



Arizona Peace Officer Standards and Training Board

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MINUTES OF MEETING MAY 20, 2015 PHOENIX, ARIZONA

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on May 20, 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
Mr. Donald Conrad, representing Attorney General Mark Brnovich
Sheriff Scott Mascher
Colonel Frank Milstead
Sheriff Bill Pribil
Chief Alan Rodbell
Director Charles Ryan
Professor Cornel Stemley
Sergeant Timothy Williams

Members Absent:

Detention Director Mike Olson

Staff in Attendance:

Ted Brandon
Annie Deer
Mike Deltenre
Ivan Gelo
Sandy Hansberger
Cathy Hawse
Lynn Howe
Steve Jacobs
Lori Ketron
Jack Lane
Cathy Masters
Lyle Mann
Mark Perkovich
Sandy Sierra
Don Yennie

Assistant Attorney General

Michael Saltz

Nancy Beck

Seth Hargraves

A. Call to Order

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

B. Introductions, Presentations and Announcements

Executive Director Lyle Mann introduced Donald Conrad from the Arizona Attorney General's Office. He replaces Andrew Pacheco on the Board.

C. Consent Agenda

Chief Campbell made a motion to approve the Consent Agenda, seconded by Sheriff Mascher, motion carried unanimously.

1. Minutes of the Board meeting held on March 18, 2015, were approved as written.
Minutes of the Board meeting held on April 15, 2015, were approved as written.

2. Ministerial Actions:

- a. Certification Waivers:

Jeffery M. Hasch	Glendale Police Department
Annalisa W. Madsen	Arizona Attorney General's Office
Christopher J. Mueller	Maricopa County Constable's Office
Justin E. Frever	Scottsdale Police Department
John D. Noland	Sahuarita Police Department
Silvia R. Sandoval	AZ State University Police Department
Donald V. Keane Jr.	Maricopa Community College District
Joseph T. Pelano	Scottsdale Police Department
- b. Instructor Certification Renewals (attached to agenda material)
- c. Training Program Confirmations (attached to agenda material)
- d. Academy Information (attached to agenda material)

3. Income and Expense Statement – March 2015

Funds as of March 1, 2015	\$1,330,362.25
CJEF Revenue	624,357.16
Expenditures/Encumbrances/Sweeps	(518,253.95)
Balance for March 31, 2015	\$1,436,465.46

Discussion was held concerning the decline in revenue for the Criminal Justice Enhancement Fund. The CJEF is below budget projections due to a 6-8% reduction in revenue over the last several years. We are currently spending more each month than what we are taking in and revenues will only continue to decline and not increase. A more in-depth discussion will be held in June when the budget is presented to the Board.

D. Legislative Update

Executive Director Mann stated there are two study committees he will continue to monitor dealing with PTSD and body cameras.

E. Budget Update

This was previously discussed during the Consent Agenda presentation.

F. Summary of Current Events

Executive Director Mann stated he will be attending the International Association of Directors of Law Enforcement Standards and Training (IADLEST) 2015 Conference in San Antonio on May 30-June 3. During this conference IADLEST will present two initiatives that he recommends and supports. The first is the National Certification Program that will launch on June 1, 2015. This program is designed to allow vendors who are nationally recognized to have their training program approved so it is accepted in all 50 states; effectively standardizing the training standards of police departments across the nation. The second program is the approval of on-line training. There is a huge catalog of on-line training that is available for people to subscribe to. IADLEST has established a program where they will charge a fee to vendors to be included in the approval process; then each state can accept the national approval for on-line learning that will apply towards continuing education credits. It will allow officers and agencies a full catalog of programs that they might want to use.

G. Committee Update

Rick Watling addressed the Board to discuss two new training committees. The Naxolone (Narcon) Training Committee was created due to the passing of HB 2489 which allows EMT's and peace officers to administer the drug Naxolone to suspected

opiate overdoses. Part of the bill mandates training to be developed by the Department of Health Services in coordination with AZPOST. The goal is to have the training in place by July 1st.

The Shooting Review Training Committee was developed in order to assist the Maricopa County Attorney's Office in reviewing all police related shootings in Maricopa County. It is hoped that by reviewing the files, training can be developed that will assist in lowering the number of shootings that occur.

H. Reports

1. Department of Corrections – Director Ryan reported that since the last meeting, 93 cadets have graduated from COTA. They currently have three classes in session with a total 116 cadets in these classes. They have 610 vacancies statewide. Their current attrition rate is 14.53%. One applicant participated in the waiver process; for a savings of over \$5000 to the agency.
2. In-Service Training – Don Yennie reported on the In-Service Training classes which have been held since the last regular meeting. He stated over 400 students have been trained. He also reported on the localized training classes provided to various agencies. ALP #14 will graduate on June 11.
3. Special Projects/Digital Media – Rick Watling reported that since the last regular meeting, there have been 19 training classes conducted with 459 students receiving training. The driver simulator has been at 5 different agencies with 95 students receiving training. The Law Enforcement in Indian Country training program begins production with location filming the second week of June at The Hualapai Indian Nation. The Hualapai Indian Nation is the first Nation (of 21) to sign the MOU and begin production. The Sovereign Citizen dual training DVD was released April 24th. Production has started on the Blue Courage Promotional Trailer and the Nobility in Policing projects. The Blue Courage Team is arranging for “interview subjects” to be recorded for the promotional trailer in addition to securing the participation of Police Chiefs from around the country to participate in bringing to life the Nobility in Policing book. Both projects will be completed this summer. He also gave an update on What You Do Matters – Lessons from the Holocaust.
4. AZ Women's Initiative – Lt. Cathy Masters reported on the activities of the AZ Women's Initiative. In partnership with DPS and Phoenix PD, they will be bringing back the Leadership Inventory for Female Executives Course; it will be held November 30-December 4, 2015. On May 26-30, their recruiting subcommittee will partner with the girl scouts in the Tucson area for Camp Fury. She also wanted to recognize the Mesa Police Department for their recent fun competition called WAR (Women on the Range). This is a women's tactical firearm's competition; which really is a lot of fun. They would like to make this a

statewide event. Anyone wishing to participate should contact Assistant Chief Deanna Cantrell from the Mesa Department.

I. Final Action Cases:

Case #1 – Tulley S. Jim Sr. – Navajo Division of Public Safety

Mr. Conrad recused himself from this case. The Board considered comments from Assistant A.G. Nancy Beck. David Jordan, attorney for Respondent, having been notified to appear, did not appear. Professor Stemley 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 Rodbell, motion carried unanimously.

Case #2 – Justin M. Cherry – Mesa Police Department

Colonel Milstead 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 #3 – Lucas F. Rodriguez – St. Johns Police Department

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

Case #4 – Thomas L. Montgomery – Cochise County Sheriff's Office

Sergeant Williams recused himself from this case. The Board considered comments from Assistant A.G. Michael Saltz. Sheriff Pribil made a motion to adopt the Consent Agreement, Decision and Order for a one year suspension of peace officer certification from August 26, 2014, through August 26, 2015, seconded by Chief Campbell, motion carried unanimously.

Case #5 – Lenny A. Wong – Tucson Police Department

Sergeant Andreacola recused himself from this case. 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 Rodbell, motion carried unanimously.

Case #6 – Corey T. Shibata – Phoenix Police Department

The Board considered comments from Compliance Manager Jack Lane. Chief Rodbell 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.

Case #7 – Scott A. Garner – Marana Police Department

The Board considered comments from Compliance Manager Jack Lane. Chief Rodbell made a motion to adopt the Findings of Fact and Conclusions of Law and suspend peace

officer certification until lapse, seconded by Professor Stemley, motion carried unanimously.

Case #8 – Loren N. Miller Jr. – San Carlos Tribal Police Department

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 Chief Rodbell, motion carried unanimously.

Case #9 – Guy M. Carino – Pinal County Sheriff's Office

The Board considered comments from Compliance Manager Jack Lane. Chief Campbell made a motion to impose a mandatory revocation of peace officer certification, seconded by Sheriff Mascher, motion carried unanimously.

Case #10 – Jose J. Roman Jr. – Goodyear Police Department

The Board considered comments from Compliance Manager Jack Lane. Sheriff Mascher made a motion to impose a mandatory revocation of peace officer certification, seconded by Chief Rodbell, motion carried unanimously.

J. New Charging Cases:

Case #1 – Angel A. Chavez Jr. – Chandler Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Sheriff Mascher made a motion to close this case with ***No Action with Agency Discretion***, seconded by Colonel Milstead, motion carried unanimously. He then amended the motion to ***Resolve in Future***, seconded by Colonel Milstead, motion carried unanimously.

Case #2 – Michael P. Gurry – Phoenix Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Professor Stemley made a motion to ***Initiate Proceedings***, seconded by Chief Rodbell, motion carried unanimously.

Case #3 – Anthony W. Nelson – La Paz County Sheriff's Office

The Board considered comments from Compliance Specialist Steve Jacobs. Chief Rodbell made a motion to close this case with ***No Action with Agency Discretion***, seconded by Professor Stemley, motion carried unanimously.

Case #4 – Wyatt I. Stockton – Mesa Police Department

Colonel Milstead recused himself from this case. The Board considered comments from Compliance Specialist Lori Ketron. Chief Campbell made a motion to close this case with ***No Action with Agency Discretion***, seconded by Chief Rodbell, motion carried unanimously.

Case #5 – Christopher G. Carmichael – Mesa Police Department

Colonel Milstead recused himself from this case. The Board considered comments from Compliance Specialist Lori Ketron. Professor Stemley made a motion to close this case with **No Action with Agency Discretion**, seconded by Chief Rodbell, motion carried unanimously.

Case #6 – Michael E. Duke – Mesa Police Department

Colonel Milstead recused himself from this case. The Board considered comments from Compliance Specialist Lori Ketron. Mr. Brown made a motion to **Initiate Proceedings**, seconded by Chief Campbell, motion carried unanimously.

Case #7 – Aaron Fajardo – Goodyear Police Department

The Board considered comments from Compliance Specialist Lori Ketron. Chief Rodbell made a motion to **Initiate Proceedings**, seconded by Sheriff Mascher, motion carried unanimously. He then amended the motion to **No Action with Agency Discretion**, seconded by Sheriff Mascher, motion carried with two nay votes.

Case #8 – Pedro A. Flores – Tolleson Police Department

The Board considered comments from Compliance Specialist Lori Ketron. Colonel Milstead made a motion to **Initiate Proceedings**, seconded by Professor Stemley, motion carried unanimously.

K. Call to the Public

No one wished to address the Board during the call to the public.

L. Adjourn

Chairman Coker adjourned the meeting at 11:38 a.m.