



Arizona Peace Officer Standards and Training Board

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MINUTES OF THE FEBRUARY 10, 2022 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 February 10, 2022, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

Members Present (via online video/telephone conferencing):

Assistant Attorney General John Johnson, representing Attorney General Mark Brnovich
Commander Matthew Figueroa, Jail Commander, Coconino County Sheriff's Office
Ms. Jamie Kelly, Public Member
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
Ms. Leesa B. Weisz, Public Member
Chief Jeri Williams, Phoenix Police Department

Staff in Attendance:

Matt Giordano, Executive Director
Dale Wyman, Digital Media Production Specialist
Sandy Sierra, Executive Assistant

Assistant Attorney General:

Mark Brachtl

A. Call to Order

The meeting was called to order at 1:00 p.m.

B. Roll Call

Roll call was taken, eight Board members are present via online video conferencing.

C. Review, Discussion and Possible Action regarding the Adoption of a Revised Notice of Final Rulemaking, which will be submitted to GRRC for its review and approval. This also includes a Board review, discussion and possible action on proceeding to develop a Notice of Supplemental Proposed Rulemaking for R13-4-111 and R13-4-114.

Executive Director Giordano explained to the Board that this meeting was called in order to amend the administrative rules in Title 13 Chapter 4 as listed in the Final Notice of Proposed Rulemaking and to prepare a Notice of Supplemental Proposed Rulemaking with revisions in R13-4-111 and R13-4-114. The Board approved the adoption of the amended rules and authorized staff to proceed with filing the Notice of Proposed Rulemaking at the November 17, 2021 meeting. During the 30-day review process, based on public comments, it was

determined that several agencies had concerns with the proposed changes to the following rules:

R13-4-111 – Certification Retention Requirements

Under the proposed rule change, in order for a peace officer to maintain certification, all peace officers (regardless of rank) would have to complete eight hours of Continuous Training and four hours of Proficiency Training annually. Proficiency Training would increase from eight hours to 12 hours over a three-year period. Proficiency Training would have to be specific to Proficiency Course Standards documented in the current rules (such as arrest tactics, firearms, etc.). Based on public comments, concerns were raised that this change will significantly impact agencies economically and create staffing issues.

Staff reviewed these concerns and AZPOST is considering eliminating the distinction between Continuous and Proficiency Training and revising the requirement to 12-hours of required training annually for all peace officers. It would be incumbent upon the agencies to determine their training needs and ensure all assigned peace officers meet the 12-hour requirement annually. AZPOST will continue conducting annual training audits and will bring those not in compliance to the Board for restriction of certification until completion of the required training.

R13-4-114 – Minimum Course Requirements

Under the proposed rule change, Proficiency Instructors must meet the requirements for a General Instructor. The proposed rule change to R13-4-114(A)(2)(a) states that a General Instructor must be “currently appointed as a peace officer in Arizona.” A Proficiency Instructor must meet the requirements of a General Instructor. Based on public comments, concerns were raised that this change will limit the use of Proficiency Instructors available to agencies. Although a Specialist Instructor category is in rule, many interpret that this rule revision eliminates retired peace officers from Arizona and the ability to utilize qualified instructors from outside Arizona.

Staff reviewed these concerns and AZPOST is considering establishing Minimum Course Requirements for Instructors providing Academy training to recruits and eliminate the standards for Advance Training Instructors. Arizona law enforcement agencies will be able to determine Advanced Training needs for their agencies and utilize selected instructors to facilitate this training without having to obtain AZPOST approval.

Chief Williams stated she likes the idea of an agency head determining what type of training is required for their agency, she also likes the standardization of all officers being required to have 12 hours of annual training. She asked who will determine the certification and qualifications of out-of-state instructors.

Executive Director Giordano stated it will be up to the agency to vet out-of-state instructors.

Chief Williams made a motion that the Board adopt the amended administrative rules in Title 13 Chapter 4 as listed in the Final Notice of Proposed Rulemaking and that it be filed with the Governor’s Regulatory Review Council for review and approval. The motion was seconded by Ms. Kelly and passed unanimously.

Ms. Kelly made a motion that the Board instruct staff to prepare a Notice of Supplemental Proposed Rulemaking with revisions to the rules on proficiency training, instructor qualifications and training providers in R13-4-114 and R13-4-111. The motion was seconded by Chief Vasquez and passed unanimously.

D. Adjourn

The meeting was adjourned at 1:18 p.m.