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**Peace Officer Standards and  
Training**

**STATE OF COLORADO  
DEPARTMENT OF LAW**

**POST BOARD MEETING  
RECORD OF PROCEEDINGS**

*Friday, June 2, 2023  
10 A.M. – 12 P.M.*

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The Peace Officer Standards and Training Board held its 420th Board meeting at the Department of Law, 1300 Broadway, Denver, CO 80203.

**BOARD MEMBERS PRESENT**

DONALD ADDY, Public Member, attended virtually.  
SENIOR INVESTIGATOR TONYA BARNES, Eighteenth Judicial District  
ASHLEY BECK, Public Member  
CHIEF GREGORY DALY, Avon Police Department  
CHIEF GEORGE DINGFELDER, Monte Vista Police Department  
OFFICER RACHEL ESTERS, City of Ouray  
SHARLETTA EVANS, Public Member, attended virtually.  
CHIEF TERRENCE GORDON, City of Thornton  
EXECUTIVE DIRECTOR STAN HILKEY, Colorado Department of Public Safety  
CHIEF DAVE KROUSE, City of Fruita  
DEPUTY SHANNON LOFLAND, Arapahoe County Sheriff's Office  
SHERIFF DAVID MARTIN, Morgan County Sheriff's Office, attended virtually.  
SHERIFF ANTHONY MAZZOLA, Rio Blanco County Sheriff's Office  
SHERIFF STEVE NOWLIN, Montezuma County Sheriff's Office  
SHERIFF SEAN SMITH, La Plata County Sheriff's Office  
ATTORNEY GENERAL PHIL WEISER, Colorado Department of Law

**BOARD MEMBERS EXCUSED**

LAURA DANIELS, Public Member  
CHIEF MARIS HEROLD, Boulder Police Department  
SCOTT LEVIN, Public Member  
SHERIFF DAVID LUCERO, Pueblo County Sheriff's Office  
SAC MARK MICHALEK, FBI  
CHIEF JEFFREY SWOBODA, Fort Collins Police Department

## **BOARD MEMBERS ABSENT**

SHERIFF SHAWN MOBLEY, Otero County Sheriff's Office  
COUNCILMEMBER WAYNE WILLIAMS, City of Colorado Springs

## **BOARD COUNSEL**

TARA BUCHALTER, Asst. Attorney General

## **POST STAFF MEMBERS PRESENT**

ROBERT BAKER, Training Manager  
ERIK BOURGERIE, Director  
JANET DRAKE, Deputy Attorney General, Criminal Justice Section  
VICTORIA EDSTEDT, Administrative Coordinator  
NICOLA ERB, Training Specialist  
KIMBERLY HERNANDEZ, Grants Manager  
KISHAWN LEUTHAUSER, Grants Specialist  
MARIO NORIEGA, Administrative Coordinator  
DAN OSTRANDER, Training Specialist  
JANELLE RASMUSSEN, Compliance Specialist  
CATHERINE RODRIGUEZ, Compliance Manager  
RON RYAN, Deputy Director  
MEGAN SERENA, Compliance Coordinator  
COURTNAY SCHWARTZ, Law Enforcement Accountability Officer  
JARED TORSNEY, Training Specialist

## **MEMBERS OF THE PUBLIC IN ATTENDANCE**

UNDERSHERIFF QUINN ARCHIBEQUE, Delta County Sheriff's Office, Member of SME  
Driving Committee, attended virtually  
SERGEANT IKE BEERS, City of Lakewood, Chair of SME ACT Committee  
SERGEANT JEFF BREDEHOEFT, Douglas County, Vice Chair of SME Firearms  
Committee  
REID ELKUS, Elkus & Sisson P.C.  
JANET LARSON, Chair of Curriculum SME Committee  
JOHN MAEDEL, Douglas County Sheriff's Office  
TIM RAILSBACK, Aurora Police Department  
COMMANDER KARL SMALLEY, Adams County Sheriff's Office, Chair of Driving SME

1. **Welcome** Attorney General Phil Weiser
2. **Departing Board Members** Attorney General Phil Weiser
  - a. Sheriff Nowlin, Montezuma County
  - b. Councilmember Wayne Williams, City of Colorado Springs

3. **Departing SME Members** Attorney General Phil Weiser
  - a. Officer Jason Petrucelli, Firearms SME, 2016-2023
  - b. Officer Timothy Railsback, Curriculum SME, 2018-2023
  - c. Officer Tracey Thompson, Driving SME, 2017-2023
4. **Introduction of new POST Deputy Director** Attorney General Phil Weiser
5. **Introduction of New Board Members** Attorney General Phil Weiser
  - a. Chief David Krouse, City of Fruita
6. **Pledge of Allegiance** Attorney General Phil Weiser
7. **Introduction of Board Members, SME Members, Staff and Guests**
8. **Roll Call** Director Erik Bourgerie

Quorum of members present.
9. **Approval of Work Session Minutes From March 9th, 2022** Attorney General Phil Weiser

*Motion to approve – 1<sup>st</sup> Gordon, 2<sup>nd</sup> Nowlin*  
*Approved unanimously*
10. **Approval of Board Meeting Minutes From March 10th, 2022** Attorney General Phil Weiser

*Motion to approve – 1<sup>st</sup> Mazzola, 2<sup>nd</sup> Hilkey*  
*Approved unanimously*
11. **Subject Matter Expert Reports**
  - a. Curriculum Janet Larson  
Chair

The Curriculum SME committee met yesterday. They are currently down to 19 members following the departure of Officer Timothy Railsback. The committee is almost completed with the Red Rocks lesson plans review. They have eight lesson plans left to approve. Red Rocks is planning on opening in August, so the committee has a deadline for these approvals by July. The committee is working towards bringing 10 revisions to the board by the December POST board meeting.

b. Arrest Control

Sergeant Ike Beers  
Chair

The ACT SME committee has been searching for subject matter experts to join the committee and complete inspections and test outs. Applications have been sent out to Pueblo, Montrose, Alamosa, and State Patrol so, they are hoping to have these prospective members join soon. The committee also had a few injury reviews where no abnormalities were found. They also received three full skills applications from Douglas County, Larimer County, and Evans Police Department. A discussion was conducted pertaining to an article that was released on ACT being a teaching point of academies' custodial care section. The committee is planning on making this an agenda item. A program submission from the Technical College of the Rockies was received and the committee is working on bringing it to the board for approval during the next meeting. Lastly the committee had a discussion with the Fort Collins PD about their program and they will be working with the director and the compliance team to get the program up and running.

*Motion to approve changes to Manual – 1<sup>st</sup> Nowlin, 2<sup>nd</sup> Barnes  
Approved unanimously*

c. Driving

Commander Karl Smalley  
Chair

The Driving SME committee has received applications for four full skills instructors. The committee also has a few test outs scheduled for this month as well as one in July. Lastly some inspections scheduled for the fall.

d. Firearms

Sergeant Jeff Bredehoeft  
Vice Chair

The Firearms SME committee has been meeting monthly. The committee completed three academy inspections since the last meeting in March. From the three inspections the committee is waiting for some correctional paperwork from Trinidad. The committee is bringing back a former SME member as a civilian by the name as Mark Stevens a retiree from Colorado Springs PD. The committee is also bringing a decision to the board for a change in prerequisites for instructors.

*Motion to approve changes to verbiage in rule for full skill instructors – 1<sup>st</sup>  
Daly, 2<sup>nd</sup> Lofland  
Approved unanimously*

12. **Request for Appeal - Rule 8 Variance: Eric Martinez** Director Erik Bourgerie

*Motion to grant hearing – 1st Daly, 2nd Beck*

*Approved unanimously.*

*The subcommittee for the appeal hearing: Barnes, Evans, Beck, Smith, Mazzola*

13. **Request for Appeal - Hearing Finding: John Maedel** Director Erik Bourgerie

*No motion suggested.*

*Initial ruling stands*

14. **Request for Appeal - Hearing Finding: Christopher Mecca** Director Erik Bourgerie

*No motion suggested.*

*Initial ruling stands*

15. **Request for Appeal - Hearing Finding: Jeffrey Scott Schnedler** Director Erik Bourgerie

*No motion suggested.*

*Initial ruling stands*

16. **Peace Officer Certification Revocation Actions** 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. F22-10, Cameron River Braveheart, Certification PID CO-136899. On July 11, 2022, the respondent was sentenced after being found guilty at jury trial, for one count of § 18-5-902(1)(b) C.R.S. ID Theft – Possession with intent to Use, a Felony, and one count of § 18-8-404 C.R.S., Official Misconduct 1, a Misdemeanor, in case number 2021CR94 in the Montrose County Court. The respondent was employed as a peace officer at the time of the offense (Dates of Offense: November 30, 2020-December 2, 2020, Montrose County Sheriff's Office, Separation March 18, 2021). The respondent has complied with POST Show Cause Order No. F22-10 by appearing on October 6, 2022. POST Director Erik J. Bourgerie recommends revocation of Cameron River Braveheart's Colorado Peace Officer Certification, PID CO-136899.

*Motion to revoke – 1st Dingfelder, 2nd Nowlin  
Approved unanimously.*

Misdemeanor Convictions:

1. M22-05, Christopher Mecca, Certification PID CO-135953. On January 31, 2022, Respondent was sentenced after being found guilty following a jury trial to one count of §18-3-204(1)(a) C.R.S. Assault 3-know/reckless Cause Injury, a Misdemeanor, and one count of §18-8-404 C.R.S. First Degree Official Misconduct, a Misdemeanor, in Case No. 2020M1575 in the Boulder County Court. The respondent was employed as a peace officer at the time of the offence (Date of Offense: September 23, 2020, Boulder County Sheriff's Office, Separation October 9, 2020). The respondent has complied with POST Show Cause Order No. M22-05 by appearing on December 14, 2022. POST Director Erik J. Bourgerie recommends revocation of Christopher Mecca's Colorado Peace Officer Certification, PID CO-135953.

*Motion to revoke – 1st Smith, 2nd Beck  
Approved unanimously.*

2. M22-13, Wayne Nelson, Certification PID CO-121060. On October 28, 2022, Respondent was granted a deferred sentence for three counts of § 18-3-404(1)(a) C.R.S., Sexual Contact – No Consent, a Misdemeanor, in Case No. 2021CR1403 in the Jefferson District Court. The respondent was

not employed as a peace officer at the time of the offense. The respondent has complied with POST Show Cause Order No. M22-13 by appearing on February 22, 2023. POST Director Erik J. Bourgerie recommends revocation of Wayne Nelson's Colorado Peace Officer Certification, PID CO-121060.

*Motion to revoke – 1st Mazzola, 2nd Barnes  
Approved unanimously.*

3. M22-15, John Maedel, Certification PID CO-139836. On November 23, 2022, Respondent was granted a deferred sentence for one count of § 18-9-111(1)(c) C.R.S. Harassment - follow person in public place, a Misdemeanor, in Case No. 2022CR622 in the Weld County District Court. The respondent was employed as a peace officer at the time of the offence (Dates of Offence: July 1, 2021 – April 8, 2022, Weld County Sheriff's Office, Separation April 27, 2022). The respondent has complied with POST Show Cause Order No.M22-15 by appearing on January 25, 2023. POST Director Erik J. Bourgerie recommends revocation of John Maedel's Colorado Peace Officer Certification, PID CO-139836.

*Motion to revoke – 1st Barnes, 2nd Dingfelder  
Approved unanimously.*

*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.*

Misdemeanor Convictions:

1. No. M23-02, Blake David Burtard, Certification PID CO-134038. On January 12, 2023, Respondent was granted a deferred sentence after pleading guilty to one count of § 18-3-204(1)(a) C.R.S., Assault 3 – know/reckless cause injury, a Misdemeanor, in Case No. 2022M2326 in the Mesa County Court. Respondent was not employed at the time of the offense. The respondent has not complied with POST Show Cause Order No. M23-02 by failing to appear at the scheduled Show Cause Hearing on March 27, 2023. POST Director Erik J. Bourgerie recommends revocation of Blake David Burtard's Colorado Peace Officer Certification, PID CO-134038.

2. No. M23-03, Jeffrey Scott Schnedler, Certification PID CO-4126-9072. On January 25, 2023, Respondent was granted a deferred sentence after pleading guilty to one count of § 18-3-204(1)(a) Assault 3 – know/reckless cause injury C.R.S., a Misdemeanor, in Case No. 2022CR98 in the Huerfano County Court. The respondent was employed as a peace officer on the date of the offense (Date of Offense: August 18, 2022, Huerfano County Court, Huerfano County Sheriff's Office, Separated November 30, 2022). The respondent has not complied with POST Show Cause Order No. M23-03 by failing to appear at the scheduled Show Cause Hearing on March 27, 2023. POST Director Erik J. Bourgerie recommends revocation of Jeffrey Scott Schnedler's Colorado Peace Officer Certification, PID CO-4126-9072.
3. No. M23-04, Valeri Nicole Pedraza, Certification PID CO-3337-1642. On January 19, 2023, Respondent was granted a deferred sentence after pleading guilty to one count of § 18-3-204(1)(a) C.R.S., Assault 3 – know/reckless cause injury, a Misdemeanor, in Case No. 2022M5082 in the Larimer County Court. The respondent was employed as a peace officer on the date of the offense (Date of Offense: May 29, 2022, Larimer County Court, Fort Collins Police Department, Separated November 9, 2022). The respondent has not complied with POST Show Cause Order No. M23-04 by failing to appear at the scheduled Show Cause Hearing on March 27, 2023. POST Director Erik J. Bourgerie recommends revocation of Valeri Nicole Pedraza's Colorado Peace Officer Certification, PID CO-3337-1642.

Untruthfulness:

1. No. U23-03, Shannon D. Everhart, Certification (PID CO-139607). On February 13, 2023, Woodland Park 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 and while testifying under oath on several dates in 2022 (Date of Separation: December 2, 2022). The respondent did not request a Show Cause Hearing regarding this matter POST Director Erik J. Bourgerie recommends revocation of Shannon D. Everhart's Colorado Peace Officer Certification (PID CO-139607).
2. No. U23-05, Kimberly E. Lovato, Certification (PID CO-121700). On April 4, 2023, Denver 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 April 18, 2022 (Date of Separation: February 17, 2023). The respondent did not request a Show Cause



Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Kimberly E. Lovato's Colorado Peace Officer Certification (PID CO-121700).

*Motion to revoke – 1<sup>st</sup> Dingfelder, 2<sup>nd</sup> Nowlin  
Approved unanimously.*

17. **PUC Rule 28 Waiver** Director Erik Bourgerie

Director Bourgerie used this moment in the meeting to get some guidance from the board on the Rule 28 waiver being requested by PUC investigators in order for them to maintain their POST without having to complete training since the current rule states "all peace officers".

18. **Revised Grant Guidelines** Grants Mgr. Kim Hernandez

The grant subcommittee has reviewed and approved the changes to the grant guidelines and proposed funding formulas and is seeking approval from the board. These revisions will allow non-certified peace officers to be eligible for funding as well as long as they are a Colorado peace officer. There were also a few updates to usage of personal and fleet vehicle usage, as well as clarifying what equipment is allowed to be purchased with grant funding.

*Motion to approve revised grant guidelines – 1<sup>st</sup> Esters, 2<sup>nd</sup> Nowlin/Gordon  
Approved unanimously.*

19. **Grant Awards** Grants Mgr. Kim Hernandez

The grants subcommittee awarded two grant awards. One for Police1 for the next three years as well as one for two sessions of ICAT training for this upcoming year

*Motion to approve funding of Police1 for the next three years – 1<sup>st</sup> Dingfelder, 2<sup>nd</sup> Mazzola.  
Approved unanimously.*

*Motion to approve funding for two sessions of ICAT – 1<sup>st</sup> Daly, 2<sup>nd</sup> Hilkey.  
Approved unanimously.*

20. **Curriculum Developer** Director Erik Bourgerie

The Attorney general took a moment to update the board on a new curriculum developer position within POST. He encouraged the board to spread the word and promote the position within their networks.

21. **EDMUS Update** Director Erik Bourgerie

Director Bourgerie gave an update on EDMUS. The POST team put in the initial feedback received during the piolet program in Fort Morgan which was extremely

positive. Sheriff Dave Martin seconded the positive feedback received from Fort Morgan.

22. **Comments From Others**

No comments from the public or POST Board members.

23. **Executive Session**

Attorney General Phil Weiser  
Board Counsel Tara Buchalter

*Motion to disperse into Executive Session – 1st Hilkey, 2nd Dingfelder  
Approved unanimously*

24. **Adjournment**

Attorney General Phil Weiser

*Motion to adjourn - 1st Inaudible in recording, 2nd Daly  
Approved unanimously*