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# POST Board Meeting Agenda

*Friday, March 15, 2024*

**Peace Officer Standards and Training (POST) Board Meeting**  
**10 a.m. – 12 p.m.**  
**State Services Building**  
**1525 Sherman St, Denver, CO 80203**

**Board Members**

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

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

**Donald Addy**  
*Public Member*

**Ashley Beck**  
*Public Member*

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

**Commissioner Laura Daniels**  
*County of Gunnison*

**Officer Rachel DeFrancesco**  
*City of Ouray*

**Sharletta Evans**  
*Public Member*

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

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

**Sheriff KC Hume**  
*Moffat County*

**Chief David Krouse**  
*City of Fruita*

**Scott Levin**  
*Public Member*

**Deputy Shannon Lofland**  
*Arapahoe County*

**Sheriff David Lucero**  
*Pueblo County*

**Sheriff David Martin**  
*Morgan County*

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

**Special Agent in Charge**  
**Mark Michalek**

*Federal Bureau of Investigation*  
**Sheriff Shawn Mobley**

*Otero County*  
**Sheriff Sean Smith**

*La Plata County*  
**Chief Jeffrey Swoboda**

*City of Fort Collins*

**POST Director**

**Erik J. Bourgerie**

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 Maris Herold, City of Boulder
5. **Departing Staff** Attorney General Phil Weiser
  - Cathy Rodriguez, Compliance Manager
6. **Introduction of New POST Staff** Attorney General Phil Weiser
  - Administrative Coordinator, Chris Cooper
7. **Roll Call** Director Erik Bourgerie
8. **Approval of Board Meeting Minutes From December 1, 2023** Attorney General Phil Weiser  
*(See supplemental materials)*

**9. Subject Matter Expert Committee Reports**

- a. Arrest Control Sergeant Ike Beers  
Chair
  
- b. Curriculum Janet Larson  
Chair  
*(See supplemental materials)*
  - Basic Academy Curriculum Revision (Wellness & TCCC)
  
- c. Driving Commander Karl Smalley  
Chair
  
- d. Firearms Undersheriff Paul Gregory  
Chair

**10. Request for Appeal: Zachary Jones  
Suspension** Director Erik Bourgerie  
*(See supplemental materials)*

**11. Request for Appeal: David Henderson  
Revocation** Director Erik Bourgerie  
*(See supplemental materials)*

**12. Request for Appeal: Jose Alcorta  
Rule 8 Variance** Director Erik Bourgerie  
*(See supplemental materials)*

**13. Request for Appeal: Beau Gocio  
Rule 8 Variance** Director Erik Bourgerie  
*(See supplemental materials)*

**14. Request for Appeal: Spencer Davis  
Peace Officer Database** Director Erik Bourgerie  
*(See supplemental materials)*

**15. Peace Officer Certification  
Revocation & Disciplinary Actions** Director Erik Bourgerie  
*(See supplemental materials)*

**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.

Misdemeanor Convictions:

1. M23-12, Jordan Steinke, Certification PID CO-6919-8517. On September 15, 2023, Respondent was sentenced after being found guilty in a trial by court of one count of §18-3-204(1)(a) C.R.S. – Assault in the Third Degree – Knowingly or Recklessly Causes Injury, a misdemeanor, in Weld County District Court case number 2022CR1845. *The Respondent was employed as a Peace Officer at the time of the offense (Date of Offense: September 16, 2022, Ft. Lupton Police Department, Separation Date July 28, 2023).* The Responded complied with POST Order to Show Cause No. M23-12 by appearing at a rescheduled Show Cause Hearing on November 29, 2023. POST Director Erik J. Bourgerie recommends revocation of Jordan Steinke’s Colorado Peace Officer Certification, PID CO-6919-8517.
2. M23-13, Craig Burgess, Certification PID CO-120449. On or about June 14, 2023, Respondent entered into a deferred prosecution agreement for one count of §18-3-204(1)(a), C.R.S., Assault in the Third Degree—Knowingly or Recklessly Causes Injury, a misdemeanor, in Broomfield County Court case number 2023M345. *The Respondent was employed as a Peace Officer at the time of offense (Date of Offense: June 3, 2023, Westminster Police Department, Separation Date August 28, 2023).* The Responded complied with POST Order to Show Cause No. M23-13 by appearing at a Show Cause Hearing on December 5, 2023. POST Director Erik J. Bourgerie recommends revocation of Craig Burgess’ Colorado Peace Officer Certification, PID CO-120449.

*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. F23-13, Eduardo Landeros, Certification PID CO-202-581. On October 23, 2023, Respondent pleaded guilty to one count of §18-3-105 C.R.S. – Criminally Negligent Homicide, a felony, in Arapahoe County District Court case number 2023CR1133. *The Respondent was employed as a Peace Officer at the time of offense (Date of Offense: March 4, 2023, Aurora Police Department, Separation Date April 25, 2023).* The Respondent did not comply with POST Order to Show Cause No. F23-13 by failing to appear at a Show Cause Hearing on January 9, 2024. POST Director Erik J. Bourgerie recommends revocation of Eduardo Landeros' Colorado Peace Officer Certification, PID CO-202-581.
2. F23-14, Ryan Roybal, Certification PID CO-131071. On November 9, 2023, Respondent entered into a deferred sentence agreement for one count of §18-4-401(1), (2)(g) C.R.S. – Theft - \$5,000-\$20,000, a felony, in Denver District Court case number 2023CR1496. *The Respondent was employed as a Peace Officer at the time of offense (Dates of Offense: November 5, 2021- August 17, 2022, Denver Police Department, Separation Date November 9, 2023).* The Respondent did not comply with POST Order to Show Cause No. F23-14 by failing to appear at a Show Cause Hearing on January 10, 2024. POST Director Erik J. Bourgerie recommends revocation of Ryan Roybal's Colorado Peace Officer Certification, PID CO-131071.
3. F23-15, Daniel Garcia, Certification PID CO-133863. On November 15, 2023, Respondent entered into a deferred sentence agreement for one count of §18-3-206 C.R.S. – Menacing with a Real/Simulated Weapon, a felony, in El Paso County District Court case number 2023CR2416. *The Respondent was employed as a Peace Officer at the time of offense (Date of Offense: February 28, 2023, El Paso County Sheriff's Office, Date of Separation December 4, 2023).* The Respondent did not comply with POST Order to Show Cause No. F23-15 by failing to appear at a Show Cause Hearing on January 31, 2024. POST Director Erik J. Bourgerie recommends revocation of Daniel Garcia's Colorado Peace Officer Certification, PID CO-133863.
4. F23-16, David Henderson, Certification PID CO-1346-7187. On November 20, 2023, Respondent entered into a deferred sentence agreement for one count of §18-3-203(1)(i) C.R.S. – Attempted 2<sup>nd</sup> Degree Assault -Strangulation, a felony, and one count of §18-3-204(1)(a) C.R.S., Assault in the Third Degree— Knowingly or Recklessly Causes Injury, a misdemeanor, in Archuleta County District Court case number 2022CR100. *The Respondent was not employed as a Peace Officer at the time of offense (Date of Offense: December 27, 2022).* The

Responded did not comply with POST Order to Show Cause No. F23-16 by failing to appear at a Show Cause Hearing on January 31, 2024. POST Director Erik J. Bourgerie recommends revocation of David Henderson's Colorado Peace Officer Certification, PID CO-1346-7187.

Misdemeanor Convictions:

1. M23-11, Phillip Barker, Certification PID CO-7402-2729. On September 21, 2023, Respondent entered into a deferred sentence agreement for one count of §18-8-404 C.R.S. – 1<sup>st</sup> Degree Official Misconduct, a misdemeanor, in El Paso County Court case number 2023M2016. *The Respondent was employed as a Peace Officer at the time of offense (Date of Offense: September 29, 2022, El Paso County Sheriff's Office, Separation Date December 16, 2022).* The Responded did not comply with POST Order to Show Cause No. M23-11 by failing to appear at a Show Cause Hearing on December 4, 2023. POST Director Erik J. Bourgerie recommends revocation of Phillip Barker's Colorado Peace Officer Certification, PID CO-7402-2729.
2. M23-15, Jeremy Olive, Certification PID CO-112640. On or about May 2, 2023, Respondent entered into a deferred prosecution agreement for one count of § 18-3-204(1)(a), C.R.S., Assault in the Third Degree – Knowingly or Recklessly Causes Injury, a misdemeanor, in Douglas County Court case number 2023M2. *The Respondent was employed as a Peace Officer at the time of offense (Date of Offense: December 31, 2022, Denver Police Department, Separation Date December 2, 2023).* The Responded did not comply with POST Order to Show Cause No. M23-15 by failing to appear at a rescheduled Show Cause Hearing on February 14, 2024. POST Director Erik J. Bourgerie recommends revocation of Jeremy Olive's Colorado Peace Officer Certification, PID CO-112640.
3. M23-16, Robert Williamson, Certification PID CO-254-365. On August 31, 2023, Respondent pleaded guilty to one count of §18-9-111(1)(a) C.R.S. – Harassment – strike/shove/kick, a misdemeanor, in El Paso County District Court case number 2023CR1223. *The Respondent was not employed as a Peace Officer at the time of offense (Date of Offense: March 5, 2023).* The Responded did not comply with POST Order to Show Cause No. M23-16 by failing to appear at a Show Cause Hearing on January 10, 2024. POST Director Erik J. Bourgerie recommends revocation of Robert Williamson's Colorado Peace Officer Certification, PID CO-254-365.

**POST Suspension of Peace Officer Certification:** Pursuant to §24-31-904(2)(a)(I) C.R.S. a Colorado peace officer certification issued pursuant to subsection (1) or

(1.3) of §24-31-305 C.R.S. or §24-31-308 C.R.S. shall be suspended by the POST Board if the certificate holder has been convicted of or pleads guilty or nolo contendere to a crime involving the unlawful use or threatened use of physical force or a crime involving the failure to intervene in the use of unlawful force and the incident did not result in serious bodily injury or death to another person. For purposes of this Rule 5, pursuant to §24-31-904(4) a deferred judgement, deferred prosecution agreement, or pretrial diversion agreement for a crime involving the use of physical force or a crime involving the failure to intervene in the unlawful use of force also support the suspension of a Colorado peace officer certification.

1. M23-05, Zachary Jones, Unlawful Use of Physical Force: Certification PID CO-0571-7156. On April 4, 2023, Respondent entered into a deferred sentence agreement for one count of §18-3-204(1)(a) C.R.S., Assault in the Third Degree – Negligent with a Deadly Weapon, a misdemeanor, in Jefferson County Court case number 2021M6021. *The Respondent was employed as a peace officer at the time of offense (Date of Offense: August 26, 2021, Arvada Police Department, Separation Date February 14, 2023).* The Respondent complied with the POST Order to Show Cause No. M23-05 by appearing at a rescheduled Show Cause Hearing on August 23, 2023. The POST Director Erik J. Bourgerie recommends a five (5) year suspension of Zachary Jones' Colorado Peace Officer Certification, PID CO-0571-7156.

Untruthfulness:

1. U23-29, Egide Ndagije, Certification PID CO-894-592. On November 2, 2023, Aurora 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 October 16, 2023 (*Date of Separation: October 26, 2023*). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Egide Ndagije's Colorado Peace Officer Certification, PID CO-894-592.
2. U23-30, Oscar Morales, Certification PID CO-8517-1844. On November 2, 2023, Commerce City Police Department 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 February 25, 2022 (*Date of Separation: October 25, 2023*). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Oscar Morales' Colorado Peace Officer Certification, PID CO-8517-1844.

3. U23-31, Alyssa Cordova, Certification PID CO-815-118. On November 7, 2023, Golden 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 October 7, 2023 (*Date of Separation: November 6, 2023*). The respondent did not request a Show Cause Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Alyssa Cordova's Colorado Peace Officer Certification, PID CO-815-118.

Voluntary Relinquishments:

1. VR23-02, Kyle Gould, Certification PID CO-1314-1325. On November 16, 2023, the Respondent plead guilty to a disqualifying misdemeanor in Clear Creek County Court case number 2022CR129. The Respondent's plea agreement included a stipulation he would voluntarily relinquish his peace officer certificate. Colorado Peace Officer Standards and Training received a voluntary relinquishment of Kyle Gould's Colorado Peace Officer Certificate on November 30, 2023.
2. VR23-03, Mikhail Noel, Certification PID CO-980-155. On August 29, 2023, Las Animas County Sheriff's Office notified Colorado Peace Officer Standards and Training the Respondent used unlawful physical force on November 29, 2022, and had knowingly made an untruthful statement concerning a material fact or omitted a material fact on an official criminal justice record on November 29, 2022. Prior to a hearing in this matter, Colorado Peace Officer Standards and Training received a voluntary relinquishment of Mikhail Noel's Colorado Peace Officer Certificate on December 4, 2023.
3. VR23-04, Michael Minhas, Certification PID CO-7664-9828. On October 2, 2019, Kremling Police Department 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 internal affairs investigation on September 21, 2019. Prior to a hearing in this matter, Colorado Peace Officer Standards and Training received a voluntary relinquishment of Michael Minhas' Colorado Peace Officer Certificate on December 15, 2023.
4. VR24-01, Chad Benoit, Certification PID CO-5164-0409. On March 14, 2022, Weld County Sheriff'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 on an official criminal



justice record on January 14, 2022. Prior to a hearing in this matter, Colorado Peace Officer Standards and Training received a voluntary relinquishment of Chad Benoit's Colorado Peace Officer Certificate on January 11, 2024.

5. VR24-02, Thomas McLallen, Certification PID CO-123630. On January 26, 2024, Respondent plead guilty to a disqualifying misdemeanor in Denver County District Court case number 2023CR5655. The Respondent's plea agreement included a stipulation he would voluntarily relinquish his peace officer certificate. Colorado Peace Officer Standards and Training received a voluntary relinquishment of Thomas McLallen's Colorado Peace Officer Certificate on February 21, 2024.

Administrative Hearing Officer Decisions:

1. U20-16, Mauricio Gonzalez, Certification PID CO-138202. On December 3, 2020, Erie 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 on November 30, 2020 (*Date of Separation: December 3, 2020*). 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 November 14, 2023, by an Administrative Hearing Officer. Neither party objected to the disciplinary action, resulting in a final order of revocation being issued on January 23, 2024.
2. U21-07, Michael Chon, Certification PID CO-3878-1996. On May 6, 2021, Vail 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 on April 8, 2021 (*Date of Separation: May 6, 2021*). 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 November 14, 2023, by an Administrative Hearing Officer. Neither party objected to the disciplinary action, resulting in a final order of revocation being issued on January 23, 2024.

16. **Rulemaking**  
(See supplemental materials)

Director Erik Bourgerie  
POST Counsel Tara Buchalter

17. **Grants Subcommittee Opening**

Grants Mgr. Kim Hernandez



18. **Academy Application Subcommittee**

Sheriff Anthony Mazzola

19. **Appeal Hearing Findings**  
*(See supplemental materials)*

Sheriff David Martin

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

21. **Adjournment**

Attorney General Phil Weiser

**Upcoming Meetings**

*POST Board Meeting: Friday, June 7 from 10 a.m. to 12 p.m.*

To Be Determined

SME Meetings – 8:15 am