



# *Arizona Peace Officer Standards and Training Board*

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## **MINUTES OF MEETING MARCH 21, 2012 PHOENIX, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on March 21, 2012, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

### Members Present:

Mr. Joseph Duarte, Chairman  
Sheriff John Armer  
Dr. Scott Decker  
Ms. Wendy Larsen  
Mr. Gerald Richard, representing Attorney General Tom Horne  
Director Charles Ryan  
Sheriff Tom Sheahan  
Lt. Colonel Dennis Young, representing Colonel Bobby Halliday

### Members Absent:

Chief Kevin Kotsur  
Sergeant Robert Thompson

### Staff in Attendance:

Harry Atkins  
Ted Brandon  
Dan Ciernia  
Jim DeLung  
Marie Dryer  
Rosalee Fitch  
Sandy Hansberger  
Jon Heiden  
Deb Howard  
Bob Irish  
Steve Jacobs  
Lynn Larson  
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 Duarte called the meeting to order at 10:03 a.m.

**B. Introductions, Presentations and Announcements**

Executive Director Lyle Mann introduced former AZ POST staff members Jerry Huett, Ed Routh and Harry Johnson and welcomed the Indonesian National Police and Ministry of Forestry members they brought with them to research peace officer standards and training. Mr. Jerry Huett addressed the Board and explained their mission. The head of training for the Indonesian National Police presented a plaque to Executive Director Lyle Mann and Board Chairman Joe Duarte; in appreciation for the instruction and training provided to them during their visit.

**C. Consent Agenda**

The Consent Agenda was approved unanimously, motion made by Mr. Richard, seconded by Ms. Larsen.

1. Minutes of the Board meeting, held on January 18, 2012, were approved as written. Minutes of the Board meeting, held on February 15, 2012, were approved as written.
2. Ministerial Actions:
  - a. Certification Waivers:
 

Robert M. Bray	AZ Department of Revenue
Robert J. First	Gilbert Police Department
Sabrina M. Homewytewa	Tohono O’Odham Police Department
Annalisa W. Weiss	AZ Corporation Commission
  - b. Instructor Certification Renewals: LIST ATTACHED TO AGENDA PACKET.
  - c. Training Program Confirmations: LIST ATTACHED TO AGENDA PACKET.
3. Income and Expense Statement – *January 2012*

Funds as of January 1, 2012	\$1,919,966.68
CJEF Revenue	409,361.99
Expenditures/Encumbrances	(270,418.83)
Balance for January 31, 2012	\$2,058,909.84

**D. Academy Inspection Report – Mesa Police Department Basic Training Academy**

To insure compliance with R13-4-114 and R13-4-116, an on-site inspection of the Mesa Police Department's Basic Training Academy was conducted in order to determine if the academy met the prescribed standards. It was determined that standards were met.

Mr. Richard moved to determine that the Mesa Police Department Basic Training Academy meets the standards of R13-4-114 and R13-4-116; and the academy may provide the basic training required to receive certified peace officer status, the effective date of this determination is February 27, 2012, seconded by Ms. Larsen, motion carried unanimously.

**E. Legislative Update**

Executive Director Mann stated the legislature will adjourn sine die around mid-April. He discussed several bills that were introduced this session; particularly the Personnel Reform Bill and SB 1433 (certification of police agencies).

**F. Summary of Current Events**

Executive Director Mann stated oral boards were conducted for Compliance Specialist and a hiring list will be established to fill current and future vacancies. The proposed 2012/2013 budget will be on the May agenda.

**G. Committee Update**

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

**H. Reports**

## 1. Basic Training

ALEA – Major Jack Lane reported Class #462 started on November 28<sup>th</sup> and will graduate on April 6, 2012; currently they have 33 recruits representing 13 agencies. Class #463 will start on February 13, 2012, and graduate on June 22, 2012; currently they have 16 agencies reserving 34 slots for this class. Class #464 will start on May 7, 2012, and graduate on September 14, 2012; currently they have 11 agencies reserving 31 slots.

AZ Western College – Provided a written report; presented by Training Manager Marie Dryer, which states that Class #34 started on August 18, 2011, and will graduate on May 18, 2012; the class currently has 21 cadets.

Chandler-Gilbert – Director Terpay reported Class #7 started on May, 2011, 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 24, 2012; the class currently has 15 recruits. Class #9 started January 7, 2012, and will graduate on November 14, 2012; the class currently has 11 recruits. Class #10 will start in July and currently has 23 recruits in the background process.

Glendale Community College – Provided a written report; presented by Training Manager Marie Dryer, which states that Penny Babb is their new director. Class #71 started on July 31, 2011, and will graduate on May 18, 2012; the class currently has 7 cadets. Class #72 started on October 15, 2011, and will graduate on August 16, 2012; the class currently has 9 cadets. Class #73 started on March 4, 2012, and will graduate on December 4, 2012; the class currently has 9 cadets. Class #74 will start in August.

Mesa Police Department – Lt. Tony Filler reported this is their first academy class in over three years. Class #32 started on February 27, 2012, and will graduate on July 13, 2012; the class currently has 30 recruits.

NARTA - Provided a written report; presented by Training Manager Marie Dryer, which states that Class #32 started January 9, 2012, and will graduate on May 10, 2012; the class currently has 25 recruits representing 6 agencies.

Pima Community College – Program Manager Julie Daglio reported Class #11-01 began on September 10, 2011, and will graduate on June 13, 2012; the class currently has 13 open enrollment recruits. They will have a new class starting on September 8, 2012, and are aiming for 30 recruits for this class.

SALETC – Provided a written report; presented by Training Manager Marie Dryer, which states that Capt. Timpf has been temporarily reassigned and Lt. Frank Greene will be transferred at the end of the week. Lt. Bruce Smith will replace Lt. Greene. Class #12-01 started on January 9, 2012, and will graduate on May 3, 2012; the class currently has 14 recruits representing 4 agencies. Class 12-02 will start April 2, 2012, and will graduate on July 26, 2012; currently they have 11 agencies reserving 36 slots.

2. Department of Corrections – Director Ryan reported that since the last meeting, 114 cadets have graduated from COTA. They currently have four classes with 135 cadets. They have 97 vacancies statewide. 26 cadets have graduated through the waiver process; which amounts to savings of over \$125,000 for the Department. They have a canine academy that begins March 21, 2012.
3. AZ Leadership Program – Don Yennie reported that the AZ Leadership Program has had multiple requests from agencies and departments to conduct additional training, outside of what is taught at AZ POST, on the core concepts taught in leadership training. He provided a copy of the new textbook they will be using

and stated the curriculum will be three weeks in length. The next four leadership classes will be held at AZ POST and they are currently taking reservations. The first class under the new curriculum started last month; they have a full class.

4. POST Training Section – Marie Dryer reported that since the last meeting, they have had 12 training sessions; for a total of 320 students being taught. The driver simulator has been in six different locations during this same time period; training 729 officers. The Digital Media Unit is in the post production stage of Interacting with People in Crisis Update. They are also in talks with Cal POST to coordinate producing materials for training. The Law Enforcement First Responder CPR Program is still proceeding; once a new location is finalized filming will continue.

## **I. Final Action Cases:**

### Case #1 – Thomas Wleklik – Maricopa County Sheriff’s Office

*Mr. Richard and Director Ryan recused themselves from this case.* This case was tabled until the April 18, 2012, meeting; for lack of a quorum.

### Case #2 – Heidi McNeil – Gilbert Police Department

The Board considered comments from Assistant A.G. Diana Stabler. Sheriff Armer made a motion to adopt the Consent Agreement, Decision and Order for voluntary relinquishment of peace officer certification, seconded by Mr. Richard, motion carried unanimously.

### Case #3 – Thomas S. Murtha – Florence Police Department

The Board considered comments from Assistant A.G. Diana Stabler. Ms. Larsen made a motion to adopt the Consent Agreement, Decision and Order for a one year suspension of peace officer certification, with the additional requirement that prior to reactivation of certification, Mr. Murtha have completed the Life Skills Program, the 20 hours of community service, and paid his fine; imposed as part of his sentence for the disorderly conduct charge, seconded by Mr. Richard, motion carried unanimously.

### Case #4 – Brandon K. Banks – Tempe Police Department

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

### Case #5 – Eric H. Cazares – Yuma Police Department

The Board considered comments from Compliance Manager Bob Irish. Sheriff Armer made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Dr. Decker, motion carried unanimously.

Case #6 – Paul A. Gutierrez – Wickenburg Police Department

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

Case #7 – Michael D. Harris – Yuma Police Department

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

Case #8 – John M. Heflin – Payson Police Department

*Sheriff Armer recused himself from this case.* The Board considered comments from Compliance Manager Bob Irish. Mr. Richard made a motion to revoke peace officer certification, seconded by Ms. Larsen, motion carried unanimously.

**J. New Charging Cases:**Case #1 – Joel E. Bradley – Hualapai Nation Police Department

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

Case #2 – Rudy I. Guinea – Surprise Police Department

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

Case #3 – William E. Porter – Hayden Police Department

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

Case #4 – John B. Teeter – Hayden Police Department

*Sheriff Armer recused himself from this case.* The Board considered comments from Compliance Specialist Paul Orfe. Sheriff Sheahan made a motion to ***Initiate Proceedings***, seconded by Director Ryan, motion carried unanimously.

Case #5 – Christine L. Thinn – Navajo Division of Public Safety

The Board considered comments from Assistant A.G. Diana Stabler. Lt. Colonel Young made a motion to grant the request for a continuance, seconded by Ms. Larsen, motion carried unanimously.

**K. Call to the Public**

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

**L. Adjourn**

Chairman Duarte adjourned the meeting at 11:35 a.m.