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POST BOARD WORK SESSION

Record of Proceedings

Via Zoom
Webinar ID: 845 1891 1834

Thursday, September 23, 2021
10:00 am – 4:00 pm

Board Members
Philip J. Weiser
Attorney General
Chair
Sheriff Anthony Spurlock
Douglas County
Vice Chair
Sr. Investigator Tonya Barnes
Eighteenth Judicial District
Chief Gregory Daly
Town of Avon
Chief George Dingfelder
City of Alamosa
Officer Rachel Esters
Town of Ouray
Chief Debra Funston
City of Palisade
Chief Terrence Gordon
City of Thornton
Executive Director Stan Hilkey
Department of Public Safety
Sheriff Robert Jackson
Alamosa County
Deputy Shannon Lofland
Arapahoe County
Sheriff David Martin
Morgan County
Sheriff Anthony Mazzola
Rio Blanco County
Chief John Minor
Town of Silverthorne
Sheriff Shawn Mobley
Otero County
Chief Clint Nichols
City of Commerce City
Sheriff Steve Nowlin
Montezuma County
Special Agent in Charge
Michael Schneider
Federal Bureau of Investigation
Councilman Wayne Williams
City of Colorado Springs

1. **Welcome & Introductions** Attorney General Phil Weiser

a. New POST Board members:

Officer Rachel Esters
Chief Terrence Gordon
Sheriff David Martin

b. New POST staff members:

Administrative Coordinator Mario Noriega
Law Enforcement Accountability Officer Courtney Schwartz

2. **Legislation Implementation** Director Erik Bourgerie

a. POST database

Under HB 21-1250 POST is required to create a publicly searchable database, which in addition to reporting revocations, untruthfulness, failure to meet POST training standards and terminations for cause, has to reflect resignations or retirements while under investigation or resignations or retirements that had an investigation opened within six months of separation, as well as investigation for charges that could lead to a revocation. In collaboration with IT at the Department of Law, POST is currently developing a reporting process and an interface for this database, which needs to be completed by January 1, 2022. The statutorily required database will be searchable by a number of different data points. We are also working on optional functionality that would

POST Director
Erik J. Bourgerie

allow a community member to search a specific name to see if the person is a certified peace officer. This functionality does not permit scrolling and would require a specific first and last name. Available information will include officer's certification status, employment and whether there have been any actions taken against the certification.

b. Legislative implementation plan

POST went through all of the bills since last year that impact law enforcement and looked at their requirements, recording due dates and current implementation status. Most issues have already been addressed and will be part of a rulemaking session at the Board meeting on 09/24/2021.

3. **Elevating Professional Training Opportunities**

Director Erik Bourgerie

a. Integrated Communications Assessment and Tactics (ICAT)

ICAT is a police executive research forum course and is the only scientifically validated de-escalation program today. POST has been working with ICAT since 2019 to bring it to Colorado and make the training available statewide, focusing on the rural areas. Dan Ostrander and Jared Torsney just became official trainers in ICAT. They are already developing the first course that will be launched in October 2021. It's designed for 10 or fewer officers and can be especially helpful to detention staff. Interested agencies should reach out to POST about available grant funding and securing coverage for officers who would like to attend.

b. Active Bystandership for Law Enforcement (ABLE)

ABLE is a peer intervention program designed to prepare officers to successfully intervene in a variety of situations to prevent harm. In support of wellness and mental health, POST is supporting a statewide initiative around this concept, called ABLE Colorado. POST is in the process of becoming an ABLE organization itself and Courtney Schwartz is leading this effort. If agencies would like to participate, they need to get recognized as an ABLE agency first, which requires certain commitments. Right now POST is identifying funding and revenue sources to get the project off the ground.

c. Ethical Decision-Making Under Stress (EDMUS)

The concept behind this program is to find a way to do stress inoculation and ensure that officers are making the same decisions based on person's actions and not any other factors, while under survival stress. POST has put out an RFP for vendors, but did not receive any responses. POST continues the discussions to see what can be done to make EDMUS possible.

d. Law Enforcement Accountability Officer (LEAO)

Pursuant to Presidential Executive Order Safe Policing for Safer Communities, POST has hired Courtney Schwartz for a LEAO position, which is designed to be a support for law enforcement. While POST is required to audit those agencies that volunteered to participate in the program, its main goal is to help create and modify policies and training by working together.

e. **Commission on Improving First Responder Interactions with Persons with Disabilities**

The commission has been created in response to HB 21-1122 and will meet for the first time in October 2021. They will be looking at POST Basic academy requirements and In-Service training around first responder interactions with persons with disabilities. The commission will have to make a recommendation to the Board by February 28, 2022, which then will have to be implemented by July 1, 2022. Courtney Schwartz is the POST liaison with the commission.

4. **Mental Health Curriculum Update** Training Specialist Jared Torsney

International Association of Chiefs of Police (IACP) and International Association of Directors of Law Enforcement Standards and Training (IADLEST) training program is being delayed due to Bureau of Justice suspending all in-person training indefinitely. Bureau of Justice has given POST recommendations for review and POST has adjusted accordingly until COVID restrictions are lifted.

5. **“My Why” Project Status** Director Erik Bourgerie

POST is creating a series of short videos of POST Board members speaking about their “why” behind joining the profession and staying in it. POST has hired a media company to assist with the technical side of the project, which is trying to accomplish the following:

- Give officers a chance to reflect on their purpose and rededicate themselves to it.
- Educate the public about Colorado law enforcement officers’ commitment to service and personalize the image of law enforcement.
- Create an additional outlet for recruitment and encourage minority groups to join law enforcement by including messages from officers they can identify with.

Once the videos are done and posted, POST hopes to get other agencies and individual officers to participate as well, turning “My Why” project into a statewide campaign.

6. **Questions/Comments Proposed Rule Changes** Director Erik Bourgerie

The main changes were made to the definition of “disqualifying incident” in Rule 1 for consistency purposes and Rule 5 to make it more clear. POST also created a new

Rule 32 that covers POST database. A formal vote will be done on proposed changes at the Board meeting on 09/24/2021.

7. Job Task Analysis/Academy Revamp Director Erik Bourgerie

a. Redesigning the Basic Academy curriculum

POST is looking to completely redesign current academy programs by using modern building blocks approach, where basic skills are taught first and the rest is built on that. The complexity of each block will increase as learner's skills get stronger. Today POST only mandates the learning objectives and the minimum amount of hours for each topic, which academies can teach in any order. The new system would change that, outlining specifically in which order the material should be learned. POST plans to eliminate lecture completely and replace it with facilitators of the discussion on every topic. The facilitators will help the recruits gain ownership of their knowledge by using problem-based learning, hybrid learning and scenarios. At the end of each instructional period recruits will be able to receive an immediate feedback from the instructor or safety officers. They will also have to write a law enforcement narrative, just like they would in the street, eventually collecting evidence and such. Essentially, POST is trying to make academy learning reflect real life as best as possible to get students more prepared. In addition, POST will weave certain topics, like de-escalation, mental health, dealing with persons with disabilities, etc. throughout the entire academy versus doing them only once.

b. Job Task Analysis (JTA)

POST released an RFP to identify a vendor to complete a JTA across the entire state covering its distinct regions. The national best practice for POST is to conduct one JTA every three to five years to get informed on what should be taught at the academies. Based on the JTA results, POST will determine what needs to be taught at the academies.

c. Advisory committee.

POST is forming an advisory committee that needs to consist of about 10 people with different skills, who are experts in what they do. The committee will bring a variety of perceptions to avoid silos. After the JTA is done, the advisory committee will help determine which of those job tasks belong in the academy, FTO program or in-service training. Then the results will be shared with agencies for awareness. POST will focus on the academy items and building cross-training between academies and FTOs.

d. Piloting a new academy program

Once POST has a new academy program complete, it will be launched in the participating academies to have scientific analysis of how people who went through the program perform in the field. POST would like the instructors to train the

recruits how they should interact with the citizens, which is with total respect all the time. POST recognizes the need to have some type of discipline installation as well to help with receiving orders from the command staff, overall listening skills and self-control in the field.

e. Opportunities to get involved

- Identify the experts to form the advisory committee.
- Volunteer your agency to be a part of JTA.
- Think long-term to find a good fit for curriculum development committees.

While POST would like to provide consistency within the curriculum, agency-specific training needs should also be accounted for. In light of that, the Board continues to discuss options that would allow the most flexibility at the highest standard. Academy revamp project timeline after JTA results are received is estimated at three to five years.

8. **Law Enforcement Training Academies**

a. Academy Scholarships

Grant Specialist Kishawn Leuthauser

POST Grants RSA Scholarship Grant Program came from HB 20-1229 designed to assist rural and small agencies with retention of officers by providing scholarships to those agencies for cadets to attend an academy. In FY21 POST awarded \$103,364 and in FY22 \$125,342. POST is tasked to follow up with participating agencies to see if their retention improves.

b. Renewal Process
Existing Academies

Director Erik Bourgerie
Compliance Mgr. Cathy Rodriguez

Currently there are 34 academies in the state, two in the process of getting approved and one interested in gaining an approval, which potentially makes it 37 academies total. It's challenging to manage a growing number of academies with the same amount of POST staff. Based on the previous discussions with the Board, POST will start requiring academies to get re-certified every five years to make sure they are serving a need. POST is seeking Board's recommendations on how this process should be managed. A vote on that and forming a subcommittee will occur at the Board meeting on 09/24/2021.

c. Application Process
New Academies

Director Erik Bourgerie
Compliance Mgr. Cathy Rodriguez

Entities interested in starting a POST academy are required to get approved by the Board first. To do that, a tentative form called a "Notice of Intent" was developed along with a policy that outlines the application process. POST suggests forming a subcommittee, which will be reviewing these requests. If a request is being denied, an applying entity may appeal to the full Board.

d. Academy Fees
Community Colleges vs.
Law Enforcement Academies

Director Erik Bourgerie

Up until now every academy has had the benefit of being certified without paying any fees. Some of these academies are being operated by community colleges, which have been doing reasonably well financially by engaging in this form of instruction. Some community colleges are paying various certification fees for other programs, while POST has to rely on its staff and volunteers to engage in this kind of work. As POST has to increase staff to meet the needs, it reduces the amount of money available statewide for law enforcement training, because there is only one funding source POST can use for both.

POST is interested in creating a proposal to bring to the legislature, suggesting some fee for the certification process to ensure quality educational experience. No objection has been received from the Board and the matter will be discussed further at the December Board meeting.