

**PHIL WEISER**  
Attorney General

**NATALIE HANLON LEH**  
Chief Deputy Attorney General

**SHANNON STEVENSON**  
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**TANJA WHEELER**  
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General



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**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**Peace Officer Standards and  
Training**

**POST BOARD MEETING**  
**RECORD OF PROCEEDINGS**  
*Friday, September 13, 2024*  
*10 A.M. – 12 P.M.*

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The Peace Officer Standards and Training Board held its 426<sup>th</sup>  
Board meeting in person and virtually via Microsoft Teams

**BOARD MEMBERS PRESENT**

DONALD ADDY, Public Member  
ASHLEY BECK, Public Member  
CHIEF GREGORY DALY, Avon Police Department  
COMMISSIONER LAURA DANIELS, Gunnison County  
DEPUTY MARSHAL RACHEL DEFRANCESCO, Town of Ridgway Marshal's Office  
CHIEF GEORGE DINGFELDER, Alamosa Police Department  
SHARLETTA EVANS, Public Member  
STAN HILKEY, Department of Public Safety, Executive Director  
SHERIFF KC HUME, Moffat County Sheriff's Office  
CHIEF DAVE KROUSE, City of Fruita Police Department  
SCOTT LEVIN, Public Member  
DEPUTY SHANNON LOFLAND, Arapahoe County Sheriff's Office  
SHERIFF DAVID LUCERO, Pueblo County Sheriff's Office  
SERGEANT DEVON MEYERS, City of Lakewood  
SAC MARK MICHALEK, FBI  
SHERIFF AARON SHIPLETT, Baca County Sheriff's Office  
JESSICA SHOUSE, Public Member  
SHERIFF SEAN SMITH, La Plata County Sheriff's Office  
CHIEF JEFFREY SWOBODA, Fort Collins Police Services  
ATTORNEY GENERAL PHIL WEISER, Colorado Department of Law

**BOARD MEMBERS EXCUSED**

SHERIFF DAVID MARTIN, Morgan County Sheriff's Office  
SHERIFF JUSTIN PERRY, Ouray County Sheriff's Office  
CHIEF RON THOMAS, City of Denver

**BOARD COUNSEL**

TARA BUCHALTER, Sr. Asst. Attorney General

**POST STAFF MEMBERS PRESENT**

ROBERT BAKER, Training Manager  
ERIK BOURGERIE, Director  
GWEN BURKE, Academy Curriculum Developer  
CHRIS COOPER, Administrative Coordinator  
KIMBERLY HERNANDEZ, Grants Manager  
KISHAWN LEUTHAUSER, Grants Specialist  
MARIO NORIEGA, Administrative Coordinator  
DAN OSTRANDER, Training Specialist  
JANELLE RASMUSSEN, Compliance Specialist  
RON RYAN, Deputy Director  
COURTNAY SCHWARTZ, Investigator  
ERIC SIPES, Compliance Specialist  
JARED TORSNEY, Training Specialist  
MARY VEKASY, Compliance Manager

**MEMBERS OF THE PUBLIC IN ATTENDANCE**

OFFICER SCOTT ACEY, Colorado Springs Police Department, SME Firearms committee  
UNDERSHERIFF QUINN ARCHIBEQUE, Delta County Sheriff's Office, SME Driving Committee  
DETECTIVE ROMAN CASTRO, Pueblo Police Department, SME Arrest Control Committee  
CAPTAIN DAVID CLEMENTS, Pueblo Law Enforcement Academy, SME Driving Committee.  
REPRESENTATIVE CHAD CLIFFORD, House of Representatives  
CHRIS CROSBY, Senior Legislative Aide  
INVESTIGATOR JOE CUMMINGS, Department of Revenue  
OFFICER STU CURRY, SME Curriculum Committee Vice-Chair, New Castle Police Department  
CORPORAL JEFF FURNEY, SME Firearms Committee, Pueblo Police Department  
SERGEANT JON GASKINS, Georgetown Police Department  
UNDERSHERIFF PAUL GREGORY, Adams County Sheriff's Office, SME Firearms Committee  
ERIC A. GONZALES, Pueblo Police Department, SME Driving Committee  
SERGEANT TODD HALLER, Snowmass Village Police Department, SME Firearms Committee  
TROOPER LUCAS HERBERT, State Patrol, SME Arrest Control Committee  
JOHN HOOD, SME Firearms Committee  
CRAIG KLUKAS, SME Arrest Control Committee  
JANET LARSON, SME Curriculum Committee Chair  
OFFICER JASON MOORE, Denver Police Department  
SERGEANT RHETT NEWBOLD, Broomfield Police Department, SME Driving Committee  
TROOPER DANIEL O'BRIEN, Colorado State Patrol  
MIKE PHIBBS, (VIRTUAL), Senior Director, Specialized Enforcement Group, DOR  
MICHAEL QUINTANA, Appellant

JEFF RIESTER, Director of Legislative Affairs, Office of the Attorney General  
NICHOLAS RYLAND, Colorado Springs Police Department, SME Driving Committee  
ALLISON SHERRY, CPR News  
COMMANDER KARL SMALLEY, Adams County Sheriff's Office, Driving SME Chair  
OFFICER RICHARD STENSGAARD, SME Arrest Control Committee  
COMMANDER TED VALERIO, Montrose County Sheriff's Office, SME Firearms Committee  
CHRISTOPHER WHITEMAN, Appellant

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 Member** Attorney General Phil Weiser
  - Chief Terrence Gordon
5. **New Board Members**
  - Jessica Shouse, Johnstown, Lay Member
  - Sheriff Aaron Shiplett, Baca County
  - Sheriff Justin Perry, Ouray County
6. **Departing SMEs** Attorney General Phil Weiser
  - Stephen Marino – Curriculum
  - Jerry Gray – Driving
  - Stephen Larsen – Driving
7. **Roll Call** Director Erik Bourgerie
8. **Approval of Board Meeting Minutes from June 7, 2024** Attorney General Phil Weiser
  - Motion to approve – 1<sup>st</sup> Sheriff Hume, 2<sup>nd</sup> Ms. Beck*
  - Approved unanimously.*
9. **Subject Matter Expert Committee Reports**
  - a. Arrest Control Sergeant Ike Beers  
Chair  
Sergeant Beers reported that they have received many full-skills applications. The committee selected Craig Klukas, recently retired from Denver Police Department, for their new SME committee member. Approved two new full-skills applications. Also, had some discussion around injuries other than in an ACT program and where those should be reviewed. All are being reviewed.

b. Curriculum

Lieutenant Stu Curry  
Vice Chair

Lieutenant Stu Curry presented virtually with updates. The committee updated the Reserve Academy to make it more consistent with the Basic Academy curriculum, which they are asking for approval today. They plan to present proposed changes to the Basic Academy curriculum. The committee is also discussing doing inspections at academies for renewals and lesson plans.

*Motion to approve the revised curriculum to the Reserve Academy  
1st Sheriff Lucero, 2nd Mr. Levin  
Approved unanimously.*

c. Driving

Commander Karl Smalley  
Chair

Commander Karl Salley reported that they welcomed Travis Moody of the Aurora Police Department to the SME committee. He thanked the two members departing from the committee for their service. Three new full skills instructors were approved. Two inspections have been scheduled for October. They are making progress on their POST driving instructor program. They have assigned members to sub-committees so they can move forward on this project. Three members have volunteered to look at their overall driving program. One member will be attending the pilot program for the new instructional methodology program

d. Firearms

Undersheriff Paul Gregory  
Chair

Undersheriff Paul Gregory presented virtually. They approved eight full-skills instructors. No inspections were done in the third quarter, but there are three upcoming inspections. They conducted one site approval and one academy approval. They approved three RDS Instructor programs.

- Recommended new Integrated Handgun/Red Dot Sight Instructor Program  
*Motion to approve – 1st Chief Dingfelder, 2nd Sheriff Hume  
Approved unanimously.*
- Recommended changes to the Handgun Instructor Program  
*Motion to approve – 1st Sheriff Lucero, 2nd Exec. Dir. Hilkey  
Approved unanimously.*

**10. Request for Appeal: Christopher Whiteman  
Rule 8 Variance**

Deputy Director Ron Ryan

*No motion suggested.*

*No hearing granted.*

**11. Request for Appeal: Michael Quintana  
Rule 8 Variance**

Deputy Director Ron Ryan

*Sheriff Lucero recused.  
No motion suggested.  
No hearing granted.*

**12. Peace Officer Certification  
Revocation & Disciplinary Actions**

Director Erik Bourgerie

**POST Rule 9 - Revocation of Peace Officer Certification:** 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. 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. 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.

*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. F24-04, George Ibarra, Certification PID CO-122400. On April 4, 2024, Respondent was sentenced after pleading guilty to one count of §18-8-610(1)(a),(3)(a) C.R.S. – Tampering with Physical Evidence, a felony, in Otero County District Court case number 2023CR115. *The Respondent was employed as a Peace Officer at the time of offense (Dates of Offense: April 30, 2022 – August 22, 2023, Rocky Ford Police Department, Separation Date: September 14, 2022).* The Respondent did not comply with POST Order to Show Cause No. F24-04 by failing to appear at a Show Cause Hearing on July 24, 2024. POST Director Erik J. Bourgerie recommends revocation of George Ibarra’s Colorado Peace Officer Certification, PID CO-122400.

2. F24-05, Darin Poole, Certification PID CO-116424. On April 26, 2024, Respondent entered into a deferred sentence agreement for one count of §18-3-203(1)(i) C.R.S. – Assault in the Second Degree - Strangulation, a felony, and one count of §18-9-111(1)(e) C.R.S. – Harassment – telephone, a misdemeanor, in Adams County District Court case number 2023CR3667. *The Respondent was not employed as a Peace Officer at the time of offense (Date of Offense: November 26, 2023).* The Responded did not comply with POST Order to Show Cause No. F24-05 by failing to appear at a Show Cause Hearing on July 24, 2024. POST Director Erik J. Bourgerie recommends revocation of Darin Poole’s Colorado Peace Officer Certification, PID CO-116424.
3. F24-08, Malee Lor, Certification PID CO-126678. On May 6, 2024, Respondent was sentenced after pleading guilty to one count of § 18-5-211(1),(4) Insurance Fraud, a felony, in Arapahoe County District Court case number 2023CR2482. *The Respondent was employed as a Peace Officer at the time of offense (Date of Offense: October 3, 2018, Thornton Police Department, Separation Date February 2, 2019).* The Responded did not comply with POST Order to Show Cause No. F24-08 by failing to appear at a Show Cause Hearing on July 31, 2024. POST Director Erik J. Bourgerie recommends revocation of Malee Lor’s Colorado Peace Officer Certification, PID CO-126678.
4. F24-09, Ryan Cito, Certification PID CO-138559. On May 21, 2024, Respondent entered into a deferred sentence agreement for one count of §18-4-502(1)(a) C.R.S. – 1<sup>st</sup> Degree Trespass, a felony, in Jefferson County District Court case number 2023CR1085. *The Respondent was not employed as a Peace Officer at the time of offense (Date of Offense: May 3, 2023).* The Responded did not comply with POST Order to Show Cause No. F24-09 by failing to appear at a Show Cause Hearing on July 31, 2024. POST Director Erik J. Bourgerie recommends revocation of Ryan Cito’s Colorado Peace Officer Certification, PID CO-138559.

Misdemeanor Convictions:

5. M24-06, Arman Akbulut, Certification PID CO-202-335. On April 15, 2024, Respondent entered into a deferred sentence agreement for one count of §18-9-111(1)(g) C.R.S – Harassment – Inconvenient Hours, a misdemeanor, in Denver County Court case number 23M07266. *The Respondent was employed as a Peace Officer at the time of offense (Date of Offense: November 1, 2023, Wheat Ridge Police Department, Separation Date: January 18, 2024).* The Responded did not comply with POST Order to Show Cause No. M24-06 by failing to appear at a Show Cause Hearing on July 24, 2024. POST Director Erik J. Bourgerie recommends revocation of Arman Akbulut’s Colorado Peace Officer Certification, PID CO-202-335.

Untruthfulness:

1. U24-19, Noah Howard, Certification PID CO-0088-4460. On May 13, 2024, the Colorado Springs Police Department notified Colorado Peace Officer Standards & Training 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 November 07, 2023 (*Date of Separation: March 30, 2024*). The respondent did not request a Show

Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Noah Howard's Colorado Peace Officer Certification, PID CO-0088-4460.

2. U24-24, Jeffrey Toback, Certification PID CO-6723-8370. On July 17, 2024, the Douglas County Sheriff's Office notified Colorado Peace Officer Standards & Training the Respondent knowingly made an untruthful statement concerning a material fact or omitted a material fact on an official criminal justice record on May 13, 2024 (*Date of Separation: July 17, 2024*). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Jeffrey Toback's Colorado Peace Officer Certification, PID CO-6723-8370.

*Motion to approve – 1st Exec. Dir. Hilkey, 2nd Commissioner Daniels  
Approved unanimously.*

### Recusals

1. U24-17, Michael McGregor, Certification PID CO-130701. On April 15, 2024, Fort Collins Police Services notified Colorado Peace Officer Standards & Training 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 October 10, 2023 (*Date of Separation: December 13, 2023*). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Michael McGregor's Colorado Peace Officer Certification, PID CO-130701.

*Chief Swoboda recused.  
Motion to approve – 1st Chief Dingfelder, 2nd Sergeant Meyers  
Approved unanimously.*

2. F24-06, Jareh Dalke, Certification PID CO-6383-6807. On May 2, 2024, Respondent was sentenced after pleading guilty to six (6) counts of §794(a) 18 U.S.C., Attempt to Transmit National Defense Information to an Officer or Agent of a Foreign Government, felonies, in U.S. District Court – District of Colorado case number 1:22CR00313RM. *The Respondent was employed as a Peace Officer at the time of offense (Dates of Offense: August 1, 2022 -September 26, 2022, Colorado Rangers, Separation Date: December 2, 2022)*. The Respondent did not comply with POST Order to Show Cause No. F24-06 by failing to appear at a Show Cause Hearing on July 29, 2024. POST Director Erik J. Bourgerie recommends revocation of Jareh Dalke's Colorado Peace Officer Certification, PID CO-6383-6807.

*SAC Michalek recused.  
Motion to approve – 1st Chief Dingfelder, 2nd Mr. Addy  
Approved unanimously.*

### Voluntary Relinquishments:

1. VR24-09, David Guest, Certification PID CO-128490. On May 23, 2024, the 4<sup>th</sup> Judicial District Attorney's Office notified Colorado Peace Officer Standards and Training the Respondent knowingly made an untruthful statement concerning a material fact or omitted a material fact during an administrative investigation and/or disciplinary process between May 3 – May 22, 2024. Prior to a hearing in this matter, Colorado Peace Officer Standards and Training received a voluntary relinquishment of David Guest's Colorado Peace Officer Certificate on July 18, 2024.

Administrative Hearing Officer Decisions:

1. U22-25, Laura Stengle, Certification PID CO-2020-3760. On August 25, 2022, the El Paso County Sheriff's Office notified Colorado Peace Officer Standards & Training the Respondent knowingly made an untruthful statement concerning a material fact or omitted a material fact on an official criminal justice record on July 14, 2022 (*Date of Separation: August 4, 2022*). The respondent requested a Show Cause Hearing, however, the Respondent failed to answer the Notice of Charges and an Entry of Default was entered. An initial decision imposing revocation was issued on June 19, 2024, by an Administrative Hearing Officer. Neither party objected to the disciplinary action, resulting in a final order of revocation being issued on September 6, 2024.

**13. Rule Making**

Director Erik Bourgerie  
Board Counsel Tara Buchalter

Rule #3

*Motion to approve – 1<sup>st</sup> Deputy Marshal DeFrancesco, 2<sup>nd</sup> Chief Dingfelder  
Approved unanimously.*

Rule #9

*Motion to approve – 1<sup>st</sup> Sheriff Lucero, 2<sup>nd</sup> Sheriff Hume  
Approved unanimously.*

Rule #10

*Motion to approve – 1<sup>st</sup> Ms. Beck, 2<sup>nd</sup> Mr. Levin  
Approved unanimously.*

Rule #11

*Motion to approve – 1<sup>st</sup> Commissioner Daniels, 2<sup>nd</sup> Ms. Shouse  
Approved unanimously.*

Rule #12

*Motion to approve – 1<sup>st</sup> Sheriff Shiplett, 2<sup>nd</sup> Commissioner Daniels  
Approved unanimously.*



Rule #13

*Motion to approve – 1<sup>st</sup> Sheriff Hume, 2<sup>nd</sup> Sheriff Shiplett  
Approved unanimously.*

Rule #16

*Motion to approve – 1<sup>st</sup> Commissioner Daniels, 2<sup>nd</sup> Chief Dingfelder  
Approved unanimously.*

Rule #17

*Motion to approve – 1<sup>st</sup> Chief Dingfelder, 2<sup>nd</sup> Sergeant Meyers  
Approved unanimously.*

Rule #25

*Motion to approve – 1<sup>st</sup> Chief Dingfelder, 2<sup>nd</sup> Sheriff Smith  
Approved unanimously.*

Rule #32

*Motion to approve – 1<sup>st</sup> Ms. Beck, 2<sup>nd</sup> Deputy Marshal DeFrancesco  
Approved unanimously.*

**14. 2025 Meeting Dates**

Attorney General Phil Weiser

March 13, 2025	Work Session
March 14, 2025	Board Meeting
June 6, 2025	Board Meeting
September 11, 2025	Work Session
September 12, 2025	Board Meeting
December 5, 2025	Board Meeting

**15. Suspension Matrix**

Director Erik Bourgerie

*Motion to move to subcommittee for possible amendments 1<sup>st</sup> Deputy Marshal  
DeFrancesco, 2<sup>nd</sup> Mr. Levin.  
Approved with two nay votes.*

**16. Legislative Updates**

Legal Initiatives Jeff Riester

**17. Instructor Methodology Course**

Director Erik Bourgerie

Moved to Subcommittee led by Board Counsel for possible amendments.

**18. Sunrise Review Subcommittee**

Director Erik Bourgerie  
Sheriff KC Hume

Sunrise Review/Provision for Deputy Administrator of Judicial Security.

*Motion to approve – 1<sup>st</sup> Chief Dingfelder, 2<sup>nd</sup> Exec. Dir. Hilkey  
Approved unanimously.*

Sunrise Review/Provision for Denver District Attorney

*Motion to approve – 1<sup>st</sup> Sheriff Lucero, 2<sup>nd</sup> Chief Dingfelder  
Approved unanimously.*

Sunrise Review/Provision for Colorado Department of Revenue Firearms Dealer  
Registration & Enforcement Division

*Motion to approve – 1<sup>st</sup> Chief Daly, 2<sup>nd</sup> Chief Dingfelder  
Approved with two nays.*

Sunrise Review/Provision for Colorado Department of Revenue Auto Industry Division

*Motion to approve – 1<sup>st</sup> Sheriff Lucero, 2<sup>nd</sup> Chief DeFrancesco  
Approved unanimously.*

Sunrise Review/Provision for Deputy Director, Peace Officer Standards and Training

*Motion to approve – 1<sup>st</sup> Mr. Levin, 2<sup>nd</sup> Exec. Dir. Hilkey  
Approved unanimously.*

**19. Duplicative Appeals Policy**

Director Erik Bourgerie  
Board Counsel Tara Buchalter

Moved to Subcommittee led by Board Counsel for possible amendments.

Subcommittee Members: Ms. Shouse, Deputy Marshal DeFrancesco, Ms. Evans, Sheriff  
Smith, and Commissioner Daniels. Led by Board Counsel.

**20. Appeal Hearing Findings**

Ms. Ashley Beck

Joseph Harris  
Clark Hutchinson

Ms. Beck reported that the subcommittee sat in on two separate appeals hearings. The  
findings by the subcommittee were to deny Joseph Harris' appeal unanimously and to  
grant the appeal for Clark Hutchinson by a vote of 3 to 2.

**21. IADLEST National Certification Program**

Director Erik Bourgerie

*Item tabled*

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

Executive Director Hilkey updated the board on the CSP Trooper that was ambushed recently while parked on the highway. The trooper's actions while being attacked were remarkable.

**23. Adjournment**

Attorney General Phil Weiser

*Motion to adjourn – 1<sup>st</sup> Defrancesco 2<sup>nd</sup> Evans.  
Approved unanimously.*

**Upcoming Meetings**

*POST Board Meeting: Friday, December 6<sup>th</sup> from 10 a.m. to 12 p.m.*

Jefferson County Sheriff's Office  
200 Jefferson County Parkway  
Golden, CO 80401

SME Meetings – 8:15 am