

## Arizona Peace Officer Standards and Training Board

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514

# Amended NOTICE OF PUBLIC MEETING AND AGENDA May 18, 2022 10:00 a.m.

Board members, staff, agency heads requesting a review, and individuals, or their attorneys, who have a final action review, may attend electronically. Notice must be provided 7 days in advance of the Board meeting in order to present electronically. Otherwise, physical attendance for this meeting is another option. The meeting will be livestreamed and instructions for viewing will be posted on the AZPOST website.

Pursuant to the Americans with Disabilities Act (ADA), the Arizona Peace Officer Standards and Training Board endeavors to ensure the accessibility of its meetings to all persons with disabilities. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by calling the AZPOST main number at (602) 223-2514. Requests should be made as early as possible to allow time to arrange the accommodation.

Upon a vote of the majority of the quorum, the Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(3) to receive confidential legal advice from the Board's attorney. The Board may also, upon a majority vote, hold an Executive Session on Agenda Items G.4 and G.9 pursuant to A.R.S. §38-431.03(A)(2), to review confidential information. The chair may take items out of order.

- A. Call to Order and Pledge of Allegiance
- B. Introductions, Presentations and Announcements
- C. Executive Director's Report

The Board may receive updates on any of the following Report items; it may discuss, provide direction or ask questions of the Executive Director on any of these items. The order of the Report is at the discretion of the Executive Director and the Chairman and may be revisited at any time during the meeting:

- Update on Budget
- Update on Communications with Law Enforcement Associations, Groups and Agencies
- Update on Staff and Personnel Issues
- Legislative Update

#### D. Consent Agenda

The following items make up the Consent Agenda. These items will be considered for approval as a single action, unless a Board member or any other interested party wishes to remove an item to be discussed.

- 1. Approval of Minutes: April 20, 2022 Board Meeting
- 2. Review, discussion and decision on Ministerial Actions. The following ministerial actions have been taken by staff upon Board instruction. By approving these items, the Board adopts and ratifies those actions:
  - a. Consent Agreements for Voluntary Relinquishment/Denial of Peace Officer Certification for the following:

Nicholas E. Friebel	2021-033	Tucson Police Department
John C. Larson	2021-117	Buckeye Police Department
Cameron D. Lebbon	2021-208	Peoria Police Department
Javier M. Pina	2022-029	Avondale Police Department
Maiya A. Gomez	2022-063	Yuma Police Department
Arthur D. Magana-Perez	2022-076	Maricopa County Sheriff's Office

- E. Review, Discussion and Possible Action on Adoption of a Notice of Supplemental Rulemaking for R13-4-111 and R13-4-114.
- F. Review, Discussion, and Possible Action on requesting the Arizona Attorney General to render a formal written opinion. The opinion should address the scope of the Board's statutory authority, in ARS Title 41, as it relates to the county sheriff's powers, as enumerated in Title 11 Chapter 4, to appoint county deputies. This opinion should address the scope of the Boards exercise of its jurisdiction over the minimum qualifications, and regulation of, the peace officer certifications, of county deputies, county chief deputies, and other county sworn personnel.
- G. Final Action Cases Review, Discussion and Decision

(Board Independent Legal Advisor for <u>all</u> Final Action Cases - A.A.G. Monique Coady)

Accept or Reject the proposed Motion to Amend Complaint on the following case:

1. Connor Orth-Smith 2021-124 Phoenix Police Department

Accept, Reject or Modify the proposed Consent Agreements on the following cases:

2.	Harvey A. Callaway	2021-215	Tucson Police Department
3.	Paul D. South	2021-194	South Tucson Department of Public Safety
4.	Greg T. Loveless	2021-111	Scottsdale Police Department
5.	Elliana J. Cabrera	2021-145	Gila County Sheriff's Office

Accept, Reject or Modify the proposed Findings of Fact and Conclusions of Law of the Administrative Law Judge Decision and vote on appropriate disposition on the following case:

6. Nijaz Subasic 2021-170 Avondale Police Department

Accept, Reject or Modify the proposed Findings of Fact and Conclusions of Law and vote on appropriate disposition on the following cases:

7.	Adam C. Shoun	2021-216	<b>Tucson Police Department</b>
8.	Tyler J. Goddard	2020-206	AZ Department of Public Safety
9.	Brian M. Petersen	2021-005	AZ Department of Public Safety

### H. New Cases – Review, Discussion and Decision

1.	Adrian M. Antone	2022-039	Gila River Police Department
2.	Naritha M. Demps	2021-104	Maricopa Police Department
3.	Leo Thompson Jr.	2022-013	White Mountain Apache Police Department
4.	Brian K. Ellsworth	2021-004	Thatcher Police Department
5.	Jacob A. Komenda	2021-018	Mesa Police Department
6.	Michael A. Phillips	2021-133	Florence Police Department
7.	Miguel Diaz	2022-057	Santa Cruz County Sheriff's Office
8.	Abbas A. Hajaig	2020-191	AZ Department of Public Safety
9.	Roberto Reyes Jr.	2021-106	El Mirage Police Department

### I. Future Agenda Items

#### J. Adjournment

A copy of the agenda provided to the Board members is available for public inspection, at least 24 hours prior to the meeting, at the Arizona Peace Officer Standards and Training Board office, 2643 East University Drive, Phoenix, AZ.

Dated: May 10, 2022

ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

By:

Matt Giordano, Executive Director