



Department of Law
 Ralph L. Carr
 Colorado Judicial Center
 1300 Broadway, 9th Floor
 Denver, CO 80203
 (720) 508-6721
 Fax: (866) 858-7486
 Email: POST@state.co.us

Board Members

John W. Suthers
 Attorney General

Chair

Chief John S. Camper

City of Grand Junction

Vice Chair

Ronald Beckham

Public Member

Chief Dan Brennan

City of Wheat Ridge

Sheriff Ron Bruce

Hinsdale County

Sergeant Rafael Chanza

City of Colorado Springs

Chief John Collins

City of Englewood

Deputy Amanda Cruz-Giordano

Arapahoe County Sheriff's Office

Sheriff Chad Day

Yuma County

David Donaldson

Logan County Commissioner

Chief John Dyer

City of Rifle

Sheriff James F. Faull

Prowers County

Sheriff Shayne Heap

Elbert County

Executive Director Stan Hilkey

Department of Public Safety

Sheriff Fred McKee

Delta County

Inv. Gilbert Perales

Southern Ute Indian Tribe

Chief Michael Phibbs

Auraria Dept. of Public Safety

SAC Thomas Ravenelle

Federal Bureau of

Investigation

Sheriff Kirk M. Taylor

Pueblo County

Chief Robert C. White

City of Denver

Board Counsel

Julie Selsberg

Board Staff

Pete Dunbar

Director

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, November 21, 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. **Formal Board Recognition of Departing Subject Matter Expert Committee Members** Attorney General John Suthers
 Trooper Darrell Aulston – Law Enforcement Driving SME Committee
5. **Roll Call** Director Pete Dunbar
 Declaration of a Quorum (11)
6. **Approval of POST Minutes from September 12, 2014**
 (See supplemental handout)

Presentations:

7. **Subject Matter Expert (SME) Committee Reports:**
 - A. **Curriculum** Sgt. Graham Dunne, Chair
 (See supplemental handout) Dir. Cathy LaBrecque, Vice-Chair
 Dep. Amanda Cruz-Giordano,
 Board Member

- | | |
|--|---|
| B. Arrest Control
(See supplemental handout) | Capt. Erik Bourgerie, Chair
Inv. John Tucker, Vice-Chair
Inv. Gilbert Perales, Board Member |
| C. Firearms
(See supplemental handout) | 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:

- | | |
|--|---|
| 8. Formal Rule Making Hearing
(See supplemental handout) | Attorney General John Suthers
Board Counsel Julie Selsberg
Director Pete Dunbar |
|--|---|

Public Announcement of Formal Rule Making Hearing

- | | |
|---|----------------------|
| A. Summary of Proposed POST Rule Change | Director Pete Dunbar |
| Colorado Department of Regulatory Affairs Review/Response | |
| 1. Rule 14 – Fingerprint-Based Criminal History Record Check | |
| 2. Rule 17 – Certification Records | |
| 3. Rule 20 – Vehicle Identification Number Inspector Programs | |
| 4. Rule 21 – Basic and Reserve Training Academies | |
| 5. Rule 28 – In-Service Training Program | |
| Robert Baker
In-Service Training Manager | |
| B. Public Comment on Rule Making | |
| C. Board Vote | |

9. Recommended 2015 Board Meeting Dates

March 6, 2015
June 12, 2015
September 18, 2015
December 4, 2015

- | | |
|--|----------------------|
| 10. School Safety Officer/Coroner Certifications
(See supplemental handout) | Director Pete Dunbar |
| 11. Request for Waiver:
Reserve Sergeant Greg Maxwell
(See supplemental handout) | Director Pete Dunbar |

12. **Peace Officer Certification Revocation**

Director Pete Dunbar

Actions

(See supplemental handout)

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. 14-16, **Keith Ray Barnhart**, Certification Number B7952 (PID 114891). On June 19, 2014, Respondent pled guilty to one count of Sexual Assault/Child. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: January 1, 2012, Separated: November 16, 2005)*. The Respondent has failed to comply with POST Show Cause Order 14-16 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Keith Ray Barnhart’s Colorado Peace Officer Certification Number B7952 (PID 114891).
- 2) No. 14-15, **Travis David Nowland**, Certification Number B17436 (PID 138287). On August 5, 2014, Respondent was convicted of one count of Stalking – Emotional Distress protection order, in violation of §18-3-602 (1)(c)(5), a class 4 felony *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: April 15, 2014, Never employed)*. The Respondent has failed to comply with POST Show Cause Order 14-15 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Travis David Nowland’s Colorado Peace Officer Certification Number B17436 (PID 138287)

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. M14-07, **Michael Scott Wiedmaier**, Certification Number B00726, (PID 107404). On April 4, 2014, Respondent pled guilty of 1 count of Harassment-Telephone –Threat/Obscene, § 18-9-111 (1)(e), 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: February 11, 2014, Separated: March 29, 1995). 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 Michael Scott Wiedmaier Colorado Peace Officer Certification Number B00726, (PID 107404).

- 2) No. M14-08, **Allan Reed Holybee**, Certification Number B14368, (PID 133162). On May 28, 2014, Respondent was convicted of 1 count of Assault 3-know/reckless Cause Injury; § 18-3-204(1)(a), C.R.S., a class 1 misdemeanor. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: April 12, 2014 – Separated: May 22, 2012).* The Respondent has failed to comply with POST Show Cause Order M14-08 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Allan Reed Holybee’s Colorado Peace Officer Certification Number B14368, (PID 133162).
- 3) No. M14-09, **Kevin Lee Johnson**, Certification Number B14899, (PID 133750). On April 15, 2014, Respondent pled guilty to 1 count of Harassment/Strike, Shove, Kick, § 18-9-111(1)(a), 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: April 6, 2014, Separated: February 24, 2014).* The Respondent has failed to comply with POST Show Cause Order M14-09 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Kevin Lee Johnson’s Colorado Peace Officer Certification Number B14899, (PID 133750).
- 4) No M14-10, **Charles Penn Lindsey**, Certificate No. 10193, (PID 119957). On July 15, 2014, Respondent pled guilty to 1 count of Obstructing a Police Officer; § 18-8-104(1)(a), C.R.S., a class 2 misdemeanor. *The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: November 19, 2013, Separated: June 1, 1993).* The Respondent has failed to comply with POST Show Cause Order M14-10 by failing to appear at the scheduled Show Cause Hearing. Director Dunbar recommends revocation of Charles Penn Lindsey’s Colorado Peace Officer Certification, Number 10193, (PID 119957).

Informational Items:

- | | |
|--|--|
| 13. Fort Carson Certification Update | Director Pete Dunbar |
| 14. Marijuana Curriculum Update | Carolyn Berry
Marijuana Curriculum Specialist |
| 15. Mandated Training Update | Director Pete Dunbar |
| 16. Comments from others on POST Issues | |
| 17. Adjournment | Attorney General John Suthers |

Next POST Board Meeting

Date to be determined

Ralph L. Carr Colorado Judicial Center
1300 Broadway
Denver CO

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

