



Arizona Peace Officer Standards and Training Board

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

MINUTES OF THE NOVEMBER 17, 2021 MEETING OF THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD PHOENIX, ARIZONA

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on November 17, 2021, at the Arizona Peace Officer Standards and Training Board, located at 2643 E. University Drive, Phoenix, AZ.

Members Present (in person):

Sheriff Mark Dannels, Cochise County Sheriff's Office, Chairman
Commander Matthew Figueroa, Jail Commander, Coconino County Sheriff's Office
Assistant Attorney General John Johnson, representing Attorney General Mark Brnovich
Officer Matt Medina, Prescott Police Department
Deputy Director Joe Profiri, representing Director David Shinn, AZ Department of Corrections
Rehabilitation & Reentry
Professor Kevin Robinson, Arizona State University
Chief Chris Vasquez, Eloy Police Department
Chief Jeri Williams, Phoenix Police Department

Members Present (via online video/telephone conferencing):

Ms. Jamie Kelly, Public Member
Ms. Leesa B. Weisz, Public Member

Members Absent:

Colonel Heston Silbert, AZ Department of Public Safety

Staff in Attendance (in person):

Matt Giordano, Executive Director
Ben Henry, Deputy Director
Michele Blanco, Compliance Specialist
Richard Bradshaw, Compliance Specialist
William Caldwell, Compliance Specialist
Mike Deltenre, Compliance Specialist
Amanda Faust, Advanced Training Program Administrator
Mike Giammarino, Compliance Program Administrator
Steve Jacobs, Compliance Specialist
Robin MacIntire, ADC Compliance Specialist
Darcy Nichols, Compliance Specialist
Mike Orose, Compliance Program Administrator
Cindy Sawyer, Compliance Specialist
Rita Mae Schaefer, Administrative Assistant
Sandy Sierra, Executive Assistant
David Toporek, Compliance Specialist

Lori Wait, Basic Training Compliance Administrator
Dale Wyman, Digital Media Specialist

Assistant Attorneys General (in person):

Mark Brachtl
Gino Duran
Monique Coady

A. Call to Order

Chairman Dannels called the meeting to order at 10:00 a.m. and asked Mr. Johnson (AAG) to lead everyone in reciting the Pledge of Allegiance.

Chief Williams inquired if we are required by statute to have a monthly meeting, if we are not, she would like to suggest that we cancel the December meeting. Executive Director Giordano stated statute requires that meetings be held at least quarterly, so we are not required to have monthly meetings. The Board determined that we will not have a meeting in December.

B. Introductions, Presentations and Announcements

Matt Giordano, Executive Director

- Roll Call was taken. Ten Board members are present, eight are here in person and two are participating via telephone/video conferencing. Colonel Silbert is absent. We still have two vacant Board positions.
- Assistant Attorney General Monique Coady is the Independent Advisor for all the final action cases.
- The agenda was amended to remove the Herlen Yeomans case; this case will be on the January agenda.
- Richard Bradshaw was introduced. Rich is a new compliance specialist who comes to us from the Glendale Police Department. Rich retired as a commander with Glendale.
- Last month the air conditioner in the boardroom went out during the October Board meeting. Sean Donegan worked tirelessly to ensure the air conditioning unit was up and running for today's meeting. Sean handles all building maintenance and does an outstanding job; not only with building issues, but all other assignments he handles.

C. Executive Director's Report

Matt Giordano, Executive Director

- The Executive Leadership Program concluded last week with a chief's panel. We brought in a sheriff and a couple of chiefs from around the state and the class was able to ask them questions. It was an amazing class. Chuck Miiller did an outstanding job of creating and facilitating this class.
- The AACOP Conference in Laughlin was the last week of October. AZPOST provided 10 hours of continuing training credit hours for attendees.
- The Phoenix Regional Police Academy (PRPA) is changing how they will do academy training in 2022. We are working with them on this. They have some very ambitious ideas for 2023 and we will continue working with them in order to provide input.
- Due to Prop 207, effective July 1, 2022, we will no longer receive funding to reimburse academies. This information has been communicated to all agency heads statewide. We will still use CJEF funding to reimburse academies for the tribal agencies that do not pay

into PSPRS, for the state agencies that do not receive Prop 207 monies and for any other state agency that does not pay into PSPRS.

- There was a court ruling a couple of weeks ago concerning House Bill 2462. This is the bill that would require individuals who want to serve on a civilian review board to complete 80 hours of law enforcement focused training. There are multiple interpretations of what the court ruling means and we are not providing guidance to any agencies on what the ruling means. Since we have been working with several agencies to compile 80 hours of training that we believe meets the statutory requirements, we are moving forward and will post 80 hours of training on our website by the end of this year. Training coordinators will have the ability to access this training and it will also be available to any agency who wants to provide this training.
- The Constables Standards and Training Board will hold their annual conference in January in Tubac. Our training unit will provide 14 hours of AZPOST approved training to them and they are very grateful as this will assist them with their required annual training hours.
- Video Production Supervisor Dan Ciernia retired yesterday after 14 years with AZPOST. Dale Wyman will be assisting us in conducting our virtual meetings.
- Represented AZPOST at the East Valley Chief’s Meeting last week; will attend the Copper and Rim Country Chief’s Meeting tomorrow; will also travel to Yuma on Friday to attend the WALEA Meeting and will be the keynote speaker at the Chandler-Gilbert Community College graduation tonight.

D. Consent Agenda

Chief Williams made a motion to accept the Consent Agenda. The motion was seconded by Professor Robinson and passed unanimously.

The following items were approved:

1. Minutes of the Board meeting held on October 21, 2021.
2. Certification Waivers:

Michael Rietz	Chandler Police Department
Zachary Rojas-Villareal	Chandler Police Department
Mathew M Boice	El Mirage Police Department
Andrew Salcido	Gilbert Police Department
Caitlin Freshwater	Glendale Police Department
Lindsay J. Bond	Goodyear Police Department
Tessa A. Da Costa	Lake Havasu City Police Department
Andy T. Moy	Maricopa County Sheriff’s Office
Ashton N. Dorris	Mesa Police Department
Erica Gregg	Mesa Police Department
Joseph Twigg	Mesa Police Department
Jeffrey Arensdorf	Pinal County Sheriff’s Office
Dylan Faverino	Pinal County Sheriff’s Office
David Jackson JR	Pinal County Sheriff’s Office
Andrew Van Woerkom	Queen Creek Police Department
Melissa Winch	Queen Creek Police Department

3. Consent Agreements for Voluntary Relinquishment/Denial of Peace Officer Certification. The following individuals, without admitting to any misconduct, requests the Board accept their request to permanently relinquish their Arizona peace officer certification:

Trevor W. Braverman	20-168	AZ Department of Public Safety
Steven W. McBride	21-088	Clifton Police Department
Anthony J. Cardinale	21-093	Gila River Police Department
Katherine A. Reyes-Figueroa	21-110	Phoenix Police Department
Noe B. Mitchell	21-158	Phoenix Police Department
Grace S. Hinkle	21-180	Kingman Police Department
Darin J. Norris	20-185	Maricopa County Sheriff's Office

4. 2022 Board Meeting Schedule.

- E. Review, Discussion and Possible Action on AZPOST Administrative Rules in Title 13 Public Safety Chapter 4 as listed in the Draft Notice of Proposed Rulemaking (NPR).

Executive Director Matt Giordano provided a brief description of the proposed rule changes. This is a very long and tedious process and he thanked Mike Giammarino for his assistance with this project. Jeanne Hann, who is the consultant who assisted in preparing the rule packet with the proposed changes, was available via telephone to answer any questions the Board may have.

Some of the highpoints of the proposed changes are:

- Clarify that “denial” of certification may be temporary or permanent;
- Remove “limited authority” as a class of peace officer certification;
- Change the term “outside provider” to “vendor” when referring to entities allowed to conduct continuing training;
- Clarify the documentation necessary to show an individual attended a private high school;
- Simplify the standards for instructor classification;
- Add a cross reference to the definition of “illegal” regarding possession, production, cultivation, transportation, sale, or use of marijuana;
- Remove salvia from the list of hallucinogens because neither federal nor state law regulates it;
- Add a requirement that a hiring agency update any result of a background investigation that is more than a year old when an individual is appointed;
- Add a requirement for a background investigation when an individual is physically separated from an agency for more than 30 days before being reinstated by the agency;
- Remove the requirement that a full-authority basic training course contain 585 hours;
- Increase the total number of hours of proficiency training required and require every peace officer to obtain proficiency training every year;
- Add less lethal operations as a curriculum topic for both basic and proficiency training;
- Clarify that waiver of training is available only for individuals who have functioned as a peace officer for at least a year;

- Clarify that reimbursement of training expenses is limited to the state-approved rate and excludes expenses for meals;
- Remove the requirement that an academy maintain a written application submitted by an applicant;
- Make Article 2 standards consistent with those in Article 1 regarding documentation of high school education and military service; and
- Remove the definition of “experimentation” regarding illegal use of marijuana, a dangerous drug, or narcotic in Article 2.

Chief Vasquez made motion to adopt the amended administrative rules in Title 13 Chapter 4 as listed in the Notice of Proposed Rulemaking. The motion was seconded by Chief Williams and passed unanimously.

Professor Robinson made a motion that the Board proceed with the process of amending its rules by filing the Notice of Proposed Rulemaking, as adopted by the Board, with the Office of the Secretary of State. The motion was seconded by Officer Medina and passed unanimously.

F. Final Action Cases:

1. 20-194 – William L. Brennan – Maricopa County Sheriff’s Office
The Board considered comments from Assistant Attorney General Gino Duran; who provided a brief overview of the proposed consent agreement. Professor Robinson made a motion to accept the proposed consent agreement for a 12-month suspension of Mr. Brennan’s peace officer certification. The suspension shall be in effect beginning July 21, 2021, and ending July 21, 2022. The motion was seconded by Chief Vasquez and passed unanimously.
2. 20-138– Alan S. Urkov – Coolidge Police Department
The Board considered comments from Compliance Specialist William Caldwell; who provided a brief overview of the case. Chief Williams made a motion to accept the Findings of Fact and Conclusions of Law and suspend Mr. Urkov’s peace officer certification. The suspension shall be in effect beginning November 17, 2021, and ending August 22, 2023, at which time his peace officer certification will lapse. The motion was seconded by Commander Figueroa and passed unanimously.
3. 20-116 – Roberto Serna – Pima Community College Department of Public Safety
The Board considered comments from Compliance Specialist Michele Blanco, who provided a brief overview of the case. Chief Vasquez made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Serna’s peace officer certification. The motion was seconded by Officer Medina and passed unanimously.
4. 21-040 – Brian G. Espinoza – Pima County Sheriff’s Department
The Board considered comments from Compliance Specialist Steve Jacobs, who provided a brief overview of the case. Professor Robinson made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Espinoza’s peace officer certification. The motion was seconded by Chief Williams and passed unanimously.

5. 21-072 – Jared M. Jake – Winslow Police Department
Chief Vasquez recused himself from this case. The Board considered comments from Compliance Specialist Steve Jacobs, who provided a brief overview of the case. Chief Williams made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Jake's peace officer certification. The motion was seconded by Mr. Johnson (AAG) and passed unanimously.

G. New Charging Cases:

1. 21-028 – Sandor T. Binkley – Mesa Police Department
The Board considered comments from Compliance Specialist William Caldwell, who provided a brief overview of the case. Commander Figueroa made a motion to close this case and Resolve in the Future. The motion was seconded by Ms. Weisz and passed unanimously.
2. 21-061 – Kory M. Duran – Casa Grande Police Department
The Board considered comments from Compliance Specialist William Caldwell, who provided a brief overview of the case. Deputy Director Profiri made a motion to Initiate Proceedings to deny peace officer certification to Mr. Duran. The motion was seconded by Chief Vasquez and passed unanimously.
3. 21-064 – John L. Santiago – Mesa Police Department
Mr. Johnson (AAG) recused himself from this case. The Board considered comments from Compliance Specialist William Caldwell, who provided a brief overview of the case; a short video was also presented. Chief Vasquez made a motion to Initiate Proceedings against Mr. Santiago's peace officer certification. The motion was seconded by Chief Williams and passed unanimously.
4. 21-123 – Peter J. Guzman – Phoenix Police Department
Chief Williams recused herself from this case. The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Professor Robinson made a motion to Initiate Proceedings against Mr. Guzman's peace officer certification. The motion was seconded by Deputy Director Profiri and passed unanimously.
5. 21-108 – Julio E. Meza – Yavapai-Prescott Tribal Police Department
The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Commander Figueroa made a motion to Initiate Proceedings against Mr. Meza's peace officer certification. The motion was seconded by Chief Williams and passed unanimously.
6. 21-157 – Oscar Ramirez-Guevara – Phoenix Police Department
Chief Williams recused herself from this case. The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Chief Vasquez made a motion to close this case and Resolve in the Future. The motion was seconded by Professor Robinson and passed unanimously.

7. 21-132 – Christopher M. Bell – AZ Department of Public Safety
The Board considered comments from Compliance Specialist Robin MacIntire, who provided a brief overview of the case. Deputy Director Profiri made a motion to Initiate Proceedings to deny peace officer certification to Mr. Bell. The motion was seconded by Chief Williams and passed unanimously.
8. 21-068 – Christopher S. Haynes – Maricopa County Sheriff’s Office
The Board considered comments from Compliance Specialist David Toporek, who provided a brief overview of the case. Chief Vasquez made a motion to Initiate Proceedings against Mr. Haynes’ peace officer certification. The motion was seconded by Ms. Weisz and passed unanimously.
9. 21-029 – Jared Palacios – Avondale Police Department
The Board considered comments from Compliance Specialist David Toporek, who provided a brief overview of the case. Chief Williams made a motion to Initiate Proceedings against Mr. Palacios’ peace officer certification. The motion was seconded by Mr. Johnson (AAG) and passed unanimously.
10. 21-153 – James Medal – Gilbert Police Department
Deputy Director Profiri recused himself from this case. The Board considered comments from Compliance Specialist Steve Jacobs, who provided a brief overview of the case. Professor Robinson made a motion to Initiate Proceedings to deny peace officer certification to Mr. Medal. The motion was seconded by Chief Vasquez and passed unanimously.
11. 21-063 – Jeffrey S. Overton – Globe Police Department
The Board considered comments from Compliance Specialist Steve Jacobs, who provided a brief overview of the case. Chief Vasquez made a motion to close this case with No Action with Agency Discretion. The motion was seconded by Commander Figueroa and passed unanimously.
12. 21-091 – Jeffrey S. Overton – Globe Police Department
Chief Williams made a motion to go into executive session pursuant to A.R.S. §38-431.03(A)(2), to review confidential information. The motion was seconded by Chief Vasquez and passed unanimously.

The Board went into executive session at 11:20 a.m. and the regular meeting resumed at 11:25 a.m.

The Board considered comments from Compliance Specialist Steve Jacobs, who provided a brief overview of the case. Commander Figueroa made a motion to Initiate Proceedings against Mr. Overton’s peace officer certification. The motion was seconded by Professor Robinson and passed unanimously.

H. Future Agenda Items

Nothing new to add.

I. Adjournment

The meeting was adjourned at 11:28 a.m.