie            |
| 11. | <b>Request for Appeal of Show Cause<br/>Hearing Finding: Adam Hanna</b><br><i>(See supplemental materials)</i>   | Director Erik Bourgerie            |
| 12. | <b>Request for Appeal –<br/>Certification: Rick Myers</b><br><i>(See supplemental materials)</i>   | Director Erik Bourgerie            |
| 13. | <b>Request for Appeal –<br/>Certification Eligibility: Kasope Sotinwa</b><br><i>(See supplemental materials)</i>   | Director Erik Bourgerie            |
| 14. | <b>Peace Officer Certification<br/>Revocation &amp; Disciplinary Actions</b><br><i>(See supplemental materials)</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. A Colorado peace officer certification may also be surrendered pursuant to § 24-31-305. 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.

Felony Convictions:

1. No. F22-03, Adam Charles Hanna, Certification PID CO-140042. On January 25, 2022, Respondent was granted pretrial diversion after pleading guilty to one count of §18-5-102(1)(e) Forgery – Government issued Document, a Felony, and one count of §18-5-113(1)(b)(II) Criminal Impersonation – Gain Benefit, a Felony, and one count of §18-8-404 Official Misconduct I, a Misdemeanor, in Case No. 2021CR5 in the Cheyenne District Court. *The respondent was employed as a peace officer on the date of the offense (Date of Offense: January 1, 2020, Cheyenne County Sheriff's Office, Separated January 31, 2020).* The respondent has complied with POST Show Cause Order No. F22-03 by appearing at the scheduled Show Cause Hearing on May 3, 2022. POST Director Erik J. Bourgerie recommends revocation of Adam Charles Hanna's Colorado Peace Officer Certification, PID CO-140042.

*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. F22-04, Brian Matthew Dominguez, Certification PID CO-137902. On March 24, 2022, Respondent was granted a deferred sentence after pleading guilty to one count of §18-3-206(1)(a)/(b) Felony Menacing – Real/Simulated weapon, a Felony, in Case No. 2020CR208 in the Garfield District Court. *The respondent was employed as a peace officer on the date of the offense (Date of Offense: April 23, 2020, Kersey Police Department, Separated April 24, 2020).* The respondent has not complied with POST Show Cause Order No. F22-04 by failing to appear at the scheduled Show Cause Hearing on July 11, 2022. POST Director Erik J. Bourgerie recommends revocation of Brian Matthew Dominguez's Colorado Peace Officer Certification, PID CO-137902.

2. No. F22-05, Michael R. Benson, Certification PID CO-134872. On April 7, 2022, Respondent was sentenced after being found guilty of one count of §18-3-402(1)(a) Sex Assault – overcome victim’s will, a Felony, and two counts of §18-3-404(1)(a) Sexual Contact – no consent, a Misdemeanor, in Case No. 2019CR148 in the Adams District Court. *The respondent was employed as a peace officer on the date of the offense (Date of Offense: February 11, 2018, Adams County Sheriff’s Office, Separated January 16, 2019).* The Respondent has not complied with POST Show Cause Order No. F22-05 by failing to appear at the scheduled Show Cause Hearing on July 11, 2022. POST Director Erik J. Bourgerie recommends revocation of Michael R. Benson’s Colorado Peace Officer Certification, PID CO-134872.
3. No. F22-06, Austin Scott Hopp, Certification PID CO-4769-0642. On May 5, 2022, Respondent was sentenced after being found guilty of one count of §18-3-203(1)(i) Assault 2 - Strangulation, a Felony, in Case No. 2021CR876 in the Larimer District Court. *The respondent was employed as a peace officer on the date of the offense (Date of Offense: June 26, 2020, Loveland Police Department, Separated April 30, 2021).* The Respondent has not complied with POST Show Cause Order No. F22-06 by failing to appear at the scheduled Show Cause Hearing on July 12, 2022. POST Director Erik J. Bourgerie recommends revocation of Austin Scott Hopp’s Colorado Peace Officer Certification PID CO-4769-0642.
4. No. F22-07, Shawn Lee Sanchez, Certification PID CO-100081. On May 2, 2022, Respondent was sentenced after being found guilty of one count of §18-6-401(1)(a),(7)(a)(III) Child Abuse-know/reckless Cause SBI-att, a Felony, in Case No. 2021CR118 in the Delta District Court. *The respondent was not employed as a peace officer on the date of the offense (Date of Offense: January 1, 2019).* The Respondent has not complied with POST Show Cause Order No. F22-07 by failing to appear at the scheduled Show Cause Hearing on July 12, 2022. POST Director Erik J. Bourgerie recommends revocation of Shawn Lee Sanchez’s Colorado Peace Officer Certification PID CO-100081.

Misdemeanor Convictions:

1. No. M21-11, Joshua Michael Cabello, Certification PID CO-1150-4011. On December 1, 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. 21CR1030 in the County Court of Pueblo County. *The respondent was employed as a peace officer on the date of the offense (Date of Offense: July 17, 2021, Crowley County Sheriff’s Office, Separated July 19, 2021).* The respondent has not complied with POST Show Cause Order No. M21-11 by failing to appear at the scheduled

Show Cause Hearing on March 2, 2022. POST Director Erik J. Bourgerie recommends revocation of Joshua Michael Cabello's Colorado Peace Officer Certification, PID CO-1150-4011.

Untruthfulness:

1. No. U22-08, Jonathan Aaron Carrasco, Certification (PID CO-139778). On March 2, 2022, Douglas 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 during an internal affairs investigation, and during an administrative investigation and/or disciplinary process between August 19, 2020, and February 18, 2022 (Date of Separation: February 19, 2022). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Jonathan Aaron Carrasco's Colorado Peace Officer Certification (PID CO-139778).
2. No. U22-14, William R. Hodge, Certification (PID CO-135649). On April 25, 2022, Weld 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 during an administrative investigation and/or disciplinary process on March 24, 2022 (Date of Separation: April 15, 2022). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of William R. Hodge's Colorado Peace Officer Certification (PID CO-135649).
3. No. U22-15, Robert W. Mesch, Certification (PID CO-116085). On May 5, 2022, Adams 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 during an internal affairs investigation on November 9, 2021 (Date of Separation: April 21, 2022). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Robert W. Mesch's Colorado Peace Officer Certification (PID CO-116085).
4. No. U22-16, David S. Woods, Certification (PID CO-119059). On May 18, 2022, 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 and/or disciplinary process on October 12, 2021 (Date of Separation: May 3, 2022). The respondent did not request a Show Cause Hearing regarding

this matter. POST Director Erik J. Bourgerie recommends revocation of David S. Woods' Colorado Peace Officer Certification (PID CO-119059).

5. No. U22-17, Jennifer K. Chase, Certification (PID CO-7727-7800). On May 18, 2022, Sheridan 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 on February 28, 2022 (Date of Separation: June 1, 2022). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Jennifer K. Chase's Colorado Peace Officer Certification (PID CO-7727-7800).

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| 15. <b>Rulemaking</b><br><i>(See supplemental materials)</i>                                 | Director Erik Bourgerie<br>Board Counsel Tara Buchalter      |
| 16. <b>Assurance of Discontinuation Agreements</b>   | Attorney General Phil Weiser<br>Board Counsel Tara Buchalter |
| 17. <b>Comments From Others on POST Issues</b>   |  |
| 18. <b>Emergency Suspension Due to Training Issue</b><br><i>(See supplemental materials)</i> | Director Erik Bourgerie<br>Board Counsel Tara Buchalter      |

§ 24-31-315, C.R.S. Compliance

Department of Corrections: Diane Currington, PID 116329,  
Department of Corrections: Troy Daniels, PID 107235,  
Department of Corrections: Michael Denzler, PID 139935,  
Department of Corrections: Jonathon Hutchison, PID 113629,  
Department of Corrections: Eric Johnson, PID 137949,  
Department of Corrections: Loren Masters, PID 100158,  
Department of Corrections: Sandra Newhouse, PID 124614,  
Department of Corrections: Janine Olson, PID 117807,  
Department of Corrections: Sheryl Trujillo, PID 116180,  
Department of Corrections: Andrew Weaver, PID 114697,  
Department of Corrections: Joshua Wegner, PID 104609,  
Huerfano County Sheriff's Office: Charles Biggins, PID 0373-0907,  
Huerfano County Sheriff's Office: Raymond Walsh, PID 100729,

The named individuals failed to comply with the training requirements contained in § 24-31-315, C.R.S. The requirements for § 24-31-315, C.R.S. were due between June 30 and August 8, 2022. Each person was provided a 30-day compliance notice between August 1 and August 5, 2022, expiring between September 1 and September 8, 2022. None of the named individuals completed all of the training requirements as of September 9, 2022 and are still out of compliance.

Pursuant to § 24-31-315(2)(a), C.R.S., the POST Board shall suspend a peace officer's certification if the peace officer fails to comply with the training requirements in this section. The POST Board shall reinstate a peace officer's certification that was suspended upon completion of the training requirements.

- 19. **Executive Session** Attorney General Phil Weiser
- 20. **Adjournment** Attorney General Phil Weiser

**Upcoming Meetings**

*POST Board Meeting: Friday, December 2 from 10 a.m. to 12 p.m.*