



Arizona Peace Officer Standards and Training Board

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AMENDED MINUTES OF MEETING APRIL 15, 2015 PHOENIX, ARIZONA

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on April 15, 2015, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

Mr. H. Jeffrey Coker, Chairman
Sergeant Chris Andreacola
Mr. David Brown
Chief Steven Campbell
Sheriff Scott Mascher
Colonel Frank Milstead
Detention Director Mike Olson
Mr. Andrew Pacheco, representing Attorney General Mark Brnovich
Sheriff Bill Pribil
Director Charles Ryan
Professor Cornel Stemley
Sergeant Timothy Williams

Members Absent:

Chief Alan Rodbell

Staff in Attendance:

Ted Brandon
Annie Deer
Marie Dryer
Donna Gieber
Sandy Hansberger
Cathy Hawse
Steve Jacobs
Mike Jaeger
Lori Ketron
Lynn Howe
Jack Lane
Lyle Mann
Cathy Masters
Mike Rosenberger
Sandy Sierra
Don Yennie

Assistant Attorney General
Michael Saltz
Nancy Beck
Christopher Munns, Solicitor General’s Office

A. Call to Order

Chairman Coker called the meeting to order at 10:00 a.m.

B. Introductions, Presentations and Announcements

Executive Director Mann stated a Police Supervision class, with 36 students, is in attendance at today’s meeting.

C. Legislative Update

Executive Director stated the Legislature is out of session. He stated the bill dealing with speeding fines of \$15 for speeds of 10 miles over the speed limit died in the House. The bill dealing with body cameras has been reduced to a study committee. There were no other bills that had an impact on AZ POST.

D. Untruthfulness Discussion (*this item was moved to the end of the meeting*)

Chairman Coker requested this item be placed on the agenda for Board discussion. He felt he needed more insight on how untruthfulness is being handled in order to better understand the Board’s role in the matter.

Assistant A.G. Nancy Beck addressed the Board and stated she did not want this item placed on the agenda; she asked that this matter not be discussed. She felt this was not a topic for generic discussion.

Executive Director Mann provided the Board a brief historical overview of discussions held over the years regarding dishonesty pre and post Garrity. He also stated he felt the chairman requested this matter be addressed in order to determine what kind of circumstances the Board finds mitigating and aggravating in its decisions when determining a sanction.

No action was taken on this matter.

E. Final Action Cases:

Case #1 was taken out of order.

Case #1 – David L. Wood – Mammoth Police Department

Mr. Pacheco recused himself from this case. The Board considered comments from Assistant A.G. Nancy Beck. Mr. Wood was notified of the Board meeting, but did not appear. Mr. Brown made a motion to adopt the Administrative Law Judge’s Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Campbell, motion carried unanimously.

Case #2 – Michael A. Begay – Navajo Division of Public Safety

The Board considered comments from Assistant A.G. Nancy Beck. Sheriff Pribil made a motion to adopt the Consent Agreement, Stipulated Findings of Fact, Conclusions of Law, and Order and impose a 1-year suspension of peace officer certification from December 18, 2013, to December 18, 2014, seconded by Chief Campbell, motion carried unanimously.

Case #3 – Steven D. Huddleston – Phoenix Police Department

Mr. Pacheco recused himself from this case. The Board considered comments from Assistant A.G. Nancy Beck. Sheriff Mascher made a motion to adopt the Consent Agreement, Stipulated Findings of Fact, Conclusions of Law, and Order and suspend peace officer certification from March 4, 2014, to May 5, 2014, seconded by Colonel Milstead, motion carried unanimously.

Case #4 – Travis J. Tessay – White Mountain Apache Police Department

The Board considered comments from Assistant A.G. Michael Saltz. Chief Campbell made a motion to adopt the Consent Agreement, Decision and Order for voluntary relinquishment of peace officer certification, seconded by Mr. Brown, motion carried unanimously.

Case #5 – Michael S. Walker – Tucson Police Department

Sergeant Andreacola recused himself from this case. The Board considered comments from Assistant A.G. Michael Saltz. Chief Campbell made a motion to adopt the Consent Agreement, Decision and Order for voluntary relinquishment of peace officer certification, seconded by Sheriff Mascher, motion carried unanimously.

Case #6 – Ernesto Lugo – San Luis Police Department

The Board considered comments from Assistant A.G. Michael Saltz. Sheriff Mascher made a motion to adopt the Consent Agreement, Decision and Order for voluntary relinquishment of peace officer certification, seconded by Colonel Milstead, motion carried unanimously.

Case #7 – Jeremy S. Sweet – Phoenix Police Department

Mr. Pacheco recused himself from this case. The Board considered comments from Assistant A.G. Michael Saltz. Chief Campbell made a motion to adopt the Consent Agreement, Decision and Order for voluntary relinquishment of peace officer certification, seconded by Sergeant Williams, motion carried unanimously.

Case #8 – Falana Hadley – Navajo Division of Public Safety

The Board considered comments from Assistant A.G. Michael Saltz. Mr. Pacheco made a motion to adopt the amended Consent Agreement, Decision and Order and impose a 1-year suspension of peace officer certification from July 9, 2014, to July 9, 2015, seconded by Colonel Milstead, motion carried unanimously.

Case #9 – Mark A. Mullins – Bullhead City Police Department

The Board considered comments from Assistant A.G. Michael Saltz. Mr. Pacheco made a motion to adopt the amended Consent Agreement, Decision and Order and impose a suspension until lapse of peace officer certification, from August 1, 2014, until August 1, 2017, seconded by Sheriff Mascher, motion carried with two nay votes.

Case #10 – Louis P. Ortiz – Navajo Division of Public Safety

The Board considered comments from Compliance Manager Jack Lane. Professor Stemley made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Sheriff Pribil, motion carried unanimously.

Case #11 – Pamela D. Brume – Marana Police Department

The Board considered comments from Compliance Manager Jack Lane. Sheriff Mascher made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Campbell, motion carried unanimously.

Case #12– Shihabaldin Benjamin Gaballa – Tucson Police Department

Sergeant Andreacola recused himself from this case. The Board considered comments from Compliance Manager Jack Lane. Chief Campbell made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Professor Stemley, motion carried unanimously.

F. New Charging Cases:

Case #1 – Timothy R. Merrill – AZ Department of Public Safety

Colonel Milstead and Chief Campbell recused themselves from this case. The Board considered comments from Compliance Specialist Ted Brandon. Detention Director Olson made a motion to **Initiate Proceedings**, seconded by Sheriff Mascher, motion carried with one nay vote.

Case #2 – Jason F. Carnes – Pinal County Sheriff’s Office

The Board considered comments from Compliance Specialist Cathy Hawse. Chief Campbell made a motion to close this case with **No Action**, seconded by Sheriff Pribil, motion carried unanimously.

G. Adjourn

Chairman Coker adjourned the meeting at 11:09 a.m.