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POST BOARD WORK SESSION

Record of Proceedings

Via Zoom
Meeting ID: 974 3532 2356

Thursday, September 17, 2020
10:00 am – 4:00 pm

Board Members
Philip J. Weiser
Attorney General
Chair
Sheriff Anthony Spurlock
Douglas County
Vice Chair
Sr. Investigator Tonya Barnes
Eighteenth Judicial District
Ashley Beck
Public Member
Sergeant Lonnie Chavez
City of Grand Junction
Chief Cory Christensen
City of Steamboat Springs
Chief Debra Funston
City of Palisade
Executive Director Stan Hilkey
Department of Public Safety
Kara Hoofnagle
Public Member
Sheriff Robert Jackson
Alamosa County
S. Zeke Knox
Public Member
Sheriff Anthony Mazzola
Rio Blanco County
Chief John Minor
City of Silverthorne
Sheriff Shawn Mobley
Otero County
Sheriff Steve Nowlin
Montezuma County
Jane Quimby
Public Member
**Special Agent in Charge
Michael Schneider**
Federal Bureau of Investigation
Sheriff Justin Smith
Larimer County
Bradley F. Taylor
Public Member
**POST Director
Erik J. Bourgerie**

1. Welcome AG Phil Weiser

County Sheriffs of Colorado Sept. 15, 2020 remarks are now available [here](#).

2. Updates

a) COVID and LETAs Dir. Erik Bourgerie

POST requested a variance for the academies from CDPHE, but have not heard back yet. Right now, academies may run at 50% occupancy in the classroom if recruits stay six feet apart with a maximum of 50 people in a room at one time. Same requirements apply to physical skills.

b) Untruthfulness Dir. Erik Bourgerie

POST has arranged for initial hearings to be sent to the Office of Administrative Courts. POST now has a Compliance Investigator, Steven Eckelberry, who began a revocation process on the reports (Form 13s) that POST received. Three of these reports were statutorily insufficient to move forward.

c) Mental Health Curriculum

Training Specialist
Jared Torsney

POST has set up a Wellness Committee to review and improve the Wellness Curriculum at the academies. The Committee has been meeting monthly to create and develop a standardized Mental Health Curriculum. The program Responder Strong was chosen as the foundation for it. Responder Strong is taught by law enforcement officers, providing students with a more real-life experience. It was built based on insights from multiple psychologists and among other resources, offers an Instructor Development course. Moving forward, POST would like to add more topics and redesign this program into an 8-hours + Curriculum.

3. Academy Scholarships

Grant Manager
Kim Hernandez

a) Distribution

House Bill 20-1229 requires POST to create Rules. POST plans to include language in those Rules that would refer to the POST Grant Guidelines. Grant Guidelines modifications and process for the Rural Grant Scholarship to be voted on September 18, 2020.

4. Reports of Non-compliance

a) Agencies

Dir. Erik Bourgerie

1. Huerfano County

Earlier this year the Board voted to refer POST concerns with Huerfano County to the Denver DA's Office for investigation of possible criminal activity in falsely reporting training to POST (Rule 28). Denver DA's Office determined that it would not pursue prosecution of criminal charges relating to the material provided by POST.

b) Individuals

Dir. Erik Bourgerie

1. Summit County

Chief John Minor

On several occasions POST has found officers either not appointed to an agency correctly or working without a certification. One individual at Summit County has been working as a Commander without proper certification from January 2020 until August 2020. POST discussed methods for addressing and enforcing accountability of individuals and agencies in this area.

c) 24-31-307 Enforcement

Dir. Erik Bourgerie

Today's discussion is meant to facilitate future Rulemaking to define the new enforcement authority under § 24-31-307, C.R.S., which includes the ability to

pursue criminal charges for cases that directly impact POST (fraud, forgery, etc.) and the ability to hold agencies accountable.

1. Criminal Charges
2. Agency Compliance

Rule 17 (late appointments and separations) is POST's major ongoing issue. At the moment, POST has no way to enforce it. However, POST is working on a proposal to address it.

5. Database Creation, per SB 20-217 Dir. Erik Bourgerie

A portion of SB 20-217 requires POST to have a database for untruthfulness, a database of those who repeatedly failed to comply with POST training requirements, a database for decertification and a database of those fired for cause. POST is in the process of developing a system that would serve all of these needs and meet the requirements of the new legislation.

6. Proposed Rule Changes Dir. Erik Bourgerie

A briefing on the proposed POST Rules, which will be voted on September 18, 2020. Amendments made to Rule 1, Rule 2, Rule 3, Rule 4, Rule 5, Rule 7, Rule 8, Rule 9, Rule 10, Rule 11, Rule 21, Rule 28.

7. Job Task Analysis Update Dir. Erik Bourgerie

Job Task Analysis focuses on critical competencies, including emotional intelligence, that peace officers should have before they join the force and how these basic skills are taught at the academies. This is a long-term project that would require efforts from all segments of the community. It has a potential to bring real change to law enforcement in Colorado and give the recruits a strong chance of success in the field.

8. Comm. College System Committee Compliance Manager
Cathy Rodriguez

Some Community Colleges have had challenges managing the police academies. Their programs are focused mostly on academics and lack knowledge of law enforcement. There is very little awareness of POST and its regulatory requirements. POST is working on educating these Community Colleges on the matter to improve collaboration and to align mutual efforts.

9. Limitations on Number of Academies Compliance Manager
Cathy Rodriguez

POST reached the point where there is a need to limit the number of academies in the state. POST is supervising 32 academies now and is at the full capacity. Attorney General Phil Weiser proposed to create a working group to determine the

process going forward. Until a reasonable solution is found, POST will continue to add academies per established procedure.

10. CC LETA Admissions v LE Requirements (ADA issues) Dir. Erik Bourgerie
Compliance Manager
Cathy Rodriguez

There is a trend among the Community Colleges admitting recruits who are not equipped to handle the requirements of, or otherwise qualified for a law enforcement peace officer job due to severe disabilities or criminal history, which may act to mislead the students and create unfulfillable expectations of employment. POST is looking for ways to enforce enrollment criteria that would set fair expectations from the beginning.

11. Supporting Rural Collaboration AG Phil Weiser
- Leveraging Grant Funds to
encourage LEA collaboration (Mesa County)

The sub-committee for the Capital Improvement Grant has been showing preference for regional training efforts as opposed to individual agency training efforts. Mesa County is a great example of how such collaboration works. POST is considering a similar approach for the rest of the training funds.

12. “My Why” Project Dir. Erik Bourgerie

POST would like to ask officers statewide to submit 30- to 60-second videos about their “why” for joining the law enforcement and staying in that profession. This project could accomplish the following:

1. Give officers a chance to reflect on their purpose and rededicate themselves to it.
2. Educate the public about Colorado law enforcement officers’ commitment to service and connect with them on a more personal level.
3. Encourage minority groups to join law enforcement by including messages from officers they can identify with and see as a role model.
4. Help with recruitment efforts.