



Arizona Peace Officer Standards and Training Board

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MINUTES OF THE SEPTEMBER 18, 2019 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 September 18, 2019, at the Arizona Peace Officer Standards and Training Board, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

Sheriff Mark Dannels, Cochise County Sheriff's Office
Ms. Jamie Kelly, Public Member
Chief Tom Kelly, Apache Junction Police Department
Mr. Andrew LeFevre, Grand Canyon University (via telephone)
Officer Matthew Medina, Prescott Police Department
Deputy Christopher Pittmann, Maricopa County Sheriff's Office
Chief Alan Rodbell, Scottsdale Police Department

Members Absent:

Sheriff Scott Mascher, Yavapai County Sheriff's Office, Chairman
Assistant Attorney General Paul Ahler, representing Attorney General Mark Brnovich
Colonel Frank Milstead, AZ Department of Public Safety
Acting Director Joe Profiri, AZ Department of Corrections

Staff in Attendance:

Matt Giordano, Executive Director
Ben Henry, Deputy Director
Billy Caldwell, Compliance Specialist
Dan Ciernia, Digital Media Supervisor
Mike Deltenre, Compliance Specialist
Marie Dryer, Program Administrator
Amanda Faust, Compliance Specialist
Cathy Hawse, Compliance Specialist
Arlene Heckel, Compliance Specialist
Steve Jacobs, Compliance Specialist
Mike Orose, Training Supervisor
Kip Rustenburg, Program Administrator
Tammy Schliefer, Administrative Assistant
Sandy Sierra, Administrative Services Officer
Lori Wait, Compliance Specialist

Assistant Attorneys General:

Mark Brachtl

Marc Harris

A. Call to Order

Acting Chairman Rodbell called the meeting to order at 10:00 a.m. and asked retired Department of Corrections Director Charles Ryan to lead everyone in reciting the Pledge of Allegiance.

B. Introductions, Presentations and Announcements

Matt Giordano, Executive Director

- Former Board member and Department of Corrections Director Charles Ryan was acknowledged as being in attendance as a private citizen. Director Giordano asked former Director Ryan to please return to a future meeting to allow for a proper sendoff.
- Assistant Attorney General Marc Harris will provide legal advice to the Board on the final action case for Lauren J. Buhrow 17-063.
- For the record, four Board members are not present; Sheriff Scott Mascher, Colonel Frank Milstead, Assistant Attorney General Paul Ahler and Acting Director Joe Profiri. Mr. LeFevre will be participating via telephone. There are still two Board member vacancies (public member and jail administrator).
- Final Action case 19-005 Dhanielle R. DeClay will be tabled.
- Three individuals that are on the training deficiency list have completed the required annual training; their names have been removed from the Consent Agenda; Timothy Cooper, Joe Nunez and Rex Gilliland. Also, the Board Communication incorrectly shows the officers on the list as all being from Show Low PD; that is incorrect. The agenda shows the correct agencies.

C. Executive Director's Report

Matt Giordano, Executive Director

- Compliance Specialist Cindy Sawyer will be transferring from Basic Training to In-Service Training effective September 21.
- Our new Compliance Specialist, Dave Toporek, will report on September 23. Dave retired from the Maricopa County Sheriff's Office as a deputy chief; we are very happy to have him come onboard.
- Due to budget constraints, In-Service Training took the biggest hit financially. Financially things have turned around and AZPOST will once again be able to offer more training around the state. Some of the training includes working with the National Association of School Resource Officers to hold a one and a half day training program for SROs. Also, the Background Investigators School has been updated and this has been very well received. Classes are filling up quickly.
- We have working with ASU on a survey regarding identifying potential changes in our rules. The survey, as well as a short introduction email and video message that explains the survey, will be distributed to all agency heads for feedback. We are just waiting on approval from the Governor's office for an exemption to Executive Order 2019-01.

- Administrative Secretary Nina O’Connor retired on September 6. We are working with DPS to fill this position. Nina was the receptionist at AZPOST for over 14 years and she will be greatly missed.
- We will be updating how the Comprehensive Final Exam (CFE) is administered. The CFE has been done for years using a pencil and filling in a scantron sheet; we will be modernizing this process and will now use computers.
- The CJEF Fund was a little low last month but due to appropriation funding we are able to make up the shortage. Our new Chief Technology Officer has been busy evaluating our equipment needs and we will be purchasing new equipment to replace antiquated equipment that is no longer practical.

D. Consent Agenda

Sheriff Dannels made a motion to accept the Consent Agenda. The motion was seconded by Ms. Kelly and passed unanimously.

The following items were approved:

1. Minutes of the Board Meeting held on July 17, 2019; and August 21, 2019.

2. Certification Waivers:

Joshua S. Currington	Scottsdale Police Department
Jerry M. Zywczyk	Chandler Police Department
Sarah J. Sessler	Oro Valley Police Department
Benjamin Holbura	Gilbert Police Department
Kyle A. Mair	Phoenix Police Department
Jacob M. McMullin	Peoria Police Department
Corey Rowley	Camp Verde Marshal’s Office

3. Consent Agreements for Voluntary Relinquishment/Denial of Peace Officer Certification. The following individuals, without admitting to any misconduct, requests the Board accept their request to permanently relinquish their Arizona peace officer certification:

Brian A. Kester	19-107	Phoenix Police Department
Autumn V. Maya	18-064	AZ Department of Economic Security
Laura J. Linkey	19-121	Payson Police Department
Samuel A. Garday	19-113	Chandler Police Department
Marcus A. Lee	19-103	Navajo Division of Public Safety

4. Training Audit Deficiencies. The following individuals are deficient in their required annual training. The Board shall restrict their certified status until this deficiency is corrected:

Amy Hedges	Chandler Police Department
Sean Berube	Tucson Police Department
Dominic Flores	Tucson Police Department

E. Final Action Cases:

1. #17-063 – Lauren J. Buhrow – AZ Department of Economic Security - OSI
The Board received independent legal advice from Assistant Attorney General Marc Harris.

The Board considered comments from Assistant Attorney General Mark Brachtel, who provided a brief overview of the case and the proposed Motion for Reconsideration, and from Mr. Steven Serbalik, attorney representing Ms. Buhrow. Mr. Serbalik also commended POST staff for the phenomenal job they did on resolving this case. Officer Medina made a motion to grant the State’s Motion for Reconsideration and rescind the Board’s prior action of voting to initiate proceedings. The motion was seconded by Deputy Pittmann and passed unanimously. Deputy Pittmann made a motion to dismiss this case. The motion was seconded by Sheriff Dannels and passed unanimously.
2. #19-049 – David A. Shatto – Colorado River Indian Tribes Police Department
The Board considered comments from Compliance Specialist Steve Jacobs, who provided a brief overview of the case. Sheriff Dannels made a motion to accept the Findings of Fact and Conclusions of Law and deny peace officer certification to Mr. Shatto. The motion was seconded by Deputy Pittmann and passed unanimously.
3. #19-005 – Dhanielle R. DeClay – Miami Police Department
This case was tabled.
4. #18-136 – Jade R. Gishie – Holbrook Police Department
The Board considered comments from Compliance Specialist Lori Wait, who provided a brief overview of the case. Officer Medina made a motion to accept the Findings of Fact and Conclusions of Law and deny peace officer certification to Ms. Gishie. The motion was seconded by Deputy Pittmann and passed unanimously.

F. New Charging Cases:

1. #19-022 – Stephen K. Perko – Tucson Police Department
The Board considered comments from Compliance Specialist Cathy Hawse, who provided a brief overview of the case. Deputy Pittmann made a motion to *Initiate Proceedings* to deny peace officer certification to Mr. Perko. The motion was seconded by Sheriff Dannels and passed unanimously.

2. #19-094 – Douglas Bremer – Maricopa County Sheriff’s Office

The Board considered comments from Compliance Specialist Steve Jacobs, who provided a brief overview of the case. Sheriff Dannels made a motion to ***Initiate Proceedings*** against Mr. Bremer’s peace officer certification. The motion was seconded by Chief Kelly and passed unanimously.

3. #19-014 – David M. Guerra – Kingman Police Department

The Board considered comments from Compliance Specialist Steve Jacobs, who provided a brief overview of the case. Chief Kelly made a motion to ***Initiate Proceedings*** to deny peace officer certification to Mr. Guerra. The motion was seconded by Officer Medina and passed unanimously.

4. #19-066 – Deborah S. Thompson – AZ Western College Police Department

The Board considered comments from Compliance Specialist Steve Jacobs, who provided a brief overview of the case. Deputy Pittmann made a motion to ***Initiate Proceedings*** against Ms. Thompson’s peace officer certification. The motion was seconded by Sheriff Dannels and passed unanimously.

G. Future Agenda Items

There are no new items to add, but Director Giordano wanted to acknowledge a new employee that he missed during the introductions. Tammy Schliefer is the new Administrative Assistant for In-Service Training. Tammy came to us from the Maricopa County Sheriff’s Office and we are extremely happy to have her onboard.

H. Adjournment

The meeting was adjourned at 10:36 a.m.