



Arizona Peace Officer Standards and Training Board

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

MINUTES OF THE OCTOBER 19, 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 October 19, 2022, 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
Ms. Jamie Kelly, Public Member
Detective Joseph Krajcer, Tempe Police Department
Deputy Director Joe Profiri, representing Director David Shinn, AZ Department of Corrections
Rehabilitation & Reentry
Professor Kevin Robinson, Arizona State University
Colonel Heston Silbert, AZ Department of Public Safety

Members Present (via online video/telephone conferencing):

Assistant Attorney General John Johnson, representing Attorney General Mark Brnovich
Sheriff Doug Schuster, Mohave County Sheriff's Office
Ms. Leesa B. Weisz, Public Member

Members Absent:

Detective Benjamin Cook, Pinal County Sheriff's Office
Chief Chris Vasquez, Eloy Police Department

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
Sean Donegan, Compliance Program Administrator
Mike Giammarino, Compliance Program Administrator
Arlene Heckel, Compliance Specialist
Robin MacIntire, Compliance Specialist
Darren Martinez, Compliance Specialist
Greg Redmon, Training Specialist
Michael Rodriguez, Training Specialist
Cindy Sawyer, Compliance Specialist
Rita Mae Schaefer, Administrative Assistant

Tim Shay, Compliance Specialist
Sandy Sierra, Executive Assistant
Aaron Thomas, Training Specialist
Dave Toporek, Compliance Specialist
Dale Wyman, Digital Media Specialist

Assistant Attorneys General:

Mark Brachtl
Gino Duran
Roberto Pulver

A. Call to Order

Chairman Dannels called the meeting to order at 10:00 a.m. and asked Detective Krajcer to lead everyone in reciting the Pledge of Allegiance.

B. Introductions, Presentations and Announcements

Matt Giordano, Executive Director

- Roll Call was taken. Ten Board members are present, seven are here in person and three are participating via telephone/video conferencing. We have one vacant Board member position.
- Assistant Attorney General Roberto Pulver is the Independent Legal Advisor for all the final action cases.
- There is an Executive Leadership Class being held today at AZPOST. The class has 33 students in attendance and they come from across the entire state. The class was revised to allow participants to attend for two and half days one week and the next month attend another week for two and a half days; that culminates the class. Approximately six months after a class is completed, in order to stay in contact with the participants, a workshop is held to provide a few hours of additional training. Participants can attend in person or virtually.

C. Executive Director's Report

Matt Giordano, Executive Director

- The Governor's Regulatory Review Council (GRRRC) approved our proposed rule changes at its October 4, 2022, meeting. The new changes will eliminate the distinction between Continuous and Proficiency Training and will revise the hours needed for annual training to 12 hours per year for every certified peace officer in the state. Also, with the new rule changes, AZPOST will no longer be vetting advanced officer training. The agency head will determine what training their officers need to be successful in their communities. These changes will be effective in early 2023. We will also be asking the Board to approve further rule changes, we hope to bring this request to the Board in the very near future.
- I would like to make the Board and everyone else aware of what our staff does on a daily basis, on the Board's behalf.
 - Compliance
There are only three new cases on this month's agenda. The reason for this is because the Compliance Unit has been working diligently to reduce the caseload. Now that we have two Compliance Managers and ten Compliance Specialists, they are moving through cases quicker and more efficiently and we will have less cases each month. We will no longer have cases that have been lingering for years, the goal is to present

- a case to the Board within six months of receiving it, and we are presenting cases well in advance of this timeframe. Compliance also hosts a Background Investigator School two or three times per year. Last month we hosted a class with approximately 40 students attending in person and 70 attending virtually. Compliance will also be working with a third party vendor to teach an Internal Affairs Investigation School in early November. We try to assist outlying agencies who would like training in basic internal affairs investigations by providing this class free of charge, other than housing.
- Basic Training
The Basic Training Unit continues to work with all our academies. There are now 17 statewide academies. The unit has completed all the academy audits for the year and have closed 16 of the 17 audits. There is one audit that is still open and we will be discussing this at next month's Board meeting. The unit is also heavily entrenched in the Basic Academy curriculum rewrite. This rewrite is a very heavy lift and they are vigorously working on getting this accomplished. The unit also determined that it was time to review the Subject Matter Experts title. For many years, people with different proficiency levels were labeled as Subject Matter Experts. This title was not reflective of what that meant. We determined that Master Instructor was a better fit because what we are certifying is that the individual is an expert in our curriculum. All agency heads and Mater Instructors were notified of this change and the response was very positive.
 - Advanced Training
The Advanced Training Unit just finished the ninth Basic Leadership Academy last week. This class is taught by Ron Bayne and our goal is to have nine or ten of these classes per year. This is a very popular class, the schedule for 2023 is already full, and we are working on the schedule for 2024. Ron does a phenomenal job and the class critiques confirm this. The Field Training Leadership Class will be undergoing some changes. This was a five day class with the first three days dedicated to NAFTO training and the last two days dedicated to AZPOST Leadership. It was difficult for some agencies to have their Field Training Officers gone for five days. It was determined that future classes will now be three day classes and will consist solely to NAFTO certification.
 - Information Technology (IT)
The IT Unit does a phenomenal job and without them, we could not function. They continue to improve and update our internal system. They issued a recent release that went out without a hitch. They continually make it easier for us and the agencies to communicate with each other with technology advancement.
 - Administrative Staff
Without our administrative staff the lights would probably not be on, they are the glue that holds this place together.

Chairman Dannels expressed his appreciation for the hard work staff does on a daily basis and stated the efficiency and effectiveness at AZPOST has never been better. He stated he is extremely impressed with Executive Director Giordano's leadership and the direction he has taken the agency.

D. Consent Agenda

Ms. Kelly made a motion to accept the Consent Agenda. The motion was seconded by Colonel Silbert and passed unanimously.

The following items were approved:

1. Minutes of the Board meeting held on September 21, 2022.
2. 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:

Steve A. Islas	2022-137	Pima County Sheriff’s Department
Chance D. Sanchez	2022-144	Maricopa County Sheriff’s Office
Jesse J. Newton	2022-149	Chino Valley Police Department

- E. Review, Discussion and Possible Action on a Petition from the City of Phoenix Police Department pursuant to A.A.C. R13-4-103(G) requesting a restriction of peace officer certification for Applicant/Chief Michael Sullivan.

Assistant Attorney General Mark Brachtl addressed the Board regarding a City of Phoenix Police Department petition requesting a restricted peace officer certification for Applicant/Chief Michael Sullivan. Applicant/Chief Sullivan will be restricted from being assigned any duty likely to result in the need to apply physical force.

Ms. Weisz made a motion that based upon the information submitted by the City of Phoenix Police Department and pursuant to Rule 13-4-103(G), the Board grant a restricted peace officer certification to Chief Michael Sullivan. This certification restricts Chief Sullivan from being assigned any duty likely to result in the need to apply physical force. The motion was seconded by Colonel Silbert and passed unanimously.

- F. Review, Discussion and Possible Action on a Wickenburg Police Department Petition Pursuant to A.A.C. R13-4-103(G) for Applicant Ezra Boone.

Assistant Attorney General Mark Brachtl addressed the Board regarding a Wickenburg Police Department petition for Applicant Ezra Boone. Applicant Boone, when he was in high school, consumed dangerous or narcotic drugs and sold small amounts of marijuana. Chief Les Brown, Wickenburg Police Department, addressed the Board to request that the petition be granted. Applicant Ezra Boone also addressed the Board and answered questions.

Colonel Silbert made a motion that the Board grant the Wickenburg Police Department Petition on Applicant Ezra Boone based on Rule 13-4-103(G). The motion was seconded by Detective Krajcer and passed by a vote of 9-1. One nay vote was recorded for Mr. Johnson (AAG).

- G. Review, Discussion and Possible Action on a Wickenburg Police Department Petition Pursuant to A.A.C. R13-4-103(G) for Applicant Sydney Titus-Boardingham.

Assistant Attorney General Mark Brachtl addressed the Board regarding a Wickenburg Police Department petition for Applicant Sydney Titus-Boardingham. Applicant Titus-Boardingham, when he was a teenager, filed a false police report and subsequently collected insurance proceeds. Chief Les Brown, Wickenburg Police Department, addressed the Board to request

that the petition be granted. Applicant Sydney Titus-Boardingham also addressed the Board and answered questions.

After review of the petition request, consideration of arguments made by the parties, including follow-up questions and legal advice, Deputy Director Profiri made a motion that the Board grant the Wickenburg Police Department Petition on Applicant Sydney Titus-Boardingham based on Rule 13-4-103(G). The motion was seconded by Ms. Weisz and passed by a vote of 7-3. Nay votes were recorded for Sheriff Dannels, Mr. Johnson (AAG) and Ms. Kelly.

H. Final Action Cases:

1. 2022-039 – Adrian M. Antone – Gila River Police Department

The Board considered comments on Mr. Antone's request for rehearing from Assistant Attorney General Gino Duran, attorney for the Arizona Peace Officer Standards and Training Board, and Mr. Thomas Griffin, attorney for Mr. Antone. The Board also considered comments from Assistant Chief Villar of the Gila River Police Department and from Mr. Antone.

After review of the rehearing request, consideration of arguments made by the parties, including follow-up questions, Ms. Kelly made a motion to deny the request for rehearing. The motion was seconded by Colonel Silbert and passed by a vote of 9-1. One nay vote was recorded for Ms. Weisz.

2. 2020-125 – Harold L. Janes – Pina County Sheriff's Department

Mr. Johnson (AAG) recused himself from this case. The Board considered comments from Assistant Attorney General Gino Duran, attorney for the Arizona Peace Officer Standards and Training Board, who provided a brief overview of the proposed consent agreement. Mr. Michael Storie, attorney for Mr. Janes, was available to answer any questions. Professor Robinson made a motion to accept the proposed consent agreement for a 12-month suspension of Mr. Janes' peace officer certification. The suspension shall be in effect retroactively beginning July 3, 2021, and ending October 4, 2021, and prospectively beginning October 24, 2022, and ending July 24, 2023. The motion was seconded by Deputy Director Profiri and passed unanimously.

3. 2022-056 – Quentin Slaughter – AZ Department of Public Safety

Colonel Silbert recused himself from this case. The Board considered comments from Assistant Attorney General Gino Duran, attorney for the Arizona Peace Officer Standards and Training Board, who provided a brief overview of the proposed consent agreement. Mr. Dale Norris, attorney for Mr. Slaughter, was available to answer any questions. Ms. Weisz made a motion to accept the proposed consent agreement for a 12-month suspension of Mr. Slaughter's peace officer certification. The suspension shall be in effect beginning February 16, 2022, and ending February 16, 2023. The motion was seconded by Commander Figueroa and passed unanimously.

4. 2021-074 – Michael A. Canizales – Pima County Sheriff's Department

The Board considered comments from Compliance Specialist Arlene Heckel, who provided a brief overview of the case. Professor Robinson made a motion to accept the Findings of Fact and Conclusions of Law and suspend Mr. Canizales' peace officer

certification for 24 months, beginning April 16, 2021, and ending April 16, 2023. The motion was seconded by Ms. Kelly and passed by a vote of 9-1. One nay vote was recorded for Colonel Silbert.

5. 2021-220 – Paul J. Lee – Tucson Police Department

The Board considered comments from Compliance Specialist David Toporek, who provided a brief overview of the case. Deputy Director Profiri made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Lee's peace officer certification. The motion was seconded by Professor Robinson and passed unanimously.

I. New Charging Cases:

1. 2022-043 – Bernadine Rodriquez – AZ Department of Transportation - ECD

Mr. Johnson (AAG) recused himself from this case. The Board considered comments from Compliance Specialist Michele Blanco, who provided an overview of the case. Commander Figueroa made a motion to Initiate Proceedings against Ms. Rodriquez's peace officer certification. The motion was seconded by Detective Krajcer and passed unanimously.

2. 2022-155 – Oscar Ramirez-Guevara – Phoenix Police Department

The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Colonel Silbert made a motion to Initiate Proceedings against Mr. Ramirez-Guevara's peace officer certification. The motion was seconded by Professor Robinson and passed unanimously.

3. 2022-111 – Garrett R. Smith – Prescott Police Department

The Board considered comments from Compliance Specialist Tim Shay, who provided a brief overview of the case. A short video was also presented. Professor Robinson made a motion to Initiate Proceedings against Mr. Smith's peace officer certification. The motion was seconded by Commander Figueroa and passed unanimously.

J. Future Agenda Items

Executive Director Giordano inquired if the Board would like to have a December meeting or would prefer to cancel the December meeting. The Board voted unanimously not to have a December meeting.

K. Board Training on the Application of Board Discipline on Police Trainees who are Dishonest in an Academy Setting

Assistant Attorney General Mark Brachtel asked the Board for an executive session to provide legal advice concerning permanent denial of peace officer certification.

Ms. Weisz made a motion to go into executive session to receive confidential legal advice from the Board's attorney. The motion was seconded by Ms. Kelly and passed unanimously.

The Board went into executive session at 10:35 a.m. and the regular meeting resumed at 11:50 a.m.

L. Adjournment

The meeting was adjourned at 11:51 a.m.