



Arizona Peace Officer Standards and Training Board

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MINUTES OF MEETING JANUARY 18, 2012 PHOENIX, ARIZONA

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on January 18, 2012, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

Mr. Joseph Duarte, Chairman
Sheriff John Armer
Dr. Scott Decker
Detective Lee Ann Dobbertin
Chief Kevin Kotsur
Ms. Wendy Larsen
Mr. Gerald Richard, representing Attorney General Tom Horne
Director Charles Ryan
Lt. Colonel Dennis Young, representing Colonel Bobby Halliday

Members Absent:

Sheriff Tom Sheahan
Sergeant Robert Thompson

Staff in Attendance:

Ted Brandon
Hop Bui
Dan Ciernia
Marie Dryer
Sandy Hansberger
Jon Heiden
Lynn Howe
Bob Irish
Steve Jacobs
Lori Ketron
Lynn Larson
Lyle Mann
Gary Maschner
Curt Milam
Paul Orfe
Sandy Sierra
Rick Watling
Don Yennie

Assistant Attorney General
 Diana Stabler
 Nancy Beck

A. CALL TO ORDER

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

B. INTRODUCTIONS, PRESENTATIONS AND ANNOUNCEMENTS

Executive Director Lyle Mann thanked Detective Lee Ann Dobbertin of the Pima County Sheriff's Department for her years of service on the POST Board; this is her last Board meeting as she is retiring tomorrow. Detective Dobbertin was a POST Board member from November 2007 to January 2012. He also informed the Board that the position of AZ POST Compliance Specialist has been advertised and the job announcement will close on January 27, 2012.

C. CONSENT AGENDA

The Consent Agenda was approved unanimously, motion made by Mr. Richard, seconded by Sheriff Armer.

1. Minutes of the Board meeting, held on November 16, 2011, were approved as written. Minutes of the Board meeting, held on December 14, 2011, were approved as written.
2. Ministerial Actions:
 - a. Certification Waivers:

Nathan D. Achtziger	Maricopa Community College District
Darren W. Baldwin	Maricopa County Sheriff's Office
Glenn E. Gavic	Yavapai County Sheriff's Office
Steven W. Hall	Surprise Police Department
McKay S. Lauritzen	Scottsdale Police Department
Jason R. Lovo	Mesa Police Department
Anthony Mazzella	Yavapai County Sheriff's Office
Brian G. Pennington	Apache Junction Police Department
Darren P. Szczepanski	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 – <i>November 2011</i>	
	Funds as of November 1, 2011	\$1,558,047.09
	CJEF Revenue	524,443.53
	Expenditures/Encumbrances	(448,781.37)
	Balance for November 30, 2011	\$1,663,699.25

D. LEGISLATIVE UPDATE

Executive Director Mann stated 57 bills were introduced at the legislature that have ancillary or direct impact to AZ POST. He will monitor these bills. Mr. Richard requested that HB 2169 be monitored as well.

E. SUMMARY OF CURRENT EVENTS

Executive Director Mann stated the Firearms Qualification Course is currently being tested and will be brought to the Board for approval sometime this calendar year.

F. COMMITTEE UPDATE

Executive Director Mann stated there is nothing new to report at this time.

G. REPORTS

1. Basic Training

ALEA – Major Jack Lane reported Class #461 graduated on December 16, 2011 with 40 cadets representing 13 agencies. Class #462 started on November 28th and graduate on April 6, 2012; currently they have 34 recruits representing 13 agencies. Class #463 will start on February 13, 2012, and graduate on June 27, 2012; currently they have 20 agencies reserving 48 slots for this class. Class #464 will start on May 7, 2012, and graduate on September 14, 2012; currently they have 4 agencies reserving 13 slots.

Chandler-Gilbert – Director Terpay reported Class #7 started on May 7th and will graduate on March 28, 2012; the class currently has 15 recruits. Class #8 started on September 10, 2011, and will graduate on August 15, 2012; and currently has 13 recruits. Class #9 started January 7, 2012, and will graduate on November 14, 2012; and currently has 15 recruits. Class #10 will start in July.

Pima Community College – Henry Rios reported Class #11-1 began on September 10, 2011, and will graduate on June 13, 2012; and currently has 13 open enrollment recruits.

SALETC – Captain Mark Timpf from the Tucson Police Department reported Class #11-03 started October 3, 2011, and will graduate January 27, 2012; with 42 recruits. Class #12-01 started on January 9, 2012, and will graduate on May 3, 2012; and currently has 16 recruits representing 4 agencies.

2. Department of Corrections – Director Ryan reported that since the last meeting, 79 cadets have graduated from COTA. They currently have three classes with 115 cadets. They have 155 vacancies statewide. 22 cadets have graduated through the waiver process; which amounts to savings of over \$108,000 for the Department.
3. AZ Leadership Program – Don Yennie reported that they are currently conducting the last LPO class in Yuma. The class started with 36 students and they now have 37 students in the class. The new program they will be conducting will be called the AZ Leadership Program. This new program will have a college level curriculum and the instruction and research will be more up-to-date.
4. POST Training Section – Marie Dryer reported the new training calendar is now on the website. This is the first time that registration is being conducted solely on-line and is happy to report that this is going very well. More agencies are interested in participating in the E-Learning Program. POST staff recently met with California POST at the IADLEST Meeting in California. California POST was interested in the Consular Notification Video that was produced by AZ POST and will be utilizing this informative video.

H. FINAL ACTION CASES:

Case #1 – Perry R. Mentzer – Maricopa County Sheriff’s Office

Mr. Richard recused himself from this case. The Board considered comments from Assistant A.G. Nancy Beck and Mike Napier, attorney for Mr. Mentzer. Sheriff Armer made a motion to adopt the Administrative Law Judge’s Findings of Fact and Conclusions of Law, seconded by Detective Dobbertin, motion carried unanimously. Ms. Larsen made a motion to suspend peace officer certification for one year; beginning on February 24, 2010, and ending on February 24, 2011, seconded by Dr. Decker, motion carried unanimously.

Case #2 – Raymond K. Sipe – Kingman Police Department

Mr. Richard recused himself from this case. The Board considered comments from Assistant A.G. Nancy Beck and Neil Landeen, attorney for Mr. Sipe. Chief Kotsur made a motion to adopt the Administrative Law Judge’s Findings of Fact and Conclusions of Law, seconded by Director Ryan, motion carried unanimously. Sheriff Armer made a motion to revoke peace officer certification, seconded by Chief Kotsur, motion carried with one nay vote.

Case #3 – David J. Smith – Gila River Police Department

The Board considered comments from Assistant A.G. Diana Stabler and Mr. Smith. Sheriff Armer made a motion to adopt the Consent Agreement, Decision and Order for a 6-month suspension of peace officer certification beginning on February 9, 2011, and ending on August 9, 2011, seconded by Ms. Larsen, motion carried unanimously.

Case #4 – Heidi E. Donnelly – Yuma County Sheriff's Office

The Board considered comments from Compliance Manager Bob Irish. Mr. Richard 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 #5 – James E. Glover III – Pima County Sheriff's Department

Detective Dobbertin recused herself from this case. The Board considered comments from Compliance Manager Bob Irish and Mr. Glover. Chief Kotsur made a motion to adopt the Findings of Fact and Conclusions of Law and delay eligibility for peace officer certification for five (5) years, beginning on April 26, 2011, and ending on April 26, 2016, seconded by Mr. Richard, motion carried unanimously.

Case #6 – Ralph B. Beck – Buckeye Police Department

The Board considered comments from Compliance Manager Bob Irish. Mr. Richard made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Detective Dobbertin, motion carried unanimously.

Case #7 – Michelle R. Preiss – Tucson Police Department

The Board considered comments from Compliance Manager Bob Irish. Mr. Richard made a motion to revoke peace officer certification, seconded by Sheriff Armer, motion carried unanimously.

I. NEW CHARGING CASES:Case #1 – Thomas G. Aguilar – Pinal County Sheriff's Office

The Board considered comments from Compliance Specialist Paul Orfe. Mr. Richard made a motion to close this case with **No Action**, seconded by Sheriff Armer, motion carried unanimously.

Case #2 – Phillip Bedonie Jr. – Navajo Division of Public Safety

The Board considered comments from Compliance Specialist Paul Orfe. Mr. Richard made a motion to **Initiate Proceedings**, seconded by Dr. Decker, motion carried unanimously.

Case #3 – Christine L. Thinn – Navajo Division of Public Safety

The Board considered comments from Compliance Specialist Paul Orfe. Mr. Richard made a motion to **Initiate Proceedings**, seconded by Detective Dobbertin, motion carried unanimously.

Case #4 – John C. Flanagan– Phoenix Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Sheriff Armer made a motion to **Initiate Proceedings**, seconded by Ms. Larsen, motion carried unanimously.

Case #5 – Robb B. Fountain – University of AZ Police Department

The Board considered comments from Compliance Specialist Curt Milam. Mr. Richard made a motion to close this case with **No Action**, seconded by Lt. Colonel Young, motion carried with one nay vote.

Case #6 – Albert W. Macklin – Maricopa County Sheriff's Office

The Board considered comments from Compliance Specialist Gary Maschner. Detective Dobbertin made a motion to **Initiate Proceedings**, seconded by Mr. Richard, motion carried unanimously.

Case #7 – Ralph D. McLaughlin– Goodyear Police Department

Chief Kotsur recused himself from this case. Dr. Decker left the meeting and did not vote on this case. The Board considered comments from Compliance Specialist Paul Orfe. Sheriff Armer made a motion to close this case with **No Action**, seconded by Detective Dobbertin, motion carried unanimously.

Dr. Decker returned to the meeting.

Case #8 – Patrick J. Murphy– Cochise County Sheriff's Office

The Board considered comments from Compliance Specialist Curt Milam. Mr. Richard made a motion to **Initiate Proceedings** and allege the incidents that constitute a pattern of poor judgment, seconded by Chief Kotsur, motion carried unanimously.

Case #9 – Ector Ramirez– AZ Department of Transportation

The Board considered comments from Compliance Specialist Curt Milam. Mr. Richard made a motion to **Research Further**, seconded by Detective Dobbertin, motion carried with one nay vote.

Case #10 – Elyce H. Redman– Gila River Police Department

The Board considered comments from Compliance Specialist Curt Milam. Sheriff Armer made a motion to close this case with **No Action with Agency Discretion**, seconded by Mr. Richard, motion carried unanimously.

Case #11 – Cynthia L. Roberts– Pinal County Sheriff's Office

The Board considered comments from Compliance Specialist Paul Orfe. Sheriff Armer made a motion to **Initiate Proceedings**, seconded by Mr. Richard, motion carried unanimously.

Case #12 – Jeffrey P. Sohmer– Fort Mojave Tribal Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Sheriff Armer made a motion to ***Initiate Proceedings***, seconded by Mr. Richard, motion carried unanimously.

J. CALL TO THE PUBLIC

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

K. ADJOURN

Chairman Duarte adjourned the meeting at 12:38 a.m.