



Arizona Peace Officer Standards and Training Board

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514 Fax (602- 244-0477

MINUTES OF MEETING DECEMBER 14, 2011 PHOENIX, ARIZONA

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on December 14, 2011, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

Mr. Joseph Duarte, Chairman
Sheriff John Armer
Dr. Scott Decker
Detective Lee Ann Dobbertin
Chief Patricia Huntsman
Ms. Wendy Larsen
Mr. Gerald Richard, representing Attorney General Tom Horne
Director Charles Ryan
Sheriff Tom Sheahan
Sergeant Robert Thompson
Lt. Colonel Dennis Young, representing Colonel Bobby Halliday

Members Absent:

Chief Kevin Kotsur

Staff in Attendance:

Ted Brandon
Marie Dryer
Rosalee Fitch
Sandy Hansberger
Jon Heiden
Deb Howard
Bob Irish
Steve Jacobs
Lyle Mann
Gary Maschner
Paul Orfe
Sandy Sierra
Rick Watling
Don Yennie

Assistant Attorney General

Nancy Beck
Diana Stabler

A. Call to Order

Chairman Duarte called the meeting to order at 10:03 a.m.

B. Introductions, Presentations and Announcements

Executive Director Mann thanked Chief Patricia Huntsman of the Chino Valley Police Department for her years of service on the POST Board; this is her last Board meeting as she is retiring at the end of this year. Chief Huntsman was a POST Board member from 2004 to 2011. He also stated that there are now two vacancies on the Board and attendance at meetings is very important in order to ensure there is a quorum.

He also informed the Board that he has been invited to assist the Child Abuse Committee that was recently created by Governor Brewer. He will assist the committee with training information regarding POST training on this issue.

C. Santa Cruz County Sheriff's Office Petition on Behalf of Recruit Rafael G. Lopez

The Santa Cruz County Sheriff's Office petitioned the Board to determine that the pre-employment cocaine use, of 2-3 times, by recruit Rafael G. Lopez was experimental. Sheriff Estrada addressed the Board and asked that this petition be granted.

Sheriff Sheahan made a motion to determine that the pre-employment cocaine use by Rafael Lopez was experimental, seconded by Chief Huntsman, motion carried unanimously.

D. Tucson Police Department Petition on Behalf of Recruit Kevin R. Swaton

The Tucson Police Department petitioned the Board to determine that the pre-employment felony crime by recruit Kevin R. Swaton constitutes juvenile indiscretion. Mr. Swaton, at age 15, hit a peace officer during a high school fight when the officer entered the fray to break it up. Lt. Pryor addressed the Board and asked that this petition be granted.

Chief Huntsman made a motion to determine that the pre-employment felony crime by Recruit Kevin R. Swaton constitutes juvenile indiscretion, seconded by Dr. Decker, motion carried unanimously. This will become effective January 11, 2012.

E. Final Action Cases:**Case #1 – Douglas S. Dreher – Tucson Police Department**

The Board considered comments from Assistant A.G. Diana Stabler. Sheriff Armer made a motion to adopt the Consent Agreement, Decision and Order for voluntary relinquishment of peace officer certification, seconded by Detective Dobbertin, motion carried unanimously.

Case #2 – Alan D. Harrison – Bullhead City Police Department

Mr. Richard recused himself from this case. The Board considered comments from Assistant A.G. Diana Stabler and Donna McDaniel, Officer Harrison's attorney. Sheriff Armer made a motion to adopt the Consent Agreement, Decision and Order and revoke peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #3 – Jared J. Zygowicz – Chandler Police Department

The Board considered comments from Assistant A.G. Nancy Beck. Ms. Larsen made a motion to adopt the Consent Agreement, Decision and Order for voluntary relinquishment of peace officer certification, seconded by Dr. Decker, motion carried unanimously.

Case #4 – Kristopher M. Reeve – Marana Police Department

The Board considered comments from Compliance Manager Bob Irish. Lt. Colonel Young made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Mr. Richard, motion carried unanimously.

Case #5 – Charles J. Sargent – AZ Department of Transportation

The Board considered comments from Compliance Manager Bob Irish. Mr. Richard made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Detective Dobbertin, motion carried unanimously.

Case #6 – Elliot P. Campbell – Tempe Police Department

The Board considered comments from Compliance Manager Bob Irish. Detective Dobbertin made a motion for mandatory revocation of peace officer certification, seconded by Sheriff Sheahan, motion carried unanimously.

Case #7 – Gabriel M. Edwards – Tucson Police Department

The Board considered comments from Compliance Manager Bob Irish. Sheriff Armer made a motion to adopt the Findings of Fact and Conclusions of Law and deny peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #8 – Michael D. Holler – AZ Department of Transportation

The Board considered comments from Compliance Manager Bob Irish. Mr. Richard made a motion for mandatory revocation of peace officer certification, seconded by Detective Dobbertin, motion carried unanimously.

F. New Charging Cases:Case #1 – Brandon K. Banks – Tempe Police Department

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

Case #2 – Eric H. Cazares – Yuma Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Sheriff Armer made a motion to ***Initiate Proceedings***, seconded by Mr. Richard, motion carried unanimously.

Case #3 – Joseph T. Connell – Flagstaff Police Department

The Board considered comments from Compliance Specialist Gary Maschner. Chief Huntsman made a motion to **Initiate Proceedings**, seconded by Detective Dobbertin, motion carried unanimously.

Case #4 – Paul A. Gutierrez – Wickenburg Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Mr. Richard made a motion to **Initiate Proceedings**, seconded by Dr. Decker, motion carried unanimously.

Case #5 – Michael D. Harris – Yuma Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Lt. Colonel Young made a motion to **Initiate Proceedings**, seconded by Mr. Richard, motion carried unanimously.

Case #6 – John M. Heflin – Payson Police Department

Sheriff Armer recused himself from this case. The Board considered comments from Compliance Specialist Ted Brandon. Chief Huntsman made a motion to **Initiate Proceedings**, seconded by Mr. Richard, motion carried unanimously.

Case #7 – Jake B. Moya – Coconino County Sheriff's Office

The Board considered comments from Compliance Specialist Gary Maschner. Lt. Colonel Young made a motion to close this case with **No Action**, seconded by Sheriff Sheahan, motion carried unanimously.

Case #8 – Oscar S. Welch – Colorado River Indian Tribes Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Sheriff Armer made a motion to close this case with **No Action**, seconded by Chief Huntsman, motion carried unanimously.

G. Adjourn

Chairman Duarte adjourned the meeting at 11:06 a.m.

Dated: December 14, 2011

Sandra L. Sierra, Recording Secretary

Minutes approved as written.

Dated: January 18, 2012

Joseph Duarte, Chairman