



Arizona Peace Officer Standards and Training Board

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

MINUTES OF THE JANUARY 15, 2025, 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 January 15, 2025, 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
Detective Benjamin Cook, Pinal County Sheriff's Office
Chief Ken Cost, Mesa Police Department
Jail Commander Matthew Figueroa, Coconino County Sheriff's Office
Deputy Director Ken Hunter, representing Colonel Jeff Glover, Arizona Department of Public Safety
Detective Joseph Krajcer, Tempe Police Department
Chief Deputy Bill Mundell, representing Attorney General Kris Mayes, Arizona Attorney General's Office
Professor Kevin Robinson, Arizona State University
Director Ryan Thornell, Arizona Department of Corrections Rehabilitation & Reentry
Ms. Leesa B. Weisz, Public Member

Members Present (via online video/telephone conferencing):

Chief Araceli Juarez, Somerton Police Department

Members Absent:

Mr. Randy Schoch, Public Member
Sheriff Doug Schuster, Mohave County Sheriff's Office

Staff in Attendance (in person):

Matt Giordano, Executive Director
Sean Donegan, Deputy Director
Michele Blanco, Compliance Specialist
Richard Bradshaw, Compliance Specialist
William Caldwell, Compliance Specialist
Mike Deltenre, Compliance Specialist
Marissa Escandon, Administrative Assistant
Mike Giammarino, Compliance Manager
Alfred Grijalva, Compliance Specialist
Arlene Heckel, Compliance Specialist
Chuck Miller, Advanced Training Manager
Bob Pinkerton, Training Specialist

Mark Post, Compliance Manager
Tim Shay, Compliance Specialist
Sandy Sierra, Executive Assistant
Mike Thorley, Compliance Specialist
Dave Toporek, Compliance Specialist
Rick VanKeuren, Training Specialist
Dale Wyman, AZPOST Specialist

Legal Counsel:

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

A. Call to Order

Chairman Dannels called the meeting to order at 10:00 a.m. and asked Arizona Department of Public Safety Deputy Director Ken Hunter to lead everyone in reciting the Pledge of Allegiance. Chairman Dannels congratulated Deputy Director Hunter on his upcoming retirement following an illustrious 35-year career with the Arizona Department of Public Safety. He also expressed gratitude for his dedicated service on the AZPOST Board.

B. Introductions, Presentations and Announcements

Matt Giordano, Executive Director

- Roll-call was conducted. Eleven Board members are present: ten attending in person and one is participating via telephone/video conferencing. Mr. Schoch and Sheriff Schuster are absent.
- Assistant Attorney General Ben Norris is our Independent Legal Advisor for all final action cases.
- Final Action Case 2022-146, Tomas J. Montoya, will be addressed as the last item on today's agenda.
- Final Action Case 2024-057, Alice A. Balandis, will be tabled and presented at a future meeting.

C. Executive Director's Report

Matt Giordano, Executive Director

- The legislature is back in session. I will continue to monitor any bills and will keep the Board apprised of any issues or bills that will have implications for AZPOST.
- The Governor's proposed budget will be released at the end of this week.
- I met with Senator John Kavanagh to discuss training for animal control officers. While AZPOST will not be responsible for conducting the training, we will assist by providing lesson plans to support their efforts.
- The Navajo Department of Public Safety operates its own police academy, which is not currently certified by AZPOST. They have reached out to us again, and we will be meeting with them this week to discuss obtaining state approval for their academy and AZPOST certification for their officers.
- The Basic Training Unit will be doing something they have not done before. They will be hosting a 3-day conference in conjunction with the Mesa Police Department and the Chandler Police Department. The conference will bring instructors from around the state to showcase training and provide demonstrations.

- Basic Training Manager Lori Wait will be attending the Northwestern School of Police Staff and Command which begins later this month.

D. Consent Agenda

Ms. Weisz moved to approve the Consent Agenda. The motion was seconded by Detective Krajcer and carried unanimously.

The following items were approved:

1. Minutes of the Board meeting held on November 20, 2024.
2. Consent Agreements for Voluntary Relinquishment/Denial of Peace Officer Certification. The following individuals, without admitting to any misconduct, request the Board accept their request to permanently relinquish their Arizona peace officer certification:

1.	2023-132	Ivory I. Crawford	Glendale Police Department
2.	2023-213	Kelly L. Angel	Buckeye Police Department
3.	2024-090	Thomas M. Rossi	Gilbert Police Department
4.	2024-193	Isaiah B. Chamberlain	AZ Department of Public Safety
5.	2024-283	Christopher M. Lester	Gilbert Police Department
6.	2024-300	Daniel E. Demara	Maricopa County Sheriff's Office
7.	2024-305	Garrett A. Rivera	Chandler Police Department
8.	2024-319	Justin Deiana	Maricopa County Sheriff's Office
9.	2024-332	Edwin Preciado	Avondale 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):

1.	Applicant Jacques Berenger	AZ Department of Public Safety
2.	Applicant Jose Maya	Bullhead City Police Department
3.	Applicant Wyatt L. Jones	Lake Havasu City Police Department
4.	Applicant Gabriel Galaz	Maricopa County Sheriff's Office
5.	Applicant Gavyn Ramirez	Maricopa County Sheriff's Office
6.	Applicant Kenneth Weatherspoon	Maricopa County Sheriff's Office
7.	Applicant Kyle Raith	Peoria Police Department
8.	Applicant Trenton Benjamin	Phoenix Police Department
9.	Applicant Edward Bojorquez	Phoenix Police Department
10.	Applicant Dameon T. Cons	Phoenix Police Department
11.	Applicant Logan Davis	Phoenix Police Department
12.	Applicant Drew Murchison	Phoenix Police Department

4. POPAT Course and Firearms Range Certification. The following facilities were inspected by AZPOST staff and were determined to meet or exceed the current minimum recommendation for an AZPOST approved POPAT course and indoor firearms range:

- Gila County Sheriff's Office - POPAT Course
5310 AZ-260, Star Valley, AZ 85541
- Southeast AZ Law Enforcement Training Academy – Indoor Firearms Range
901 Colombo Drive, Sierra Vista, AZ 85635

- E. Review, Discussion and Possible Action on a Petition from the Page Police Department pursuant to A.A.C. R13-4-105(C) for Applicant Alberto Gonzalez Luna.

Assistant Attorney General Mark Brachtl addressed the Board regarding a petition submitted by the Page Police Department on behalf of Applicant Alberto Gonzalez Luna. During the hiring process, Applicant Luna disclosed that he consumed psilocybin mushrooms during a short period of time in 2019, which is considered disqualifying conduct under AZPOST rules. Captain Larry Jones of the Page Police Department also addressed the Board, requesting approval of the petition. Applicant Alberto Gonzalez Luna provided statements to the Board as well.

Ms. Weisz moved that, based on the petition submitted by the Page Police Department and in accordance with A.A.C. R13-4-105(C), the Board approve the waiver for Applicant Alberto Gonzalez Luna. The motion was seconded by Professor Robinson and passed unanimously.

- F. Review, Discussion and Possible Action on a Petition from the Prescott Police Department pursuant to A.A.C. R13-4-105(C) for Applicant Emma Young.

Assistant Attorney General Mark Brachtl addressed the Board regarding a petition submitted by the Prescott Police Department on behalf of Applicant Emma Young. During the hiring process, Applicant Young disclosed that she used marijuana one time, but she was 19 years old when this occurred. Under Arizona law, you must be 21 years old to legally consume marijuana. Additionally, such consumption is considered disqualifying conduct under AZPOST rules. Assistant Chief Jon Brambila of the Prescott Police Department also addressed the Board, requesting approval of the petition.

Chief Cost moved that, based on the petition submitted by the Prescott Police Department and in accordance with A.A.C. R13-4-105(C), the Board approve the waiver for Applicant Emma Young. The motion was seconded by Deputy Director Hunter and passed unanimously.

- G. Review, Discussion and Possible Action on a Petition from the Arizona Department of Public Safety pursuant to A.A.C. R13-4-105(C) for Applicant Chase C. Squyres.

Deputy Director Ken Hunter recused himself from this matter.

Assistant Attorney General Mark Brachtl addressed the Board regarding a petition submitted by the Arizona Department of Public Safety on behalf of Applicant Chase C. Squyres. During the hiring process, Applicant Squyres disclosed that he used marijuana one time, but he was 19 years old when this occurred. Under Arizona law, you must be 21 years old to legally consume marijuana. Additionally, such consumption is considered disqualifying conduct under AZPOST rules. Major John Cartier of the Arizona Department of Public Safety also addressed the Board, requesting approval of the petition.

Director Thornell moved that, based on the petition submitted by the Arizona Department of Public Safety and in accordance with A.A.C. R13-4-105(C), the Board approve the waiver for Applicant Chase S. Squyres. The motion was seconded by Chief Deputy Mundell and passed unanimously.

H. Final Action Cases:

Case #1 was presented out of order and presented last.

1. 2022-146 – Tomas J. Montoya – Greenlee County Sheriff's Office

2. 2024-057 – Alice A. Balandis – Peoria Police Department

This case was tabled.

3. 2024-009 – Byron O. Salazar – Phoenix Police Department

The Board considered comments from Assistant Attorney General Joe Dylo, attorney for the Arizona Peace Officer Standards and Training Board, who presented a brief summary of the proposed consent agreement. Ms. Cassidy Bacon, attorney representing Mr. Salazar, was available to answer any questions. Detective Cook moved to approve the proposed consent agreement, imposing a 6-month suspension of Mr. Salazar's peace officer certification, beginning November 15, 2023, and ending May 15, 2024. The motion was seconded by Ms. Weisz and passed unanimously.

4. 2024-206 – Juan J. Diaz – Chandler 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 summary of the proposed consent agreement. Mr. Diaz was not present. Professor Robinson moved to approve the proposed consent agreement, imposing a 6-month suspension of Mr. Diaz's peace officer certification, beginning June 21, 2024, and ending December 21, 2024. The motion was seconded by Commander Figueroa and passed unanimously.

5. 2024-178 – Tyler D. Johnson – Scottsdale 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 summary of the proposed consent agreement. Ms. Donna McDaniel, attorney representing Mr. Johnson, was available to answer any questions. Deputy Director Hunter moved to approve the proposed consent agreement, imposing an 18-month suspension of Mr. Johnson's peace officer certification, beginning August 1, 2024, and ending February 1, 2026. The motion was seconded by Chief Deputy Mundell and passed unanimously.

6. 2024-276 – Melvin J. Secundino – Tohono O'odham Nation 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 summary of the proposed consent agreement. Mr. Secundino was not present. Detective Cook moved to approve the proposed consent agreement, imposing a 36-month denial of peace officer certification for Mr. Secundino, beginning November 14, 2024, and ending November 14, 2027; after which he may be eligible to reapply for certified status. The motion was seconded by Professor Robinson and passed unanimously.

7. 2024-008 – Adam Shipley – Tempe Police Department

Detective Krajcer recused himself from this case. The Board considered comments from Assistant Attorney General Joe Dylo, attorney for the Arizona Peace Officer Standards and Training Board, who provided a brief summary of the proposed consent agreement. Mr. Shipley was not present. Ms. Weisz moved to approve the proposed consent agreement, imposing a 12-month suspension of Mr. Shipley's peace officer certification, beginning January 10, 2024, and ending January 10, 2025. The motion was seconded by Deputy Director Hunter and passed unanimously.

I. New Charging Cases:1. 2024-177 – Matthew E. Evanson – Gila River Police Department

The Board considered comments from Compliance Specialist Michele Blanco, who provided a brief summary of the case. Chief Cost moved to initiate proceedings against Mr. Evanson's peace officer certification. The motion was seconded by Commander Figueroa and passed unanimously.

2. 2024-179 – Orlando R. Ramirez – Gila River Police Department

The Board considered comments from Compliance Specialist Michele Blanco, who provided a brief summary of the case. Director Thornell moved to initiate proceedings against Mr. Ramirez's peace officer certification. The motion was seconded by Professor Robinson and passed unanimously.

3. 2024-218 – Zachary O. Torriente – Gila River Police Department

The Board considered comments from Compliance Specialist Michele Blanco, who provided a brief summary of the case. Detective Krajcer moved to initiate proceedings against Mr. Torriente's peace officer certification. The motion was seconded by Chief Cost and passed unanimously.

4. 2024-082 – Jose L. Amaya – Gilbert Police Department

The Board considered comments from Compliance Specialist Richard Bradshaw, who provided a brief summary of the case. Deputy Director Hunter moved to initiate proceedings against Mr. Amaya's peace officer certification. The motion was seconded by Detective Cook and passed unanimously.

5. 2024-304 – Mark A. Booth – Pima County Sheriff's Department

The Board considered comments from Compliance Specialist Richard Bradshaw, who provided a brief summary of the case. Professor Robinson moved to initiate proceedings to deny peace officer certification to Mr. Booth. The motion was seconded by Commander Figueroa and passed unanimously.

6. 2024-083 – Damian R. Gonzales – Gilbert Police Department

The Board considered comments from Compliance Specialist Richard Bradshaw, who provided a brief summary of the case. Director Thornell moved to initiate proceedings against Mr. Gonzales' peace officer certification. The motion was seconded by Ms. Weisz and passed unanimously.

7. 2024-207 – Brandon J. Bergen – Pinal County Sheriff’s Office
Detective Cook recused himself from this case. The Board considered comments from Compliance Specialist William Caldwell, who provided a brief summary of the case. Professor Robinson moved to initiate proceedings to deny peace officer certification to Mr. Bergen. The motion was seconded by Chief Cost and passed unanimously.
8. 2024-181 – Ronnie L. Jaques – Surprise Police Department
The Board considered comments from Compliance Specialist William Caldwell, who provided a brief summary of the case. Ms. Weisz moved to initiate proceedings against Mr. Jaques’ peace officer certification. The motion was seconded by Chief Deputy Mundell and passed unanimously.

Final Action Case #1 was presented at this time.

1. 2022-146 – Tomas J. Montoya – Greenlee County Sheriff’s Office
The Board heard oral arguments on a Petition for Reconsideration filed on behalf of Mr. Montoya. Assistant Attorney General (AAG) Mark Brachtl, attorney for the Arizona Peace Officer Standards and Training Board, addressed the Board and recommended the Board deny the petition. Mr. Steven Serbalik, attorney representing Mr. Montoya, also addressed the Board, requesting approval of the petition.

Mr. Serbalik expressed concerns about the fairness of the process, which prompted his and his client’s petition for a rehearing. He argued that the Board’s handling of the matter on October 16, 2024, was improper, as it considered information not reviewed by the Administrative Law Judge and received draft motions before making its decision. He claimed this information was wrongfully withheld from him despite his request to review the documents provided to the Board and emphasized the need for due process, insisting that any information the Board receives regarding a case should also be shared with opposing counsel. Additionally, he highlighted that Mr. Montoya had been offered a consent agreement for a 12-month suspension of his peace officer certification, which was later withdrawn without explanation. The State then requested, the day of the meeting on October 16, a 24-month suspension of certification, without providing additional factors to support the increase.

Assistant Attorney General Brachtl explained that during the Board's hearing on October 16, 2024, the lawyers had reached an agreement on the facts and legal issues, leaving mitigation as the focus before the Administrative Law Judge. A proposed consent agreement was initially offered to the Respondent in April 2024, but was later withdrawn by AZPOST. All consent agreements provide language that states “No provision of this agreement is effective unless and until it is adopted by the Board...” The case subsequently proceeded to a hearing and was ultimately presented to the Board on October 16, 2024. He admitted it was a mistake to include the charging overview in the documents shared with the Board at the October meeting; however, Board members confirmed that this inclusion did not impact their vote. Additionally, he noted that there is no legal requirement to disclose penalties to a Respondent before a hearing. He argued that there are no legal grounds to rehear the case, as the law does not support such action.

Chairman Dannels stated that he was unaware attorneys were not provided with the case information presented to the Board. Mr. Brachtl noted that this was the first time such a request had been made and recommended that staff review the matter for handling similar situations in future cases.

Several Board members noted that if the case were reheard, there was a strong possibility the punishment could be more severe. They expressed that the 5-month suspension Mr. Montoya received was lenient and believed a harsher sanction would have been more appropriate.

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

The Board entered executive session at 11:53 a.m. and the regular meeting resumed at 12:20 p.m. When the regular meeting resumed, all Board members were still present.

Mr. Serbalik addressed the Board and, after consulting with his client and considering the Board's statements, requested the withdrawal of the petition. He stated he hopes this will serve as a catalyst for change and ensure that due process is upheld in the future.

AAG Brachtl stated he does not object and Mr. Serbalik can withdraw his petition. Chairman Dannels granted Mr. Serbalik's request, and the petition was withdrawn.

J. Future Agenda Items

There are no items to add.

K. Adjournment

The meeting was adjourned at 12:21 p.m.

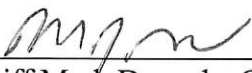
Dated: January 21, 2025



Sandra L. Sierra, Recording Secretary

Minutes approved as written.

Dated: February 19, 2025



Sheriff Mark Dannels, Chairman