PHIL WEISER Attorney General

NATALIE HANLON LEH Chief Deputy Attorney General

SHANNON STEVENSON Solicitor General

TANJA WHEELER Associate Chief Deputy Attorney General



# STATE OF COLORADO DEPARTMENT OF LAW

RALPH L. CARR COLORADO JUDICIAL CENTER 1300 Broadway, 10th Floor Denver, Colorado 80203 Phone (720) 508-6000

Peace Officer Standards and Training

# POST BOARD MEETING

RECORD OF PROCEEDINGS Friday, June 6, 2025 10:00 A.M. – 12:00 P.M.

The Peace Officer Standards and Training Board held its 429th Board meeting in person and virtually via Microsoft Teams Ralph Carr Judicial Center 1300 N Broadway, Denver, CO 80203

## **BOARD MEMBERS PRESENT**

DONALD ADDY, Public Member
ASHLEY BECK, Public Member
CHIEF MARK BECKETT, Steamboat Springs Police Department
CHIEF GREGORY DALY, Avon Police Department
COMMISSIONER LAURA DANIELS, Gunnison County
DEPUTY MARSHAL RACHEL DEFRANCESCO, Ridgway Marshal's Office
CHIEF GEORGE DINGFELDER, Alamosa Police Department
STAN HILKEY, Department of Public Safety, Executive Director
CHIEF DAVE KROUSE, Fruita Police Department
SAC MARK MICHALEK, FBI
SHERIFF JUSTIN PERRY, Ouray County Sheriff's Office
JESSICA SHOUSE, Public Member
SHERIFF SEAN SMITH, La Plata County Sheriff's Office
CHIEF RON THOMAS, Denver Police Department

#### **BOARD MEMBERS ABSENT**

SHERIFF AARON SHIPLETT, Baca County Sheriff's Office

# **BOARD MEMBERS EXCUSED**

ATTORNEY GENERAL PHIL WEISER, Colorado Department of Law SHARLETTA EVANS, Public Member SHERIFF KC HUME, Moffat County Sheriff's Office SCOTT LEVIN, Public Member SHERIFF DAVID LUCERO, Pueblo County Sheriff's Office SHERIFF DAVID MARTIN, Morgan County Sheriff's Office CHIEF JEFFREY SWOBODA, Fort Collins Police Services

#### **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 LILEY, Administrative Coordinator

VICTORIA EDSTEDT, Grants Specialist

NICOLA ERB, Training Specialist

KIMBERLY HERNANDEZ, Grants Manager

KISHAWN LEUTHAUSER, Grants Specialist

ANDRE MARTINEZ, Intern

MARIO NORIEGA, Administrative Coordinator

JANELLE RASMUSSEN, Compliance Specialist

RON RYAN, Deputy Director

COURTNAY SCHWARTZ, Investigator

MEGAN SERENA, Compliance Coordinator

ERIC SIPES, Compliance Specialist

MARY VEKASY, Compliance Manager

# ATTORNEY GENERAL'S OFFICE STAFF MEMBERS PRESENT

JANET DRAKE, Deputy Attorney General, Criminal Justice Section

# MEMBERS OF THE PUBLIC IN ATTENDANCE

OFFICER SCOTT ACEY, Colorado Springs Police Department, SME Firearms Committee

JACOB ELLINGSWORTH, Appellant

CHRIS KRIEGER

SERGEANT RUSSELL LENGEL, Limon Police Department

ROWEN LEWIS

SHERIFF SHAWN MOBLEY, Otero County Sheriff's Office

SERGEANT ANTHONY SANTORO, Colorado Springs Police Department,

Curriculum SME

COMMANDER KARL SMALLEY, Adams County Sheriff's Office, Driving SME Committee Chair

MATTHEW SPARKS, Appellant

MARK STEVENS, Pikes Peak Regional LEA, Firearms SME Vice-Chair

MARY TRUJILLO, Appellant

1. Welcome

**Executive Director Stan Hilkey** 

In the excused absence of Attorney General Phil Weiser, ED Stan Hilkey called the meeting to order at 10:04 am.

2. Pledge of Allegiance

Executive Director Stan Hilkey

3. Introduction of Board Members, SME Members, Staff and Guests

Executive Director Stan Hilkey

4. Roll Call

Director Erik Bourgerie

Declaration of a Quorum (14)

5. Approval of Board Meeting Minutes from March 14, 2025 Executive Director Stan Hilkey

Motion to approve by Ms. Daniels, 2<sup>nd</sup> Ms. Beck Approved unanimously.

6. Subject Matter Expert Committee Reports

a. Arrest Control

Sergeant Ike Beers Chair

The committee approved three out of four full skills applicants. Some reported injuries were reviewed by the committee just for content to make sure that they are reported and there are no areas of concern that they may need to look at. They had a couple of site reviews that they are looking at. The committee spent a great deal of time discussing the academy redesign that is going to affect arrest control training.

b. Curriculum

Sergeant Anthony Santoro Interim Chair

Currently, the committee is working with the active TCR review. Working sub-committees are working with the academy redesign. Sgt. Santoro presented the committee's recommendations to change the human trafficking training from a requested to a recommended training. Sgt. Santoro presented many areas of concern with the online training video's display of officer safety and tactics inconsistent with standards.

Motion to move the human trafficking training from required to a recommended training by Chief Dingfelder, 2<sup>nd</sup> by Ms. Daniels Approved unanimously.

c. Driving

Commander Karl Smalley Chair

The committee reviewed and approved six applications for full skills instructors. They also conducted an inspection on the Fort Collins academy and Lakewood/Jeffco combined academy, which both exceeded their expectations.

d. Firearms

Officer Scott Acey Vice Chair

The committee conducted test outs at Flat Rock. There were 10 applicants that successfully passed the firearms portion of the tests. They also conducted test outs in Grand Junction. The committee approved one new handgun and red dot handgun instructor program. They approved three full skills applicants and denied one. There were four new site approvals for firearms training. The committee began receiving injury reports that have occurred to cadets and recruits during firearms training. They are grateful to be involved in this process, so they know what is going on. The committee will be prepared to present recommendations to the board at the next meeting.

7. Request for Appeal: Jacob Ellingsworth
Peace Officer Database Variance

Deputy Director Ron Ryan

Motion to grant a hearing by Chief Daly, 2<sup>nd</sup> by Chief Beckett Approved unanimously.

Sub-committee members: Chief Becket, Chief Daly, Ashley Beck, Chief Dingfelder, and Laura Daniels.

8. Request for Appeal: Matthew Sparks
Rule 8 Variance

Deputy Director Ron Ryan

No motion presented.

9. Request for Appeal: Clay Greenwood Revocation - Declined Request

Director Erik Bourgerie

# 10. Request for Appeal: Justis Drott Revocation

Director Erik Bourgerie

Motion to accept Director Bourgerie's recommendation for revocation by Mr. Addy, 2<sup>nd</sup> Chief Thomas
Approved unanimously.

# 11. 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 <u>not</u> 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 these matters separately, they will all be presented to this Board as a group.

#### Felony Matters:

1. F24-14, Mary Trujillo, Certification PID CO-202-412. On July 17, 2024, Respondent entered into a pre-trial diversion agreement for one count of §18-4-501(1),(4)(e) C.R.S. – Criminal Mischief - \$5000-\$20,000, an act of Domestic Violence, a felony, in Otero County District Court case number 2023CR138

The Respondent was not employed as a Peace Officer at the time of offense (Dates of Offense: October 17, 2023). The Respondent complied with POST Order to Show Cause No. F24-14 by appearing at a Show Cause Hearing on October 15, 2024. POST Director Erik J. Bourgerie recommended the revocation of Mary Trujillo's Colorado Peace Officer Certification, PID CO-202-412. On March 13, 2025, the Respondent appeared at the meeting of the full POST Board and appealed the Director's recommendation. The Board granted the Respondent an appeal hearing, which was held virtually on March 31, 2025, and continued on April 8, 2025. Following deliberation, the POST Appeal Committee voted, in a three to two split decision, to uphold the recommendation of the POST Director to revoke Mary Trujillo's Peace Officer Certification.

Mary Trujillo and Sheriff Mobley were present to make a final appeal asking not to revoke Ms. Trujillo's certification.

Motion to not revoke certificate by Sheriff Smith, 2<sup>nd</sup> by Ms. Shouse Motion passed.

2. F24-19, Johnny Alvarado, Certification PID CO-202-275. On May 31, 2024, Respondent was sentenced after being found guilty in a jury trial of one count of 18 U.S.C. § 922(d)(1) – Unlawful Disposition of a Firearm, a felony, in United States District Court, District of Colorado, Court case number 23-CR-271-JLK-2. The Respondent was employed as a Peace Officer at the time of offense (Date of Offense: On or about March 11, 2023, Arapahoe County Sheriff's Office, Separation Date: March 5, 2024). The Respondent complied with POST Order to Show Cause No. F24-19 by appearing at a Show Cause Hearing on January 7, 2025. POST Director Erik J. Bourgerie recommends revocation of Johnny's Alvarado's Colorado Peace Officer Certification, PID CO-202-275.

Motion to revoke certificate by Chief Daly,  $2^{nd}$  by Ms. Beck Approved unanimously.

#### Misdemeanor Matters:

1. M24-10, Clay Greenwood, Certification PID CO-111-010. On or about July 15, 2024, Respondent entered into a deferred prosecution agreement for one count of §18-3-204(1)(a) C.R.S. – Third Degree Assault – knowingly/recklessly cause injury, a misdemeanor, in Douglas County District Court case number 2024M1213. The Respondent was volunteering as a Peace Officer at the time of offense (Date of Offense: May 16, 2024, Colorado Rangers and remains appointed). The Respondent complied with POST Order to Show Cause No. M24-10 by appearing at a Show Cause

Hearing on January 22, 2025, and continued on February 3, 2025. POST Director Erik J. Bourgerie recommends revocation of Clay Greenwood's Colorado Peace Officer Certification, PID CO-111-010.

Motion to revoke certificate by Chief Beckett, 2<sup>nd</sup> by Chief Dingfelder Approved unanimously.

The certificate holders in the following matters did <u>not</u> 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 Matters:

1. F25-01, Robert Gordanier, Certification PID CO-126820. On January 7, 2025, Respondent entered into a deferred sentence agreement for one count of §18-8-407 C.R.S. – Embezzlement of Public Property, a felony, and one count of §18-8-404 C.R.S. – 1st Degree Official Misconduct, a misdemeanor, in Jefferson County District Court case number 2024CR1836. The Respondent was employed as a Peace Officer at the time of offense (Date of Offense: July 1, 2021, Lakeside Police Department, Separation Date: July 30, 2024, and Aurora Municipal Court, Separation Date: August 31, 2021). The Respondent did not comply with POST Order to Show Cause No. F25-01 by failing to appear at a Show Cause Hearing on April 1, 2025. POST Director Erik J. Bourgerie recommends revocation of Robert Gordanier's Colorado Peace Officer Certification, PID CO-126820.

#### Misdemeanor Matters:

1. M24-16, Coty Arthur, Certification PID CO-133118. On December 13, 2024, Respondent entered into a deferred sentence agreement for one count of §18-3-204(1)(a) C.R.S. – Third Degree Assault – knowingly/recklessly cause injury, a misdemeanor, in Rio Grande County Court case number 2024M79. The Respondent was employed as a Peace Officer at the time of offense (Date of Offense: June 21, 2023, Rio Grande County Sheriff's Office, Separation Date: July 19, 2023). The Respondent did not comply with POST Order to Show Cause No. M24-16 by failing to appear at a Show Cause Hearing on February 18, 2025. POST Director Erik J. Bourgerie recommends revocation of Coty Arthur's Colorado Peace Officer Certification, PID CO-133118.

2. M25-01, Gregory Ceccacci, Certification PID CO-129267. On January 7, 2025, Respondent entered into a deferred sentence agreement for one count of §18-3-204(1)(a) C.R.S. – Third Degree Assault– knowingly/recklessly cause injury, a misdemeanor, in Weld County Court case number 2023M1505. The Respondent was not employed as a Peace Officer at the time of offense (Date of Offense: May 4, 2023). The Respondent did not comply with POST Order to Show Cause No. M25-01 by failing to appear at a Show Cause Hearing on March 26, 2025. POST Director Erik J. Bourgerie recommends revocation of Gregory Ceccacci's Colorado Peace Officer Certification, PID CO-129267.

#### Untruthfulness:

- 1. U24-45, Bryan Gonzales, Certification PID CO-7057-9606. On December 18, 2024, the Pueblo 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 disciplinary process between March 13, 2024, and June, 2024 (Date of Separation: December 11, 2024). The respondent did not request an Administrative Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Bryan Gonzales' Colorado Peace Officer Certification, PID CO-7057-9606.
- 2. U25-01, Florencio Querubin, Certification PID CO-202-140. On January 15, 2025, the 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 disciplinary process on October 16, 2024 (Date of Separation: November 6, 2024). The respondent did not request an Administrative Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Florencio Querubin's Colorado Peace Officer Certification, PID CO-202-140.
- 3. U25-06, Justis Drott, Certification PID CO-268-848. On February 24, 2025, the Basalt 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 and during an administrative investigation and disciplinary process on December 29, 2024, and January 21, 2025 (Date of Separation: February 20, 2025). The respondent did not request an Administrative Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Justis Drott's Colorado Peace Officer Certification, PID CO-268-848.

4. U25-07, Brian Ranck, Certification PID CO-136099. On March 4, 2025, the Mountain View 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 administrative investigation and disciplinary process on February 12, 2025 (Date of Separation: February 18, 2025). The respondent did not request an Administrative Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Brian Ranck's Colorado Peace Officer Certification, PID CO-136099.

Motion to revoke as a group – 1<sup>st</sup> Chief Dingfelder 2<sup>nd</sup> by Chief Beckett Approved unanimously.

5. U25-10, Alexis Martinez, Certification PID CO-400-304. On March 26, 2025, the Alamosa 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 between March 3, 2025, and March 14, 2025 (Date of Separation: March 26, 2025). The respondent did not request an Administrative Hearing regarding this matter. POST Director Erik J. Bourgerie recommends revocation of Alexis Martinez's Colorado Peace Officer Certification, PID CO-400-304.

Chief Dingfelder and Chief Daly recused themselves Motion to revoke certificate by Ms. Daniels, 2<sup>nd</sup> by Sheriff Smith Approved unanimously.

POST Suspension of Peace Officer Certification: Pursuant to §24-31-904(2)(a)(III) 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 for at least one year by the POST Board if the certificate holder has been found to have used unlawful physical force by an administrative law judge, hearing officer, or internal investigation and the incident did not result in serious bodily injury or death to another person.

# **Unlawful Physical Force:**

E25-01, Sean Hayes, Certification PID CO-6739-6784, on January 22, 2025, the Chaffee County Sheriff's Office notified Colorado Peace Officer Standards & Training the Respondent used unlawful physical force on October 31, 2024 (Date of Separation: January 16, 2025). The respondent did not request an Administrative Hearing regarding this matter. POST Director Erik J. Bourgerie recommends a four (4) year suspension of Sean Hayes' Colorado Peace Officer Certification, PID CO-6739-6784.

Motion to approve recommended suspension by Chief Beckett, 2<sup>nd</sup> by Chief Thomas
Approved unanimously.

## Voluntary Relinquishments:

- 1. VR25-03, John Bican, Certification PID CO-5947-3535. On March 2, 2023, the Douglas 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 during an internal affairs investigation on October 22, 2022. Prior to an Administrative Hearing in this matter, Colorado Peace Officer Standards and Training received a voluntary relinquishment of John Bican's Colorado Peace Officer Certificate on February 8, 2025.
- 2. VR25-04, Jacquelin Bravo, Certification PID CO-075-066. On February 5, 2025, the Adams 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 August 3, 2024. Prior to an Administrative Hearing in this matter, Colorado Peace Officer Standards and Training received a voluntary relinquishment of Jacquelin Bravo's Colorado Peace Officer Certificate on May 9, 2025.

#### Administrative Hearing Officer Decisions:

1. E24-01, Kelly Draper, Certification PID CO-117549, on January 18, 2024, the Arapahoe County Sheriff's Office notified Colorado Peace Officer Standards & Training the Respondent used unlawful physical force on October 25, 2022 (Date of Separation: July 24, 2024). The respondent requested an Administrative Hearing, which was held on August 26, 2024. A Stipulation and Final Order was issued on March 22, 2025, suspending the Respondent's Colorado Peace Officer Certification for two (2) years and seven (7) months.

#### 12. Revised Grant Guidelines

Grants Mgr. Kim Hernandez

Ms. Hernandez reported that the subcommittee added language under section 1.6 Grant Award, stipulating that if an agency Chief Executive is under investigation for financial malfeasance or a violation of POST rules or statutes, the grant funding will be paused until the investigation outcome is determined. Additional language was added under 13.8 for curriculum and

instructor review, requiring out of state vendors to be IADLEST National Certification Program (NCP) certified. Exemptions may be granted at the POST Director's or designee's discretion.

Motion to accept revised grant guidelines by Ms. Beck, 2<sup>nd</sup> by Chief Daly Approved unanimously.

#### 13. Grant Awards

Grants Mgr. Kim Hernandez

Ms. Hernandez sought Board approval of the grant sub-committee's award recommendations for the various programs.

Motion to approve grant awards by Chief Beckett, 2<sup>nd</sup> by Chief Daly Approved unanimously.

# 14. **Instructor Methodology Course** Curriculum Developer Gwen Burke

Ms. Burke gave a short presentation on the Instructor Methodology course.

Motion to approve to run the IM full course by Ms. Beck, 2<sup>nd</sup> by Ms. Daniels Approved unanimously.

## 15. Academy Redesign Update

Curriculum Developer Gwen Burke

Ms. Burke gave an overview on the progress of the academy redesign project. She has approximately 70 members from around the state who have stepped up to be part of the curriculum development teams. She currently has six different task groups. There will be an all-hands meeting on Monday, August 4, 2025, from 9:00 to 4:30 at the Wells Fargo building (DOL-North).

#### 16. Academy Subcommittee

Sheriff Shawn Smith

Sheriff Smith and Director Bourgerie presented recent academy issues, including Arapahoe Community College's (ACC) lack of a full skills instructor for driving, as well as deficiencies in their decisional firearms training. ACC was able to get into compliance before the end of the current academy. Additionally, Technical College of the Rockies (TCR) had a substantial issue in not having a lead driving instructor since 2021, resulting in 55 graduates lacking the necessary requirements for graduation. A series of test-outs were conducted to cure the deficiency, and currently 42 graduates have completed the test-out. The test-outs are to be completed by September 30th of this year.

Motion to ratify TCR graduates correcting deficiencies by Chief Daly, 2<sup>nd</sup> Chief Beckett

Approved unanimously.

Motion to require TCR must correct deficiencies prior to their next academy which begins August 2025 by Daly, 2<sup>nd</sup> Sheriff Smith Approved unanimously.

#### 17. Sunrise Review Subcommittee

Director Erik Bourgerie

Director Bourgerie gave a brief overview of what the Sunrise Review Subcommittee is tasked to do. Applications due July 1, 2025.

Volunteers were Chief Beckett, Chief Krouse, Sheriff Perry, Sheriff Lucero, and Jessica Shouse.

## 18. Federal Reciprocity Subcommittee

Director Erik Bourgerie

Director Bourgerie met with the subcommittee twice. The outcome of the meetings was the Federal Law Enforcement Reciprocity Pilot Program. This will become effective June 9, 2025. Director Bourgerie summarized what the document requires. An edit requested was in Section III that the word "need" be replaced with "be required" to include in the program participant's training.

Motion to approve the policy as edited by Chief Daly, 2<sup>nd</sup> Ms. Beck Approved unanimously.

#### 19. Committee Vacancies

Director Erik Bourgerie

One Academy Subcommittee member needed – Sgt. Russell Lengel volunteered to serve.

# 20. Appeal Hearing Findings

Chief Mark Beckett

Chief Beckett presented that the subcommittee met on April 8, 2025, to hear Mr. Abney's appeal. The subcommittee voted 3-2 to grant Mr. Abney's Rule 8 Variance request.

#### 21. Comments From Others on POST Issues

Director Hilkey gave an update on the execution of Proposition 130. That bill has been signed. It does not allow distribution of fund to occur until

July 1, 2026. More information should come out in the spring of 2026 explaining how to go about requesting this funding.

Director Bourgerie encouraged those interested in attending academy graduations as discussed in the March meeting please let POST know and if we have information on a graduation near you, we will provide you with that information.

Director Hilkey congratulated Director Bourgerie on his appointment as the next IADLEST President for a second time.

# 22. Adjournment

Executive Director Stan Hilkey

Motion to adjourn at 12:17pm by Chief Beckett, 2<sup>nd</sup> Ms. Daniels Approved unanimously.

# **Upcoming Meetings**

POST Work Session: Thursday, September 11 from 10 a.m. to 4 p.m. POST Board Meeting: Friday, September 12 from 10 a.m. to 12 p.m.

**TBD** 

SME Meetings – 8:15 am