



# *Arizona Peace Officer Standards and Training Board*

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## **MINUTES OF MEETING JANUARY 16, 2013 PHOENIX, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on January 16, 2013, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

### Members Present:

Mr. Jeffrey Coker, Chairman  
Sergeant Chris Andreacola  
Mr. David Brown  
Chief Steven Campbell  
Chief Kevin Kotsur  
Ms. Leesa Morrison, representing Attorney General Tom Horne  
Deputy Anthony Nelson  
Detention Director Mike Olson  
Director Charles Ryan  
Professor Cornel Stemley  
Deputy Director Dennis Young, representing Director Bobby Halliday

### Members Absent:

Sheriff Scott Mascher

### Staff in Attendance:

Ted Brandon  
Dan Ciernia  
Mike Deltenre  
Marie Dryer  
Sandy Hansberger  
Bob Irish  
Steve Jacobs  
Jeff Kirkham  
Lyle Mann  
Gary Maschner  
Paul Orfe  
Sandy Sierra  
Chester Szoltysik  
Rick Watling  
Don Yennie

### Assistant Attorney General

Diana Stabler  
Nancy Beck

**A. Call to Order**

Chairman Coker called the meeting to order at 10:00 a.m.

**B. Introductions, Presentations and Announcements**

Executive Director Lyle Mann stated that Mr. Coker has been appointed chairman by the governor's office and welcomed him to his first official meeting as chairman. He also asked that a Moment of Silence be observed in memory of Yavapai County Lieutenant Wayne Loughrige; who, along with his teenage son, was killed in an automobile accident on January 11, 2013.

**C. Consent Agenda**

The Consent Agenda was approved unanimously, motion made by Mr. Brown, seconded by Director Ryan.

1. Minutes of the Board meeting, held on November 14, 2012, were approved as written. Minutes of the Board meeting, held on December 19, 2012, were approved as written.
2. Ministerial Actions:
  - a. Certification Waivers:
 

Jackie E. Roberson	AZ Department of Economic Security
Scott C. Adkins	Oro Valley Police Department
Randy Robichaud	Buckeye Police Department
Kirby L. Coppedge	Navajo County Sheriff's Office
Joseph P. Moore	Scottsdale Police Department
Cory W. Williams	Yuma Police Department
Brian R. Thompson	Tempe Police Department
Kenneth E. Moore	AZ Department of Economic Security
Christopher Kinley	Lake Havasu City Police Department
Melissa A. Opp	A.S.U. Police Department
Michael A. Miller	Tempe Police Department
Larry R. Chase Jr.	Clarkdale Police Department
Charlie D. Solano	CRIT-Tribal Police Department
Michael W. Pierce	Yavapai County Sheriff's Office
Ingrid O'Malley	Scottsdale Police Department
Molly M. Ingram	Scottsdale Police Department
  - b. Instructor Certification Renewals: LIST ATTACHED TO AGENDA PACKET.
  - c. Training Program Confirmations: LIST ATTACHED TO AGENDA PACKET.

## 3. Income and Expense Statement – November 2012

Funds as of November 1, 2012	<b>\$1,714,471.61</b>
CJEF Revenue	<b>491,066.14</b>
Expenditures/Encumbrances/Sweeps	<b>(566,834.50)</b>
Balance for November 30, 2012	<b>\$1,638,703.25</b>

**D. Legislative Update**

Executive Director Mann informed the Board the legislature went into session this week; he discussed the two bills that he is aware of that involve AZ POST. The State budget will be released next week; it is unknown at this time if there will be any budget sweeps this year.

**E. Summary of Current Events**

Executive Director Mann discussed an upcoming survey that AZ POST will be conducting that deals with marijuana use. He also informed the Board that a grant was issued to Chino Valley PD for the purpose of enhancing its future firearms range. A Strategic Planning Session will be conducted next month either after the Board meeting or the last week of February; whichever date works best for the majority of Board members.

**F. Committee Update**

Executive Director Mann stated the new Firearms Qualification Course became the mandated course effective January 1, 2013. There have been some questions raised regarding the order of the stages; therefore the instructions have been modified slightly for clarity reasons.

**G. Reports**

## 1. Basic Training Academies

ALEA – Commander Mark Perkovich reported Class #465 graduated on December 14, 2012 with 23 officers. Class #465A (Arson Investigator’s School) graduated on December 21, 2012 and was attended by 11 fire captains representing two agencies. Class #466 began November 26, 2012, and currently has 50 recruits. Class #467 will begin February 11, 2013; the class is full with 56 reservations.

AZ Western College – Provided a written report; presented by Training Manager Marie Dryer, which states that Class #35 currently has 22 recruits.

Chandler-Gilbert – Director Jon Terpay reported Class #10 began July 7, 2012; the class currently has 19 recruits. Class #11 began January 2, 2013, with 22 recruits and 14 remain. Class #12 will begin July 2, 2013; they have 8 candidates in the background process for this class. The majority of their recruits are open enrollments and they have a 94% hire rate; their attrition rate is 58%.

Pima Community College – Program Manager Julie Daglio reported Class #12-01 began September 12, 2012, and will graduate on June 12, 2013; the class is an open enrollment class that began with 24 recruits and currently 20 remain. The class will graduate in May. This is the largest class they have had so far.

Pima County Sheriff's Department – Provided a written report; presented by Training Manager Marie Dryer, which states that a new class started January 15, 2013 and currently has 32 recruits.

NARTA – Commander Dave Rhodes reported Class #34 began January 7, 2013, with 24 recruits and currently 29 remain. This is an 18-week academy which will graduate in May.

SALETC – Commander Bruce Smith reported Class #12-4 began October 1, 2012, and currently has 46 recruits representing 14 agencies. Class #13-1 began January 14, 2013, and currently has 48 recruits representing 10 agencies. The class will graduate on May 19, 2013.

2. Department of Corrections – Director Ryan reported that since the last regular meeting, 113 cadets have graduated from COTA. They currently have three classes with 83 cadets. They have 201 vacancies statewide and have a 7.69% attrition rate. Four cadets have graduated through the waiver process; which amounts to savings of over \$15,000 for the Department.
3. In-Service Training – Don Yennie reported that in addition to the calendar classes provided by Training, they also assist other agencies with training needs. This week they are presenting Leadership Training to the Pima County Sheriff's Department. Arizona Leadership Program (ALP) #4 graduated 31 students from 19 agencies. 862 students have graduated through the ALP so far. The Spring 2013 calendar has 29 calendar classes scheduled.
4. Special Projects/Digital Media Training – Marie Dryer reported that since July of this year, 1274 officers have received the Below 100 Training. Officer Mike Jaeger, contract employee at AZ POST, was recently selected as one of 12 core trainers of this in North America. A total of 238 officers have been trained on the driver simulator since the last meeting. There will be an academy commander's meeting on February 21<sup>st</sup> to discuss the new system that will facilitate reporting requirements, schedules and provide electronic form submission.

**H. Final Action Cases:**Case #1 – Trevor A. Anderson – Scottsdale Police Department

The Board considered comments from Assistant A.G. Diana Stabler. Deputy Director Young made a motion to adopt the Consent Agreement, Decision and Order for voluntary relinquishment of peace officer certification, seconded by Chief Campbell, motion carried unanimously.

Case #2 – Alfonso Bitsuie – Gila River Police Department

The Board considered comments from Assistant A.G. Diana Stabler and Alfonso Bitsuie. Deputy Nelson made a motion to modify the Consent Agreement and impose a one-year suspension of peace officer certification; motion died for lack of a second. Professor Stemley made a motion to adopt the Consent Agreement, Decision and Order and suspend peace officer certification for six months beginning on March 28, 2012 and ending on September 28, 2012, seconded by Mr. Brown, motion carried with one nay vote.

Case #3 – Jason A. Kibsey – Scottsdale Police Department

The Board considered comments from Assistant A.G. Diana Stabler. Deputy Nelson made a motion to adopt the Consent Agreement, Decision and Order and suspend peace officer certification for six months beginning on August 6, 2012 and ending on February 6, 2013, seconded by Chief Kotsur, motion carried unanimously.

Case #4 – Stephen K. Leon – AZ Department of Public Safety

*Deputy Director Young recused himself from this case.* The Board considered comments from Assistant A.G. Diana Stabler. Ms. Morrison made a motion to adopt the Consent Agreement, Decision and Order for voluntary relinquishment of peace officer certification, seconded by Chief Campbell, motion carried unanimously.

Case #5 – Thomas A. Puskarich – Tempe Police Department

The Board considered comments from Assistant A.G. Diana Stabler. Ms. Morrison made a motion to adopt the Consent Agreement, Decision and Order and suspend peace officer certification for one year beginning on April 7, 2012 and ending on April 7, 2013, seconded by Professor Stemley, motion carried unanimously.

Case #6 – Joshua C. LaManna – Payson Police Department

The Board considered comments from Compliance Manager Bob Irish. Chief Campbell made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Professor Stemley, motion fails. Ms. Morrison made a motion to adopt the Findings of Fact and Conclusions of Law and suspend peace officer certification for ten months beginning on May 22, 2012 and ending on March 22, 2013, seconded by Professor Stemley, motion carried with 5 nay votes.

Case #7 – Jeffrey L. Lott – Phoenix Police Department

The Board considered comments from Compliance Manager Bob Irish. Deputy Nelson made a motion to adopt the Findings of Fact and Conclusions of Law and suspend peace officer certification for two years; motion died for lack of a second. Director Ryan made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Kotsur, motion carried unanimously.

Case #8 – Calvert H. Tsosie – Navajo Division of Public Safety

The Board considered comments from Compliance Manager Bob Irish. Deputy Director Young made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Campbell, motion carried unanimously.

Case #9 – Victor J. Valenzuela – Nogales Police Department

The Board considered comments from Compliance Manager Bob Irish. Chief Campbell made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Deputy Nelson, motion carried unanimously.

**I. New Charging Cases:**Case #1 – Nathaniel Curtis – Scottsdale Police Department

The Board considered comments from Compliance Specialist Jeff Kirkham. Ms. Morrison made a motion to **Initiate Proceedings**, seconded by Chief Kotsur, motion carried with one nay vote.

Case #2 – Brian E. Hansen – Gilbert Police Department

The Board considered comments from Compliance Specialist Ted Brandon. Chief Campbell made a motion to close this case with **No Action**, seconded by Deputy Nelson, motion carried unanimously.

Case #3 – Brian C. Heisig – Scottsdale Police Department

The Board considered comments from Compliance Specialist Paul Orfe. Deputy Director Young made a motion to **Initiate Proceedings**, seconded by Deputy Nelson, motion carried unanimously.

Case #4 – Larry G. Kelso – Mesa Police Department

The Board considered comments from Compliance Specialist Mike Deltenre. Chief Campbell made a motion to **Initiate Proceedings**, seconded by Director Ryan, motion carried unanimously.

Case #5 – Deron M. Miller – Goodyear Police Department

The Board considered comments from Compliance Specialist Jeff Kirkham. Professor Stemley made a motion to **Research Further**, seconded by Detention Director Olson, motion fails. Deputy Nelson made a motion to **Initiate Proceedings**, seconded by Chief Kotsur, motion carried unanimously.

Case #6 – Vanessa A. Mendoza – St. Johns Police Department

The Board considered comments from Compliance Specialist Ted Brandon. Ms. Morrison made a motion to **Initiate Proceedings**, seconded by Deputy Director Young, motion carried unanimously.

Case #7 – Richard L. Nolasco – Eloy Police Department

The Board considered comments from Compliance Specialist Jeff Kirkham. Sgt. Andreacola made a motion to close this case with **No Action**, seconded by Professor Stemley, motion carried with one nay vote.

Case #8 – Jeffrey W. Parkhurst – Pinal County Sheriff’s Office

The Board considered comments from Compliance Specialist Jeff Kirkham. Detention Director Olson made a motion to ***Initiate Proceedings***, seconded by Chief Campbell, motion carried unanimously.

Case #9 – Joseph C. Sutton – Yavapai County Sheriff’s Office

The Board considered comments from Compliance Specialist Gary Maschner. Deputy Nelson made a motion to ***Research Further***, seconded by Chief Kotsur, motion carried unanimously.

Case #10 – Shawn R. Venegas – Gilbert Police Department

The Board considered comments from Compliance Specialist Jeff Kirkham. Ms. Morrison made a motion to close this case with ***No Action***, seconded by Director Ryan, motion carried unanimously.

Case #11 – Mindy K. Watt – Fort Mojave Tribal Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Chief Kotsur made a motion to close this case with ***No Action***, seconded by Chief Campbell, motion carried unanimously.

Case #12 – Andrew Wilson – Scottsdale Police Department

The Board considered comments from Compliance Specialist Paul Orfe. Professor Stemley made a motion to adopt the Consent Agreement, Decision and Order and suspend peace officer certification for six months beginning on December 8, 2011 and ending on June 8, 2012, seconded by Chief Campbell, motion carried unanimously.

**J. Call to the Public**

No one wished to address the Board during the Call to the Public.

**K. Nobility of Policing Presentation**

Chief Campbell made a motion to table this until next month, seconded by Director Ryan, motion carried unanimously.

**L. Adjourn**

Chairman Coker adjourned the meeting at 1:00 p.m.