



Department of Law
 Ralph L. Carr
 Colorado Judicial Center
 1300 Broadway, 9th Floor
 Denver, CO 80203
 (720) 508-6721
 Fax: (866) 858-7486
 Email: POST@state.co.us

POST Board Meeting

Colorado Department of Law

Friday, March 11, 2016

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

**Peace Officer Standards and Training (POST) Board Meeting:
 10:00 a.m.**

Board Members

Cynthia H. Coffman
 Attorney General
 Chair

Chief John S. Camper
 City of Grand Junction
 Vice Chair

Chief Dan Brennan
 City of Wheat Ridge

Sheriff Ron Bruce
 Hinsdale County

Sergeant Rafael Chanza
 City of Colorado Springs

Sergeant Lonnie Chavez
 City of Grand Junction

Chief John Collins
 City of Englewood

Deputy Amanda Cruz-Giordano
 Arapahoe County Sheriff's Office

Sheriff Chad Day
 Yuma County

David Donaldson
 Logan County Commissioner

Chief John Dyer
 City of Rifle

Executive Director Stan Hilkey
 Department of Public Safety

Kara Hoofnagle
 Public Member

S. Zeke Knox
 Public Member

Robert A. Lees
 Public Member

Sheriff Fred McKee
 Delta County

Sheriff John Minor
 Summit County

Chief Michael Phibbs
 Auraria Dept. of Public Safety

Jane Quimby
 Public Member

SAC Thomas Ravenelle
 Federal Bureau of Investigation

Sheriff Anthony Spurlock
 Douglas County

Bradley F. Taylor
 Public Member

Sheriff Frederick Wegener
 Park County

Chief Robert C. White
 City of Denver

POST Director
 Cory Amend

Introductions:

- | | | |
|----|---|----------------------------------|
| 1. | Welcome | Attorney General Cynthia Coffman |
| 2. | Pledge of Allegiance | Attorney General Cynthia Coffman |
| 3. | Introduction of Board Members, SME Members, Staff and Guests | |
| 4. | Roll Call | Director Cory Amend |
| 5. | Approval of POST Minutes from December 14, 2015
(See supplemental handout) | |

Action Items:

- | | | |
|----|---|---------------------------------------|
| 6. | Peace Officer Certification
Revocation Actions
(See supplemental handout) | Tom Mullen
Compliance Investigator |
|----|---|---------------------------------------|

POST Rule 9 – Revocation of Peace Officer Certifications – Felony Convictions:

§ 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 or judge.

1. No. F15-06, **Timothy Joseph Kelley**, Certification B01376, PID 125320. On April 2, 2015, Respondent pled guilty to and was convicted of 1 count of Sexual Exploitation child/video 20+ items § 18-6-403 (3)(b.5)(5)(b)(II), C.R.S., a class 4 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: January 6, 2014 –Separated: May 31, 2014).* The Respondent has failed to comply with POST Show Cause Order F15-06 by failing to appear at the scheduled Show Cause Hearing. Director Amend recommends revocation of **Timothy Joseph Kelley’s** Colorado Peace Officer Certification B01376, PID 125320.
2. No. F15-13, **Kisha Pricilla Aristide**, Certification B0038-2865, PID 0038-2865. On August 24, 2015 Respondent pled guilty to and was convicted of 1 count of Computer Crime – Commit Theft 1,000-20,000 § 18-5.5-102(1)(d), C.R.S., a class 4 felony. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: March 8, 2014 –Never employed).* The Respondent has failed to comply with POST Show Cause Order F15-13 by failing to appear at the scheduled Show Cause Hearing. Director Amend recommends revocation of **Kisha Pricilla Aristide’s** Colorado Peace Officer Certification B0038-2865, PID 0038-2865.
3. No. F15-14, **James Allen Klein**, Certification B8034, PID 121919. On August 3, 2015, Respondent pled guilty to one count of Forgery –Check/Commercial Instrument, §18-5-102 (1)(c) C.R.S, a class 5 felony. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: December 28, 2013 –Separated: November 17, 2010).* The Respondent has failed to comply with POST Show Cause Order F15-14 by failing to appear at the scheduled Show Cause Hearing. Director Amend recommends revocation of **James Allen Klein’s** Colorado Peace Officer Certification B8034, PID 121919.
4. No.F15-15, **Jack Miller Gardner**, Certification B5082, PID 123097. On September 18, 2015, Respondent pled guilty to one count of Accessory to Crime-F3, F4,F5, Internet Luring, §18-8-105 (1)(5) C.R.S. a class 5 felony, one count of Official Misconduct 1, §18-8-404 C.R.S., a class 2 misdemeanor, and one count of Obstructing a Peace officer, §18-8-104 (1)(a) C.R.S., a class 2 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: May 29, 2014 –Separated: October 8, 2014).* The Respondent has failed to comply with POST Show Cause Order F15-15 by failing to appear at the scheduled Show Cause Hearing. Director Amend recommends revocation of **Jack Miller Gardner’s** Colorado Peace Officer Certification B5082 (PID 123097).

A. **POST Rule 9 - Revocation of Peace Officer Certifications – Misdemeanor Convictions:**

§ 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, or has been convicted on or after July 1, 2001, of any misdemeanor described in subsection (1.5) of § 24-31-30 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. M15-16, **Timothy Joseph Hay**, Certification B13127, PID 128993. On June 30, 2015, Respondent was convicted of one count of Assault 3 – Know/reckless Cause Injury, §18-3-204 (1)(a) C.R.S., a class 1 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: September 18, 2014, - Separated October 4, 2014).* The Respondent has failed to comply with POST Show Cause Order M15-16 by failing to appear at the scheduled Show Cause Hearing. Director Amend recommends revocation of **Timothy Joseph Hay's** Colorado Peace Officer Certification B13127, PID 128993.
2. No. M15-17, **Aaron Alexander Johnsen**, Certification B16876, PID 136859. On September 24, 2015, Respondent was convicted of one count of Harassment – Following Person in Public Place § 18-9-111 (1)(c) C.R.S., a class 3 misdemeanor. *The Respondent was employed a peace officer on the date of the offense (Date of Offense: September 14, 2015, - Separated September 22, 2015).* Respondent has failed to comply with POST Show Cause Order M15-17 by failing to appear at the scheduled Show Cause Hearing. Director Amend recommends revocation of **Aaron Alexander Johnsen's** Colorado Peace Officer Certification B16876, PID 136859.
3. No. M15-18, **Steven Leon Davis**, Certification B10229, PID 115818. On April 1, 2015, Respondent was convicted of one count of False Reporting – False Information § 18-8-111 (1)(c) C.R.S., a class 3 misdemeanor. *The Respondent was employed a peace officer on the date of the offense (Date of Offense: May 07, 2014, - Separated May 19, 2014).* Respondent has failed to comply with POST Show Cause Order M15-18 by failing to appear at the scheduled Show Cause Hearing. Director Amend recommends revocation of **Steven Leon Davis'** Colorado Peace Officer Certification, B10229, PID 115818.
4. No. M15-19, **Evan Kelly Mead**, Certification B11070, PID 119021. On November 18, 2015, the Respondent was convicted of one count of Harassment – Strike/Shove/Kick, § 18-9-111(1)(a) C.R.S., a class 3 misdemeanor. *The Respondent was not employed a peace officer on the date of the offense (Date of Offense: September 30, 2015 - Separated December 23, 2006).* Respondent has failed to comply with POST Show Cause Order M15-19 by failing to appear at the scheduled Show Cause Hearing. Director Amend recommends revocation of **Evan Kelly Mead's** Colorado Peace Officer Certification B11070, PID 119021.

Presentations:

7. Subject Matter Expert (SME) Committee Reports:

- A. Curriculum Sgt. Graham Dunne, Chair
- B. Arrest Control Cmdr. Erik Bourgerie, Chair
- C. Firearms Dep. Ed Kafel, Chair
- D. Law Enforcement Driving Cmdr. Karl Smalley, Chair

8. Triad Chief Pete Carey, CSPD
Sheriff Bill Elder, EPSO
Chief Dep. Todd Evans, EPSO
Chief Chris Heberer, Fountain PD

9. Legislative Update
(See supplemental handout) Jenn Anderson

10. Rule 28 – Update Report
(See supplemental handout) Dir. Cory Amend

~~11. Marijuana Update Carolyn Berry
Special Project Manager~~

12. POST Audit Update Dir. Cory Amend

Informational Items:

13. Non-Resident Certification Stacy Worthington
Board Counsel

14. Alternative POST Funding Dir. Cory Amend

15. Comments from others on POST Issues

16. Adjournment Attorney General Cynthia Coffman

Next POST Board Meeting

June 3, 2016

Ralph L. Carr Colorado Judicial Center
1300 Broadway
Denver CO

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