



Arizona Peace Officer Standards and Training Board

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MINUTES OF MEETING OCTOBER 16, 2013 PHOENIX, ARIZONA

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on October 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
Sergeant Anthony Nelson
Sheriff Scott Mascher
Detention Director Mike Olson
Director Charles Ryan
Professor Cornel Stemley
Deputy Director Dennis Young, representing Director Bobby Halliday

Members Absent:

Mr. Andrew Pacheco, representing Attorney General Tom Horne
Sheriff Bill Pribil

Staff in Attendance:

Ted Brandon
Mike Deltenre
Marie Dryer
Sandy Hansberger
Steve Jacobs
Jeff Kirkham
Jack Lane
Lyle Mann
Gary Maschner
Donna Mulvey
Mike Rosenberger
Sandy Sierra
Chester Szoltysik

Assistant Attorney General
Diana Stabler
Nancy Beck

A. CALL TO ORDER

Chairman Coker called the meeting to order at 10:01 a.m.

B. Introductions, Presentations and Announcements

Executive Director Mann introduced Chief Alan Rodbell of the Scottsdale Police Department. Chief Rodbell was appointed to the Board on August 16, 2013. He advised the Board that the academy graduation dates will be included in the Consent Agenda in order to keep Board members informed of upcoming academy graduations. He also informed the Board that Assistant A.G. Diana Stabler will start working a part-time schedule starting in November; in preparation for retirement. She will remain to transition the new Assistant A.G. that will take her place. He also stated he will be out of town for the next two weeks attending the IACP/IADLEST Conference.

C. Petition for Juvenile Indiscretion – Albert O. Seale – AZ Department of Corrections

Director Ryan and Mr. Brown recused themselves from this matter.

The Department of Corrections petitioned the Board to determine that the youthful marijuana use and sale by applicant Albert O. Seale constitutes juvenile indiscretion.

Sheriff Mascher made a motion to determine that Albert O. Seale's high school use and sale of marijuana constitutes juvenile indiscretion and to grant his appointment by the Department of Corrections, seconded by Sergeant Nelson, motion carried unanimously.

D. Final Action Cases:

Case #1 – Illario Talvy – Tombstone Marshal's Office

The Board considered comments from Illario Talvy and Assistant A.G. Nancy Beck. Sheriff Mascher made a motion to uphold the prior ruling of revocation and deny the Motion for Rehearing, seconded by Chief Campbell, motion carried unanimously.

Case #2 – Dwayne Billsie – Navajo Police Department

The Board considered comments from Assistant A.G. Nancy Beck and David Jordan, attorney for Dwayne Billsie. Professor Stemley made a motion to adopt the Administrative Law Judge's Findings of Fact and Conclusions of Law and impose a one year suspension of peace officer certification; beginning on May 14, 2012, and ending on May 14, 2013, seconded by Director Ryan, motion carried unanimously.

Case #3 – Victor M. Lopez Jr. – Cochise County Sheriff's Office

The Board considered comments from Assistant A.G. Nancy Beck. Mr. Brown made a motion to adopt the Consent Agreement, Decision and Order and suspend peace officer certification for two years; beginning on October 16, 2013, and ending on October 16, 2015, seconded by Chief Campbell, motion carried unanimously.

Case #4 – Kenneth A. Deist – Pinal County Sheriff's Office

The Board considered comments from Assistant A.G. Diana Stabler and Kenneth Deist. Chief Campbell made a motion to adopt the Findings of Fact and Conclusions of Law and impose a suspension of peace officer certification until lapse, seconded by Sergeant Nelson, motion carried unanimously.

Case #5 – Everett Greyeyes Jr. – Navajo Division of Public Safety

The Board considered comments from Assistant A.G. Diana Stabler. Sergeant Nelson made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Professor Stemley, motion carried unanimously.

Case #6 – Timothy J. Abrahamson – Maricopa County Sheriff's Office

Detention Director Olson recused himself from this case. The Board considered comments from Assistant A.G. Diana Stabler. Chief Campbell made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Sheriff Mascher, motion carried unanimously.

E. New Charging Cases:Case #1 – Sean E. Edwards-EL – Maricopa County Sheriff's Office

Detention Director Olson recused himself from this case. The Board considered comments from Compliance Specialist Gary Maschner. Chief Campbell made a motion to **Initiate Proceedings**, seconded by Sergeant Nelson, motion carried unanimously.

Case #2 – John C. Flanagan – Phoenix Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Mr. Brown made a motion to **Initiate Proceedings**, seconded by Sergeant Nelson, motion carried unanimously.

Case #3 – Adrian J. Gaona – Phoenix Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Detention Director Olson made a motion to **Initiate Proceedings**, seconded by Sheriff Mascher, motion carried unanimously.

Case #4 – George M. Jones – San Carlos Tribal Police Department

The Board considered comments from Compliance Specialist Jeff Kirkham. Professor Stemley made a motion to **Initiate Proceedings**; motion dies for lack of a second. Sergeant Nelson made a motion to close this case with **No Action with Agency Discretion**, seconded by Deputy Director Young, motion carried unanimously.

Case #5 – Theodore J. Kulkens – Douglas Police Department

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

Case #6 – Todd M. Long – Tempe Police Department

The Board considered comments from Compliance Specialist Ted Brandon. Mr. Brown made a motion to **Initiate Proceedings**, seconded by Sheriff Mascher, motion carried unanimously.

Case #7 – Mario A. Molina – Oro Valley Police Department

The Board considered comments from Compliance Specialist Mike Deltenre. Professor Stemley made a motion to **Initiate Proceedings**, seconded by Sergeant Nelson, motion carried unanimously.

Case #8 – Phillip G. Roberts – Phoenix Police Department

Chief Campbell recused himself from this case. The Board considered comments from Compliance Specialist Steve Jacobs. Mr. Brown made a motion to **Initiate Proceedings**; motion dies for lack of a second. Sheriff Mascher made a motion to close this case with **No Action**, seconded by Deputy Director Young, motion carried with one nay vote.

Case #9 – Davis S. Staneart – Phoenix Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Sergeant Andreacola made a motion to close this case with **No Action with Agency Discretion**, seconded by Professor Stemley, motion carried unanimously.

Case #10 – Westley A. Sullivan – Fort Mojave Tribal Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Detention Director Olson made a motion to close this case with **No Action with Agency Discretion**, seconded by Deputy Director Young, motion carried unanimously.

Case #11 – Cedric R. Randle – Maricopa Police Department

The Board considered comments from Compliance Specialist Jeff Kirkham. Sergeant Nelson made a motion to **Research Further**, seconded by Chief Campbell, motion carried unanimously.

Case #12 – Alfred G. Woods – Pascua Yaqui Police Department

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

F. Adjourn

Chairman Coker adjourned the meeting at 12:02 p.m.