



Arizona Peace Officer Standards and Training Board

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

MINUTES OF THE AUGUST 21, 2024, 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 August 21, 2024, at the Arizona Peace Officer Standards and Training Board, located at 2643 E. University Drive, Phoenix, AZ.

Members Present (in person):

Detective Benjamin Cook, Pinal County Sheriff's Office
Colonel Jeff Glover, Arizona Department of Public Safety
Division Chief Nicholas Klingerman, representing Attorney General Kris Mayes, Arizona Attorney General's Office
Detective Joseph Krajcer, Tempe Police Department
Director Ryan Thornell, Arizona Department of Corrections Rehabilitation & Reentry

Members Present (via online video/telephone conferencing):

Commander Matthew Figueroa, Jail Commander, Coconino County Sheriff's Office
Mr. Randy Schoch, Public Member
Sheriff Doug Schuster, Mohave County Sheriff's Office
Ms. Leesa B. Weisz, Public Member

Members Absent:

Sheriff Mark Dannels, Cochise County Sheriff's Office, Chairman
Professor Kevin Robinson, Arizona State University

Staff in Attendance (in person):

Matt Giordano, Executive Director
Michele Blanco, Compliance Specialist
Richard Bradshaw, Compliance Specialist
William Caldwell, Compliance Specialist
Ryan Clark, Training Specialist
Mike Deltenre, Compliance Specialist
Marissa Escandon, Administrative Assistant
Mike Giammarino, Compliance Manager
Alfred Grijalva, Compliance Specialist
Arlene Heckel, Compliance Specialist
Brandon Keomaka, ADCRR Compliance Specialist
Mark Post, Compliance Manager
Mike Puente, Training Specialist
Tim Shay, Compliance Specialist
Sandy Sierra, Executive Assistant

Mike Thorley, Compliance Specialist
Dave Toporek, Compliance Specialist
Rick VanKeuren, Training Specialist
Lori Wait, Basic Training Manager

Legal Counsel:

Mark Brachtl, Assistant Attorney General
Joe Dyllo, Assistant Attorney General
Ben Norris, Independent Legal Advisor

A. Call to Order

Acting Chairman Krajcser called the meeting to order at 10:08 a.m. and asked Colonel Glover to lead everyone in reciting the Pledge of Allegiance.

B. Introductions, Presentations and Announcements

Matt Giordano, Executive Director

- Roll-call was taken. Nine Board members are present; five are here in person and four are participating via telephone/video conferencing. Sheriff Dannels and Professor Robinson are absent. Detective Krajcser will be acting Chairman for today's meeting.
- Assistant Attorney General Ben Norris is our Independent Legal Advisor for all final action cases.
- Two new staff members were introduced. Brandon Keomaka comes to us from the Arizona Department of Corrections Rehabilitation & Reentry (ADCRR). As part of a partnership between AZPOST and ADCRR, Brandon is assigned to the Compliance side of the house as a Compliance Specialist. Pat White was recently hired to work in our IT Department and will be assisting with the Help Desk and many other IT functions. We are very excited to have both Brandon and Pat join AZPOST.
- We continue to work with the Office of Boards and Commissions to try to get the two Board vacancies filled. The positions of large city and small city Chiefs of Police remain vacant on the Board.
- Final action cases 2023-214 Price A. D'Antonio and 2024-022 JayQuinn D. Brown will be tabled and presented at a future meeting.

C. Executive Director's Report

Matt Giordano, Executive Director

- We are still working with the governor's office on our proposed rule changes. They are currently reviewing our rulemaking packet and as soon as we receive approval, the packet will be presented to the Board for your approval and then will be submitted to the Governor's Regulatory Review Council (GRRRC) for final review and approval.
- Last month during the Law Enforcement Summit in Flagstaff, AZPOST hosted a two hour training class for attendees. We normally host a four hour training class during the Summit, but lessened the time this year in order to allow participants to complete the training, check out of their hotel rooms and be on their way before noon. The training we hosted was NextGen for Field Training Officers and was presented to executive level staff to demonstrate what field training should look like moving forward. It has been 20-25 years since any significant changes have been made to this program. The training was very well received and there has been much interest in future classes.

D. Consent Agenda

Division Chief Klingerman made a motion to accept the Consent Agenda. The motion was seconded by Colonel Glover and passed unanimously.

The following items were approved:

1. Minutes of the Board meeting held on June 19, 2024.
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:

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| 1. 2023-006 | Michael D. Morris | Prescott Valley Police Department |
| 2. 2023-107 | William P. Adams | Ft. Mojave Police Department |
| 3. 2024-039 | Priscilla Perez | AZ Department of Corrections |
| 4. 2024-119 | Jermaine A.C. Royal | Phoenix Police Department |
| 5. 2024-126 | Ricardo N. Lozano-Sotelo | Pima County Sheriff’s Department |
| 6. 2024-130 | Kevin R. Smith | Phoenix Police Department |
| 7. 2024-149 | Ethan C. Parker | Mesa Police Department |
| 8. 2024-157 | Daniel J. Koller | Mesa Police Department |

3. Petitions for Waiver pursuant to R13-4-105(C). The Applicant’s only disqualifying conduct is legally consuming marijuana more than six months, but within two years of appointment, in violation of R13-4-105(A)(10):

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|--------------------------|-----------------------------|
| Applicant Kelly Neises | Flagstaff Police Department |
| Applicant Joshua Harris | Fredonia Police Department |
| Applicant Colin Randolph | Mesa Police Department |
| Applicant Garcia Aguirre | Phoenix Police Department |

- E. Review, Discussion and Possible Action on a Petition from the Avondale Police Department pursuant to A.A.C. R13-4-105(C) for Applicant Dante Herron II.

Assistant Attorney General Mark Brachtl addressed the Board regarding an Avondale Police Department petition for Applicant Dante Herron II. Applicant Herron, during the hiring process, disclosed he used a hallucinogen, one time, when he was 20 years old. Per AZPOST rules, this is a disqualifying conduct. Assistant Chief Jonathon Martin, Avondale Police Department, addressed the Board to request that the petition be granted. Applicant Dante Herron II also addressed the Board.

Director Thornell made a motion that based upon the petition submitted by the Avondale Police Department and pursuant to A.A.C. R13-4-105(C), the Board grant the petition for waiver on Applicant Dante Herron II. The motion was seconded by Division Chief Klingerman and passed unanimously.

Mr. Schoch left the meeting at this time.

- F. Review, Discussion and Possible Action on a Petition from the Kingman Police Department pursuant to A.A.C. R13-4-103(G) for Applicant Christopher Walters.

Assistant Attorney General Mark Brachtl addressed the Board regarding a Kingman Police Department petition for Applicant Christopher Walters. Applicant Walters, during the hiring process, disclosed he profited from the sale of marijuana, when he was 19 years old. Per AZPOST rules, this is a disqualifying conduct. Deputy Chief Joel Freed, Avondale Police Department, addressed the Board to request that the petition be granted. Applicant Christopher Walters also addressed the Board.

Ms. Weisz made a motion that based upon the petition submitted by the Kingman Police Department and pursuant to A.A.C. R13-4-103(G), the Board grant the petition for waiver on Applicant Christopher Walters. The motion was seconded by Sheriff Schuster and passed unanimously.

G. Final Action Cases:

1. 2021-167 – Jesus O. Norzagaray – Yuma Police Department

The Board heard oral argument on the Administrative Law Judge's Decision from Assistant Attorney General Mark Brachtl, attorney for the Arizona Peace Officer Standards and Training Board. Mr. Norzagaray was present and also addressed the Board.

Detective Cook made a motion to accept the Administrative Law Judge's Findings of Fact and Conclusions of Law. The motion was seconded by Ms. Weisz and passed unanimously.

Assistant Attorney General Mark Brachtl discussed staff's recommendation regarding discipline.

Detective Cook made a motion to suspend Mr. Norgazaray's peace officer certification for 36 months, beginning August 27, 2021, and ending August 27, 2024; at which time his peace officer certification will lapse. The motion was seconded by Colonel Glover and passed unanimously.

2. 2023-214 – Price A. D'Antonio – Payson Police Department

This case was tabled.

3. 2024-001 – Sterling Jessop – Page Police Department

The Board considered comments from Assistant Attorney General Joe Dylo, attorney for the Arizona Peace Officer Standards and Training Board, who provided a brief overview of the proposed consent agreement. Mr. Lando Voyles, attorney representing Mr. Jessop, also addressed the Board. Colonel Glover made a motion to accept the proposed consent agreement for a 12-month suspension of Mr. Jessop's peace officer certification. The suspension shall be in effect beginning December 19, 2023, and ending December 19, 2024. The motion was seconded by Division Chief Klingerman and passed unanimously.

4. 2023-197 – Brian G. Hawkins – Buckeye Police Department

The Board considered comments from Assistant Attorney General Joe Dylo, attorney for the Arizona Peace Officer Standards and Training Board, who provided a brief overview of the proposed consent agreement. Brian Hawkins also addressed the Board. Ms. Weisz made a motion to accept the proposed consent agreement for a 3-month suspension of Mr. Hawkins' peace officer certification. The suspension shall be in effect beginning September 18, 2023, and ending December 18, 2023. The motion was seconded by Director Thornell and passed unanimously.

5. 2024-088 – Ernesto B. Guzman – El Mirage Police Department

The Board considered comments from Assistant Attorney General Joe Dylo, attorney for the Arizona Peace Officer Standards and Training Board, who provided a brief overview of the proposed consent agreement. Mr. Guzman was not present. Division Chief Klingerman made a motion to accept the proposed consent agreement for a 6-month suspension of Mr. Guzman's peace officer certification. The suspension shall be in effect beginning May 16, 2023, and ending November 16, 2023. The motion was seconded by Ms. Weisz and passed unanimously.

6. 2024-116 – Sheden B. Mezenghie – Tempe Police Department

Chairman Krajcer recused himself from this case. Colonel Glover was acting Chair. The Board considered comments from Assistant Attorney General Mark Brachtel, attorney for the Arizona Peace Officer Standards and Training Board, who provided a brief overview of the proposed consent agreement. Mr. Robert Wisniewski, attorney representing Mr. Mezenghie, also addressed the Board. Detective Cook made a motion to accept the proposed consent agreement for an 18-month suspension of Mr. Mezenghie's peace officer certification. The suspension shall be in effect beginning March 22, 2024, and ending September 22, 2025. The motion was seconded by Ms. Weisz and passed unanimously.

7. 2023-163 – Jesse C. Bueno – Tempe Police Department

The Board considered comments from Compliance Specialist Michele Blanco, who provided a brief overview of the case. Mr. Bueno was not present. Colonel Glover made a motion to accept the Findings of Fact and Conclusions of Law. The motion was seconded by Director Thornell and passed unanimously.

Executive Director Giordano discussed staff's recommendation regarding discipline.

Division Chief Klingerman made a motion to reject staff's recommendation and instead suspend Mr. Bueno's peace officer certification for a period of 36-months, beginning August 25, 2023, and ending August 25, 2026; at which time his peace officer certification will lapse. The motion was seconded by Detective Cook and passed unanimously.

8. 2024-098 – Javier Ruiz-Gonzalez – Pima County Sheriff's Department

The Board considered comments from Compliance Specialist Richard Bradshaw, who provided a brief overview of the case. Mr. Ruiz-Gonzalez also addressed the Board. Director Thornell made a motion to accept the Findings of Fact and Conclusions of Law. The motion was seconded by Ms. Weisz and passed unanimously.

Executive Director Giordano discussed staff's recommendation regarding discipline.

Division Chief Klingerman made a motion to reject staff's recommendation and instead temporarily deny peace officer certification to Mr. Ruiz-Gonzalez for a period of 6-months, beginning January 15, 2024, and ending June 15, 2024; after which he may be eligible to reapply for certified status. The motion was seconded by Director Thornell and passed unanimously.

9. 2024-120 – Daniel J. Zube – Surprise Police Department

The Board considered comments from Compliance Specialist William Caldwell, who provided a brief overview of the case. Mr. Zube was not present. Ms. Weisz made a motion to accept the Findings of Fact and Conclusions of Law. The motion was seconded by Colonel Glover and passed unanimously.

Executive Director Giordano discussed staff's recommendation regarding discipline.

Ms. Weisz made a motion to accept staff's recommendation and permanently deny peace officer certification to Mr. Zube. The motion was seconded by Colonel Glover and passed unanimously.

10. 2024-022 – JayQuinn D. Brown – AZ Department of Public Safety

This case was tabled.

11. 2023-231 – Juvenal Gonzalez Avalos – Glendale Police Department

The Board considered comments from Compliance Specialist Tim Shay, who provided a brief overview of the case. Mr. Gonzalez Avalos was not present. Colonel Glover made a motion to accept the Findings of Fact and Conclusions of Law. The motion was seconded by Division Chief Klingerman and passed unanimously.

Executive Director Giordano discussed staff's recommendation regarding discipline.

Director Thornell made a motion to accept staff's recommendation and permanently deny peace officer certification to Mr. Gonzalez Avalos. The motion was seconded by Colonel Glover and passed unanimously.

H. New Charging Cases:

1. 2024-132 – William Lytle – Page Police Department

The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Detective Cook made a motion to Initiate Proceedings against Mr. Lytle's peace officer certification. The motion was seconded by Colonel Glover and passed unanimously.

2. 2024-072 – Halie R. Morton – Cottonwood Police Department

The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Division Chief Klingerman made a motion to Initiate Proceedings to deny peace officer certification to Ms. Morton. The motion was seconded by Detective Cook and passed unanimously.

3. 2024-159 – Diego S. Pro – Sahuarita Police Department
The Board considered comments from Compliance Specialist Mike Thorley, who provided a brief overview of the case. Colonel Glover made a motion to Initiate Proceedings against Mr. Pro's peace officer certification. The motion was seconded by Division Chief Klingerman and passed unanimously.
4. 2024-103 – Nicholas A. Ocampo – Goodyear Police Department
The Board considered comments from Compliance Specialist Alfred Grijalva, who provided a brief overview of the case. Director Thornell made a motion to Initiate Proceedings against Mr. Ocampo's peace officer certification. The motion was seconded by Ms. Weisz and passed unanimously.
5. 2024-095 – Ricardy Etienne – Maricopa Police Department
The Board considered comments from Compliance Specialist Arlene Heckel, who provided a brief overview of the case. Colonel Glover made a motion to Initiate Proceedings to deny peace officer certification to Mr. Etienne. The motion was seconded by Division Chief Klingerman and passed unanimously.
6. 2024-085 – Jeffrey S. Pokrant – Maricopa Police Department
Detective Cook recused himself from this case. The Board considered comments from Compliance Specialist Arlene Heckel, who provided a brief overview of the case. Colonel Glover made a motion to Initiate Proceedings against Mr. Pokrant's peace officer certification. The motion was seconded by Ms. Weisz and passed unanimously.
7. 2024-152 – Marlalita C. Rhoads – Winslow Police Department
The Board considered comments from Compliance Specialist Tim Shay, who provided a brief overview of the case. Detective Cook made a motion to Initiate Proceedings against Ms. Rhoads' peace officer certification. The motion was seconded by Colonel Glover and passed unanimously.
8. 2024-121 – Michael Y. Uyehara – Maricopa County Sheriff's Office
The Board considered comments from Compliance Specialist Tim Shay, who provided a brief overview of the case; a short video was also presented. Colonel Glover made a motion to Initiate Proceedings against Mr. Uyehara's peace officer certification. The motion was seconded by Ms. Weisz and passed unanimously.
9. 2024-028 – Michael J. Falconer – Mesa Police Department
The Board considered comments from Compliance Specialist Dave Toporek, who provided a brief overview of the case. Division Chief Klingerman made a motion to Initiate Proceedings against Mr. Falconer's peace officer certification. The motion was seconded by Colonel Glover and passed unanimously.
10. 2024-092 – Estrellita Sandoval – Bullhead City Police Department
Sheriff Schuster recused himself from this case. The Board considered comments from Compliance Specialist Dave Toporek, who provided a brief overview of the case. Colonel Glover made a motion to Initiate Proceedings against Ms. Sandoval's peace officer certification. The motion was seconded by Detective Cook and passed unanimously.

I. Future Agenda Items

Executive Director Giordano stated staff will continue to discuss with academies the importance of truthfulness and the ramifications of untruthfulness, with the hopes that by continuing to push this information to recruits, we will not see these types of cases in the future.

J. Adjournment

The meeting was adjourned at 11:48 a.m.

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