



Arizona Peace Officer Standards and Training Board

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MINUTES OF MEETING NOVEMBER 19, 2014 PHOENIX, ARIZONA

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on November 19, 2014, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

Sergeant Chris Andreacola
Mr. David Brown
Chief Steven Campbell
Sheriff Bill Pribil
Chief Alan Rodbell
Director Charles Ryan
Professor Cornel Stemley
Sergeant Timothy Williams
Deputy Director Dennis Young, representing Director Bobby Halliday

Members Absent:

Mr. H. Jeffrey Coker, Chairman
Sheriff Scott Mascher
Detention Director Mike Olson
Mr. Andrew Pacheco, representing Attorney General Tom Horne

Staff in Attendance:

Ted Brandon
Dan Ciernia
Annie Deer
Marie Dryer
Rosalee Fitch
Sandy Hansberger
Cathy Hawse
Jon Heiden
Lynn Howe
Steve Jacobs
Lori Ketron
Jack Lane
Cathy Masters
Lyle Mann
Mike Rosenberger
Sandy Sierra

Chester Szoltysik
Kevin Wood
Dale Wyman
Don Yennie

Assistant Attorney General
Michael Saltz
Nancy Beck

A. Call to Order

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

B. Introductions, Presentations and Announcements

Executive Director Lyle Mann stated this will be the last day for Compliance Specialist Kevin Wood; he has decided to return to retirement. He explained to the Board that today's meeting is being videotaped for training purposes. He also invited the Board to attend an executive level overview training on December 12, 2014, which pertains to human trafficking.

C. Consent Agenda

Mr. Brown made a motion to approve the Consent Agenda, seconded by Chief Rodbell, motion carried unanimously.

1. Minutes of the Board meeting held on September 17, 2014, were approved as written.
Minutes of the Board meeting held on October 15, 2014, were approved as written.
2. Ministerial Actions:
 - a. Certification Waivers:

James W. Roberts	Maricopa County Attorney's Office
Rachel M. Gaines	Peoria Police Department
Blake J. Barth	Paradise Valley Police Department
Mark A. McGlaughlin	University of AZ Police Department
Christopher J. Ralph	Wickenburg Police Department
 - b. Instructor Certification Renewals (list attached to agenda material)
 - c. Training Program Confirmations (list attached to agenda material)
 - d. Academy Graduation Dates (list attached to agenda material)
 - e. 2015 POST Board Meeting Schedule (attached to agenda material)

3. Income and Expense Statement – September 2014

Funds as of September 1, 2014	\$1,798,831.43
CJEF Revenue	443,095.84
Expenditures/Encumbrances/Sweeps	(400,469.63)
Balance for September 30, 2014	\$1,841,457.64

D. Holbrook Police Department Petition on Behalf of Applicant Richard N. Fowler

The Holbrook Police Department petitioned the Board to determine that the drug usage by applicant Richard N. Fowler was experimental. Chief Mark Jackson addressed the Board to ask that the petition be granted.

Sergeant Andreacola made a motion to grant the petition for a determination that the drug usage by Richard N. Fowler was experimental, seconded by Sheriff Pribil, motion carried unanimously.

E. Legislative Update

Executive Director Mann stated the state budget will be one of the major hurdles for the legislature when it convenes next year. He has not heard of any budget sweeps being considered at this time. Our revenues continue to be lower than anticipated.

F. Summary of Current Events

Executive Director Mann stated there is nothing new to report.

G. Committee Update

Executive Director Mann stated there is nothing new to report.

H. Reports

1. Basic Training Academies

ALEA – Commander Mark Perkovich reported they are going through command changes at ALEA. Captain Ron Parish from DPS will become the executive officer replacing Captain Vic McCraw. Commander Louie Tovar from Phoenix PD will be replacing Commander Perkovich. These changes are effective December 1, 2014. Class #473 recently graduated 40 recruits. Class #474 currently has 33 recruits and will graduate on December 19, 2014. Class #475 began November 3, 2014, and currently has 44 recruits. Class #476 will begin on December 1, 2014. He thanked Executive Director Mann for the opportunity of serving as the ALEA commander.

AZ Western College – No report provided.

Chandler-Gilbert Community College – Director Jon Terpay reported Class #13 began January 7, 2014, and will graduate on November 21, 2014; with 8 recruits. Class #14 began July 1, 2014 and currently has 12 recruits. Class #15 will begin January 6, 2015; they currently have 26 applicants in the background process for this class.

Glendale Community College – Director Penny Babb reported they currently have two classes in session. Class #80 began February 23, 2014, and will graduate on November 25, 2014, with 12 recruits. Class #81 began July 27, 2014, and will graduate on May 12, 2015; the class currently has 18 recruits. Class #82 will start in February 2015.

Maricopa County Sheriff's Office – Commander Matt Summers reported Class #134 began July 7, 2014, and will graduate on December 11, 2014; the class currently has 16 recruits. Class #135 is in its second week and will graduate on April 16, 2014; the class currently has 30 recruits. They anticipate starting a new class in mid-January.

Mesa Police Department – Provided a written report, presented by Program Administrator Marie Dryer, which states Class #36 began July 28, 2014, with 53 recruits, 38 remain.

NALETA – No report provided.

NARTA – Commander Jeff Newnum reported Class #37 began August 4, 2014, and will graduate on December 4, 2014; the class currently has 33 recruits representing 14 agencies. Class #38 will begin January 12, 2015; they currently have 43 reservations for this class from 15 agencies. He announced there will be changes in the class sergeant position at NARTA. John Bramila has been promoted to lieutenant; Sergeant Corey Kasun will be the new class sergeant.

Pima Community College – Provided a written report, presented by Program Administrator Marie Dryer, which states Class #14-01 began September 10, 2014, and will graduate on May 22, 2015; they currently have 17 open enrollment cadets.

Pima County Sheriff's Department – Provided a written report, presented by Program Administrator Marie Dryer, which states their next class will begin January 12, 2015, they anticipate having 45 recruits in this class.

SALETC – Commander Gerald Teague reported Class #14-3 recently graduated on November 13, 2014; with 49 recruits. Class #14-4 began October 20, 2014, and will graduate on February 12, 2015; they currently have 43 recruits from 17 agencies. Their next class is scheduled to begin December 15, 2014.

WALETA – No report provided.

2. Department of Corrections – Director Ryan reported that since the last regular meeting, 90 cadets have graduated from COTA. They currently have four classes in session with a total 125 cadets in these classes. They are anticipating opening a 500 bed maximum security unit on December 1, 2014. They currently have 592 vacancies statewide.
3. In-Service Training – Don Yennie reported on the In-Service Training classes which have been held since the last regular meeting. He also reported on the localized training classes provided to various agencies. ALP Class #12 will graduate on November 20, 2014; with 27 students. This brings the total of graduates from the leadership programs to 1,127. They continue to promote their leadership class as much as possible.
4. Special Projects/Digital Media – Marie Dryer reported that since the last regular meeting, the driver simulator has been utilized by five agencies, with 211 officers receiving this training. What You Do Matters, Lessons from the Holocaust Training continues; there are 14 classes scheduled between now and February 2015. There was a National Below 100 Meeting of instructors held at AZ POST last week. She reported on Subject Matter Expert (SME) Committees which are in process. The Human Trafficking PSA Campaign is complete; the Human Trafficking DVD is still in the works and scheduled for release in early December 2014. The Indian Country DVD will be released in 2015.
5. AZ Women’s Initiative – Lt. Cathy Masters reported the Women’s Initiative has been extremely busy the past two months. Both she and Donna Mulvey (AZ POST Training Specialist) presented two different workshops at the Noble Conference. November 3-7, 2014, the Leadership Inventory for Female Executives (LIFE) Course was brought to the valley. This class was attending by 23 women all at or above the rank of sergeant. The Steering Committee met on November 12, 2014, to elect its officers. Diana Cantrell from Mesa PD is the chair, Laura Burgett from Phoenix PD will be the vice-chair, and Marie Dryer, AZ POST Program Administrator, will be the secretary. Their next meeting will be held January 7, 2015, in Tucson.

I. Final Action Cases:Case #1 – Frank A. Marin – Phoenix Police Department

Chief Campbell recused himself from this case. Deputy Director Young was acting chair. The Board considered comments from Assistant A.G. Nancy Beck. Chris Trautman, attorney for Mr. Marin was also present, but did not address the Board. Sergeant Andreacola 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 #2 – William G. Jump – Phoenix Police Department

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

Case #3 – Lonnie J. Morris – Chandler Police Department

The Board considered comments from Assistant A.G. Michael Saltz. Sergeant Williams 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 – Scott A. Pennell – Chandler Police Department

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

Case #5 – Kenneth L. Blanchard – Phoenix Police Department

Chief Campbell recused himself from this case. Deputy Director Young was acting chair. The Board considered comments from Compliance Manager Jack Lane. Sergeant Andreacola 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 #6 – Patrick W. Shearer – Peoria Police Department

The Board considered comments from Compliance Manager Jack Lane. Sergeant Andreacola 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 – Dwayne Redhair – Navajo Division of Public Safety

The Board considered comments from Compliance Manager Jack Lane. Deputy Director Young made a motion to revoke peace officer certification, seconded by Sheriff Pribil, motion carried unanimously.

J. New Charging Cases:Case #1 – Christopher A. Kissler – AZ Department of Public Safety

Deputy Director Young recused himself from this case. The Board considered comments from Compliance Specialist Ted Brandon. Mr. Brown made a motion to ***Initiate Proceedings***, seconded by Sergeant Andreacola, motion carried unanimously.

Case #2 – Wesley F. Todd– Salt River Pima-Maricopa Indian Community

The Board considered comments from Compliance Specialist Ted Brandon. Deputy Director Young made a motion to ***Initiate Proceedings***, seconded by Chief Rodbell, motion carried unanimously.

Case #3 – Robert W. Steele – Pinal County Sheriff's Office

The Board considered comments from Compliance Specialist Cathy Hawse. Professor Stemley made a motion to ***Initiate Proceedings***, seconded by Director Ryan, motion carried unanimously.

Case #4 – Glenn E. Mucci – Phoenix Police Department

Chief Campbell recused himself from this case. Deputy Director Young was acting chair. The Board considered comments from Compliance Specialist Steve Jacobs. Sergeant Andreacola made a motion to ***Initiate Proceedings***, seconded by Sheriff Pribil, motion carried unanimously.

Case #5 – Albert B. Smith – Phoenix Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Sergeant Williams made a motion to ***Initiate Proceedings***, seconded by Deputy Director Young, motion carried unanimously.

Case #6 – Bryce T. Larson – Avondale Police Department

The Board considered comments from Compliance Specialist Michael Rosenberger. Professor Stemley made a motion to ***Initiate Proceedings***, seconded by Sheriff Pribil, motion carried unanimously.

Case #7 – Rosalino M. Flores Jr. – Salt River Pima-Maricopa Indian Community

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

Case #8 – James Harvie IV – Mesa Police Department

The Board considered comments from Compliance Specialist Michael Rosenberger. Deputy Director Young made a motion to ***Initiate Proceedings***, seconded by Chief Rodbell, motion carried unanimously.

Case #9 – Bryan T. Whitney – Goodyear Police Department

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

Case #10 – Scott A. Garner – Marana Police Department

The Board considered comments from Compliance Specialist Kevin Wood. Mr. Brown made a motion to ***Initiate Proceedings***, seconded by Sergeant Williams, motion carried unanimously.

Case #11 – Maria I. Hawke – Tucson Police Department

Sergeant Andreacola recused himself from this case. The Board considered comments from Compliance Specialist Kevin Wood. Professor Stemley made a motion to ***Initiate Proceedings***, seconded by Chief Rodbell, motion carried unanimously.

Case #12 – Marc E. Weiler – Tucson Police Department

Sergeant Andreacola recused himself from this case. The Board considered comments from Compliance Specialist Kevin Wood. Deputy Director Young made a motion to ***Initiate Proceedings***, seconded by Sheriff Pribil, motion carried unanimously.

A five minute break was taken at this time.

K. Rule Revision Discussion

Executive Director Mann presented to the Board two proposed rule revisions. The last significant rule revision was done in 2006. The two new proposed revisions address the pre-employment drug use by an applicant and the petition process an agency head can use to petition the Board for a waiver to the drug experimentation rule.

It was determined that a survey will be sent to all agency heads reference the changes discussed. A special meeting of the Board will be held next year to discuss rule revisions.

L. Call to the Public

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

M. Adjourn

Acting Chairman Campbell adjourned the meeting at 12:35 p.m.

Dated: November 19, 2014

Sandra L. Sierra, Recording Secretary

Minutes approved as written.

Dated: January 21, 2015

H. Jeffrey Coker, Chairman