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Board Members

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 Attorney General

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City of Grand Junction

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City of Wheat Ridge

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Becky Calomino

Grant & Training Manager

Cristine S. Mack

POST Investigator

Tom Mullen

Compliance Officer

Stefanie Mackey

Grant & Training Coordinator

Lori Jencks

Administrative Assistant

POST Board Meeting

Colorado Department of Law

Friday, September 12, 2014

SME Committee Meetings: 8:00 am – 10:00 am

**Peace Officer Standards and Training (POST) Board Meeting:
 10:00 a.m.**

Introductions:

1. **Welcome** Attorney General John Suthers
2. **Pledge of Allegiance** Attorney General John Suthers
3. **Introduction of Board Members, SME Members, Staff and Guests**
4. **Welcome New Board Members** Attorney General John Suthers
 Sheriff Chad Day, Yuma County
 Executive Director Stan Hilkey, Department of Public Safety
 Sheriff Fred McKee, Delta County
5. **Formal Board Recognition of Departing Board Members** Attorney General John Suthers
 Sheriff Chris Johnson, Otero County
 Chief Dan Oates, Aurora Police Department
 Sheriff David Weaver, Douglas County
 Chief Dave Wohlers, Idaho Springs Police Department
6. **Formal Board Recognition of Departing Subject Matter Expert Committee Members** Attorney General John Suthers
 Mgr. Glenn Davis, Curriculum SME
 Sgt. Darren O'Driscoll, Curriculum SME Chair
 Chief Joel Shults, Curriculum SME
 Lt. Dan Mark, Law Enforcement Driving SME

7. **Roll Call**

Director Pete Dunbar

Declaration of a Quorum (11)

8. **Approval of POST Minutes from June 13, 2014**

(See supplemental handout)

Presentations:

9. **Subject Matter Expert (SME) Committee Reports:**

A. **Curriculum**

Sgt. Graham Dunne, Chair
Dir. Cathy LaBrecque, Vice-Chair
Dep. Amanda Cruz-Girodano,
Board Member

B. **Arrest Control**

(See supplemental handout)

Capt. Erik Bourgerie, Chair
Inv. John Tucker, Vice-Chair
Inv. Gilbert Perales, Board Member

C. **Firearms**

Dep. Ed Kafel, Chair
Trng. Mgr. John Hood, Vice-Chair
Chief Dan Brennan, Board Member

D. **Law Enforcement Driving**

Cmdr. Karl Smalley, Chair
Al Padilla, Vice-Chair
Chief John Camper, Board Member

Action Items:

10. **Sunrise Review - Department of Revenue**

Criminal Investigators of the Marijuana Enforcement Division

(See supplemental handout)

11. **Fort Carson Waiver Request
for Lt. Brandon Graber**

(See supplemental handout)

Director Pete Dunbar

12. **Decertifying Misdemeanors**

(See supplemental handout)

Director Pete Dunbar

13. **Peace Officer Certification Revocation Actions**

(See supplemental handout)

Director Pete Dunbar

A. **POST Rule 9 – Revocation of Peace Officer Certifications – Felony
Convictions:**

§ 24-31-305, C.R.S.(2)(a) A Colorado peace officer certification issued pursuant to subsection (1) or (1.3) of this section or 24-31-308 shall be suspended or revoked by the POST Board if the certificate holder *has been convicted of a felony at any time*, or has been convicted on or after July 1, 2001, of any misdemeanor described in subsection (1.5) of § 24-31-305 C.R.S., or, has otherwise failed to meet the certification requirements established by the Board.

For purposes of this rule, the term ‘conviction’ includes any deferred judgments or deferred sentences imposed by a court or judge.

- 1) No. 14-03, **David Hawkins**, Certification Number B8430 (PID 113559). On February 12, 2014, Respondent pled guilty to one count of Wire Fraud and Aiding and Abetting, in violation of 18 U.S.C. §1343 and 2, and Monetary Transactions in Property, Derived from Specified Unlawful Activity aiding and abetting (Money Laundering), U.S.C. §1957 and 2, both felonies. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: July 7, 2011, Separated December 22, 2011).* The Respondent has failed to comply with POST Show Cause Order 14-03 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of David Hawkins’ Colorado Peace Officer Certification No. B8430 (PID 113559).
- 2) No. 14-07 **Scott Black**, Certification Number B2294 (PID 114906). On February 13, 2014, Respondent pled guilty to two counts of Intentionally Gaining Unauthorized Access to a computer, § 18 U.S.C. 1030(a)(2)(B) & (C) a felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense September, 2010, Separated November 20, 2013).* The Respondent has failed to comply with POST Show Cause Order 14-7 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Scott Black’s Colorado Peace Officer Certification No. B2294 (PID 114906).
- 3) No. 14-8, **Robin William Atkins Cronk**, Certification Number B15266 (PID 133724). On March 20, 2014, Respondent pled guilty to one count of Embezzlement of Public Property, § 18-8-407 C.R.S., a class 5 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense February 17, 2011, Separated June 24, 2013).* The Respondent has failed to comply with POST Show Cause Order 14-8 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Robin W. A. Cronk’s Colorado Peace Officer Certification No. B15266 (PID 133724).
- 4) No 14-9, **Jeffery Allan Johnston**, Certification Number 14534 (PID 119183). On October 24, 2013, Respondent pled guilty to one count of Unlawful Possession of Firearms and Ammunition by a Prohibited Person, in violation of 18 U.S.C. §922 (g)(3) and 924 (u)(2), and Possession with Intent to Distribute a Quantity of a Mixture and Substance Containing a Detectable Amount of MDMA (Ecstasy), 21 U.S.C. §841 (a)(1) and (b) (1)(C), both felonies. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense July 19, 2013, Date of Separation July 22, 2013).* The Respondent has failed to comply with POST Show Cause Order 14-9 by failing to appear at the scheduled Show Cause Hearing.

Director Dunbar recommends revocation of Jeffery Allan Johnston's Colorado Peace Officer Certification Number 14534 (PID 119183).

- 5) No 14-10, **Christopher Michael Martinchick**, Certification Number B8102 (PID 102212). On November 26, 2013, Respondent pled guilty to and was convicted of one count of Sexual Assault, Victim Incapable Of Appraising the nature of the victim's conduct §18-3-402 (1)(b) C.R.S., a class 5 felony. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense February 1, 2011, Date of Separation September 3, 2013)*. The Respondent has failed to comply with POST Show Cause Order 14-10 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Christopher Michael Martinchick's Colorado Peace Officer Certification Number B8102 (PID 102212).
- 6) No. 14-11. **Samuel J. Carter**, Certification Number B18468 (PID 130358). On June 3, 2014, Respondent was convicted of one count of Public Servant-attempt To Influence § 18-8-306 C.R.S., a class 4 Felony; two counts Forgery-tokens/symbols, § 18-5-102(1)(f), a class 5 felony; Tampering W/ Physical Evidence-destroy, §18-8-610(1)(a), class 6 felonies; One count of First Degree Official Misconduct, § 18-8-404, a class 4 misdemeanor; *The Respondent was employed as a peace officer on the date of the offense (Date of Offense January 1, 2013, Date of Separation January 22, 2013)*. The Respondent has failed to comply with POST Show Cause Order 14-11 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Samuel J. Carter's Peace Officer Certification Number B18468 (PID 130358).

B. POST Rule 9 - Revocation of Peace Officer Certifications – Misdemeanor Convictions:

§ 24-31-305, C.R.S.(2)(a) A Colorado peace officer certification issued pursuant to subsection (1) or (1.3) of this section or 24-31-308 shall be suspended or revoked by the POST Board if the certificate holder has been convicted of a felony, or has been convicted on or after July 1, 2001, of any misdemeanor described in subsection (1.5) of § 24-31-30 C.R.S., or has otherwise failed to meet the certification requirements established by the Board. For purposes of this rule, the term 'conviction' includes any deferred judgments or deferred sentences imposed by a court. Revocation of peace officer certificates based upon conviction(s) of misdemeanor crimes are recognized in § 24-31-305(1.5) (b) thru (h), C.R.S.

- 1) No. M14-03, **Jason A. Jungmeyer**, Certification No. B09050, (PID 112294). On April 4, 2014, Respondent pled guilty to 1 count of Harassment-Repeat Phone Calls, §18-9-111(1)(f), C.R.S., a class 3 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: January 27, 2014, – Separated: April 25, 2014)*. The Respondent has failed to comply with POST Show Cause Order M14-03 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Jason A. Jungmeyer's Colorado Peace Officer Certification No. B09050, (PID 112294).

- 2) No. M14-04, **Kevin Leo Cundiff**, Certification No. B01455, (PID 119863). On March 11, 2014, Respondent was convicted of 1 count of Sexual Contact – No Consent; § 18-3-404(1)(a), C.R.S., a class 1 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: January 1, 2008 – Separated: September 25, 2012).* The Respondent has failed to comply with POST Show Cause Order M14-04 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Kevin Leo Cundiff's Colorado Peace Officer Certification No. B01455, (PID 119863).
- 3) No. M14-05, **Jason Matthew Sutter**, Certification No. B11729, (PID 122332). On March 11, 2014, Respondent was convicted of 1 count of Sexual Contact – No Consent; § 18-3-404(1)(a), C.R.S., a class 1 misdemeanor. *The Respondent was employed as a peace officer on the date of the offense (Date of Offense: March 15, 2013 – Separated: May 18, 2013).* The Respondent has failed to comply with POST Show Cause Order M14-05 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Jason Matthew Sutter's Colorado Peace Officer Certification No. B11729, (PID 122332).
- 4) No M14-06, **Phillip Andrew Fry**, PID No. 135204. On March 14, 2014, Respondent pled guilty to one count of False Reporting – False Identification § 18-8-111(1)(d), C.R.S., a class 3 misdemeanor. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: March 15, 2013 – never employed).* The Respondent has failed to comply with POST Show Cause Order M14-05 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Phillip Andrew Fry's Colorado Peace Officer Certification, PID No. 135204.

Informational Items:

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| 14. Acadis Presentation | Cory Myers
Envisage Technologies Corp. |
| 15. Fiscal Year 2014 Grant Performance Report | Becky Calomino
POST Grant/Training Manager |
| 16. School Safety Officer Update
(See supplemental handout) | Director Pete Dunbar |
| 17. In-Service Training Review
(See supplemental handout) | Director Pete Dunbar |
| 18. Strategic Plan Update
(See supplemental handout) | Director Pete Dunbar |
| 19. Marijuana Tax Revenue Funded Training Update
(See supplemental handout) | Director Pete Dunbar |

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| 20. Mandated Training Update | Director Pete Dunbar |
| 21. POST Certification Exam Update | Director Pete Dunbar |
| 22. Comments from others on POST Issues | |
| 23. Adjournment | Attorney General John Suthers |

Next POST Board Meeting

December 5, 2014

Ralph L. Carr Colorado Judicial Center
1300 Broadway
Denver CO

SME Meetings – 8:00 am
POST Board Meeting – 10:00 am

