



Department of Law
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POST Board Meeting

Colorado Department of Law

Friday, December 7, 2018

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

**Peace Officer Standards and Training (POST) Board Meeting:
1:30 pm – 3:30 pm**

Board Members
Cynthia H. Coffman
Attorney General
Chair
Chief Dan Brennan
City of Wheat Ridge
Assistant Chair
Sr. Investigator Tonya Barnes
Eighteenth Judicial District
Ashley Beck
Public Member
Sergeant Lonnie Chavez
City of Grand Junction
Chief Cory Christensen
City of Steamboat Springs
Chief John Collins
City of Englewood
Deputy Amanda Cruz-Giordano
Arapahoe County
Sheriff Chad Day
Yuma County
Chief Debra Funston
City of Palisade
Executive Director Stan Hilkey
Department of Public Safety
Kara Hoofnagle
Public Member
S. Zeke Knox
Public Member
Sheriff Anthony Mazzola
Rio Blanco County
Chief John Minor
City of Silverthorne
Sheriff Shawn Mobley
Otero County
Sheriff Steve Nowlin
Montezuma County
Chief Michael Pibbs
Auraria Dept. of Public Safety
Special Agent in Charge Dean Phillips
Federal Bureau of Investigation
Jane Quimby
Public Member
Mayor Ron Rakowsky
City of Greenwood Village
Sheriff Justin Smith
Larimer County
Sheriff Anthony Spurlock
Douglas County
Bradley F. Taylor
Public Member

1. **Welcome** Attorney General Cynthia Coffman
2. **Pledge of Allegiance**
3. **Excellence in Law Enforcement Award Presentation** Attorney General Cynthia Coffman
4. **Recognition of Departing Attorney General Cynthia Coffman** Director Erik Bourgerie
5. **Introduction of New Board Member** Attorney General Cynthia Coffman
SAC Dean Phillips
Federal Bureau of Investigation
6. **Recognition of Departing Board Member** Attorney General Cynthia Coffman
Sheriff Chad Day
Yuma County Sheriff's Office
7. **Introduction of Board Members, SME Members, Staff and Guests**
8. **Roll Call** Director Erik Bourgerie

POST Director
Erik Bourgerie

9. **Approval of POST Board Minutes from September 14, 2018** Attorney General Cynthia Coffman
10. **2019 Proposed POST Board Meeting Dates** Director Erik Bourgerie
March 1, 2019
June 21, 2019
September 20, 2019 (Work session September 19, 2019)
December 6, 2019
11. **Appointment of POST Board Vice-Chair for 2019** Attorney General Cynthia Coffman
12. **Appointment of Arrest Control SME Board Representative** Attorney General Cynthia Coffman
13. **Subject Matter Expert Committee Reports**
 - A. Arrest Control Agent Ike Beers
Chair
 - B. Curriculum Director Cathy LaBrecque
Chair
 - C. Driving Commander Karl Smalley
Chair
 - D. Firearms Training Manager John Hood
Vice-Chair
14. **Request for Variance Appeal Damian Esparza** Director Erik Bourgerie
(See supplemental handout)
15. **Request for Variance Appeal Alexander Kennedy** Director Erik Bourgerie
(See supplemental handout)
16. **Request for Variance Appeal Stephen Lassa** Director Erik Bourgerie
(See supplemental handout)
17. **Request for Variance Appeal Shanna Riley** Director Erik Bourgerie
(See supplemental handout)

18. **Request for Appeal of Revocation
Leland Silver** Director Erik Bourgerie
(See supplemental handout)
19. **Peace Officer Certification
Revocation Actions** Director Erik Bourgerie
(See supplemental handout)

POST Rule 9 - Revocation of Peace Officer Certifications:

§ 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. 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. M18-13, Leland Silver, Certification B09124 (PID 112350). On July 27, 2018, Respondent was convicted of one count of Official Misconduct I §18-8-404 a class 2 Misdemeanor. The respondent was employed as a peace officer on the date of the offense (Date of Offense: May 8, 2015, Aurora Police Department, Separated February 28, 2018). The respondent has complied with POST Show Cause Order No. M18-13 by appearing at the scheduled Show Cause Hearing on October 5, 2018. Director Bourgerie recommends revocation of Leland Silver’s Colorado Peace Officer Certification B09124 (PID 112350).

The certificate holders in the following matters did not appear at the show cause hearing or indicate any intent to oppose the revocation. Unless any member objects and asks to consider one or all of these matters separately, they will all be presented to this Board as a group.

Felony Convictions:

1. No. F18-08, Donald L. Fair, Certification B12147 (PID 123803). On July 24, 2018, Respondent was convicted of Sex Assault of Child - Position of Trust – Victim Age 15 – 18, §18-3-405.3(1), a class 4 Felony. The respondent was employed as a peace officer on the date of the offense (Date of Offense: April 1, 2017 – August 31, 2017, Fourth Judicial District, Separated September 1, 2017). The Respondent has failed to comply with POST Show Cause Order No. F18-08 by failing to appear at the scheduled Show Cause Hearing on October 24, 2018. Director Bourgerie recommends revocation of Donald L. Fair’s Colorado Peace Officer Certification B12147 (PID 123803).

2. No. F18-09, Kevin Gerald Vallejos, Certification B01318 (PID 119095). On June 7, 2018, Respondent was convicted of one count of Attempted Sex Assault – Overcome Victim’s Will, §18-3-402(1)(a), a class 5 Felony. The Respondent was employed as a peace officer on the date of the offense (Date of Offense: September 30, 1998 - October 6, 1998, Walsenburg Police Department, Separated October 22, 1998). The respondent has failed to comply with POST Show Cause Order No. F18-09 by failing to appear at the scheduled Show Cause Hearing on October 24, 2018. Director Bourgerie recommends revocation of Kevin Gerald Vallejos’ Colorado Peace Officer Certification B01318 (PID 119095).
3. No. F18-10, Daniel Scott Sullivan, Certification B14708 (PID 114522). On February 24, 2017, Respondent was convicted of one count of Securities – Make Untrue Statement, §11-51-501(1)(b), a class 3 Felony. The Respondent was employed as a peace officer on the date of the offense (Date of Offense: November 22, 2011 - February 21, 2013, Jefferson County Sheriff’s Office, Separated April 4, 2014). The respondent has failed to comply with POST Show Cause Order No. F18-10 by failing to appear at the scheduled Show Cause Hearing on October 24, 2018. Director Bourgerie recommends revocation of Daniel Scott Sullivan’s Colorado Peace Officer Certification B14708 (PID 114522).
4. No. F18-11, Tyler Eugene Richards, Certification B8999-0024 (PID 8999-0024). On June 14, 2018, Respondent was convicted of one count of First Degree Murder – After Deliberation, §18-3-102(1)(a), a class 1 Felony, one count of First Degree Murder – Felony Murder, §18-3-102(1)(b), a class 1 Felony, one count of Second Degree Kidnapping – Seize/Carry Victim, §18-3-302(1), a class 4 Felony, and one count of Second Degree Assault – Strangulation, §18-3-203(1)(i), a class 4 Felony. The Respondent was not employed as a peace officer on the date of the offense (Date of Offense: December 9, 2016, Never employed). The Respondent has failed to comply with POST Show Cause Order No. F18-11 by failing to appear at the scheduled Show Cause Hearing on October 24, 2018. Director Bourgerie recommends revocation of Tyler Eugene Richard’s Colorado Peace Officer Certification B8999-0024 (PID 8999-0024).
5. No. F18-13, Felicia Roxann Bradfield, Certification B00073 (PID 106104). On August 30, 2018, Respondent was convicted of one count of Tampering with Physical Evidence - Destroy, §18-8-601(1)(a), a class 6 Felony. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: July 25, 2018, Never employed). The Respondent has failed to comply with POST Show Cause Order No. F18-13 by failing to appear at the scheduled Show Cause Hearing on November 5, 2018. Director Bourgerie recommends revocation of Felicia Roxann Bradfield’s Colorado Peace Officer Certification B00073 (PID 106104).
6. No. F18-14, Todd Eric Cope, Certification B14240 (PID 133120). On July 9, 2018, Respondent was convicted of one count of Attempt to Influence Public

Servant, §18-8-306, a class 4 Felony and one count of Official Misconduct 1, §18-8-404, a class 2 Misdemeanor. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: September 8, 2017, Lamar Police Department, Separated May 4, 2016). The Respondent has failed to comply with POST Show Cause Order No. F18-14 by failing to appear at the scheduled Show Cause Hearing on November 5, 2018. Director Bourgerie recommends revocation of Todd Eric Cope's Colorado Peace Officer Certification B14240 (PID 133120).

7. No. F18-15, Dean Alan Harris, Certification B15055 (PID 134268). On October 1, 2018, Respondent was convicted of one count of Impersonating a Peace Officer, §18-8-112, a class 6 Felony. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: July 21, 2018, Douglas County Sheriff's Office, Separated April 26, 2017). The Respondent has failed to comply with POST Show Cause Order No. F18-15 by failing to appear at the scheduled Show Cause Hearing on November 5, 2018. Director Bourgerie recommends revocation of Dean Alan Harris' Colorado Peace Officer Certification B15055 (PID 134268).

Misdemeanor Convictions:

1. No. M18-12, Matthew Hinkley, Certification B17414 (PID 138258). On July 9, 2018, Respondent was convicted of one count of Official Misconduct I §18-8-404 a class 2 Misdemeanor. The respondent was employed as a peace officer on the date of the offense (Date of Offense: January 29, 2017, Conejos County Sheriff's Office, Separated November 16, 2017). The respondent has failed to comply with POST Show Cause Order No. M18-12 by failing to appear at the scheduled Show Cause Hearing on October 24, 2018. Director Bourgerie recommends revocation of Matthew Hinkley's Colorado Peace Officer Certification B17414 (PID 138258).
2. No. M18-14, Jason L. Brown, Certification B135234 (PID 135234). On November 1, 2017, Respondent was convicted of one count of Attempted Third Degree Assault §18-3-204(1)(a), a class 2 Misdemeanor. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: September 22, 2015, Never employed). The respondent has failed to comply with POST Show Cause Order No. M18-14 by failing to appear at the scheduled Show Cause Hearing on October 24, 2018. Director Bourgerie recommends revocation of Jason L. Brown's Colorado Peace Officer Certification B135234 (PID 135234).
3. No. M18-15, Robert Eugene Dodd, Certification 14530 (PID 122600). On June 28, 2018, Respondent was convicted of one count of Abuse of Public Records - Alter §18-8-114(1)(d), a class 1 Misdemeanor and two counts of Official Misconduct §18-8-405, a class 2 Misdemeanor. The respondent was employed as a peace officer on the date of the offense (Date of Offense: August 15, 2006, Fremont County Sheriff's Office, Separated April 22, 2017). The respondent has failed to comply with POST Show Cause Order No. M18-15 by failing to

appear at the scheduled Show Cause Hearing on October 24, 2018. Director Bourgerie recommends revocation of Robert Eugene Dodd's Colorado Peace Officer Certification 14530 (PID 122600).

4. No. M18-16, Jon Russell Geiger, Certification B14789 (PID 133761). On July 10, 2018, Respondent was convicted of one count of Harassment – Strike/Shove/Kick §18-9-111(1)(a), a class 3 Misdemeanor. The respondent was employed as a peace officer on the date of the offense (Date of Offense: October 29, 2016, Georgetown Marshal's Office, Separated April 1, 2017). The respondent was subsequently appointed to Del Norte Police Department from October 1, 2017 to January 9, 2018. The respondent has failed to comply with POST Show Cause Order No. M18-16 by failing to appear at the scheduled Show Cause Hearing on October 24, 2018. Director Bourgerie recommends revocation of Jon Russell Geiger's Colorado Peace Officer Certification B14789 (PID 133761).
5. No. M18-17, Jon Patrick Gonzales, Certification B1258-8255 (PID 1258-8255). On August 29, 2018, Respondent was convicted of one count of Third Degree Assault §18-3-204(1)(a), a class 1 Misdemeanor. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: November 16, 2017 – November 27, 2017, Fountain Police Department, Separated February 1, 2017). The respondent has failed to comply with POST Show Cause Order No. M18-17 by failing to appear at the scheduled Show Cause Hearing on November 5, 2018. Director Bourgerie recommends revocation of Jon Patrick Gonzales' Colorado Peace Officer Certification B1258-8255 (PID 1258-8255).
6. No. M18-18, Kenneth Nathan Cortinez, Certification B7398-8036 (PID 7398-8036). On September 5, 2018, Respondent was convicted of one count of Official Misconduct 1 §18-8-404, a class 2 Misdemeanor. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: April 26, 2018, Never employed). The respondent has failed to comply with POST Show Cause Order No. M18-18 by failing to appear at the scheduled Show Cause Hearing on November 5, 2018. Director Bourgerie recommends revocation of Kenneth Nathan Cortinez' Colorado Peace Officer Certification B7398-8036 (PID 7398-8036).
7. No. M18-19, Martin Morales, Certification B14097 (PID 130908). On September 19, 2018, Respondent was convicted of one count of Harassment §18-9-111(1)(f), a class 3 Misdemeanor. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: June 30, 2017, Adams County Sheriff's Office, Separated November 16, 2015). The respondent has failed to comply with POST Show Cause Order No. M18-19 by failing to appear at the scheduled Show Cause Hearing on November 5, 2018. Director Bourgerie recommends revocation of Martin Morales' Colorado Peace Officer Certification B14097 (PID 130908).

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| 20. | Formal Rulemaking Session (See supplemental handout) | Attorney General Cynthia Coffman Director Erik Bourgerie Board Counsel Stacy Worthington |
| 21. | Decertifying Misdemeanors (See supplemental handout) | Director Erik Bourgerie |
| 22. | Revocation – Bar to Future Certification | Director Erik Bourgerie |
| 23. | Approval of Law Enforcement Academies by Board (See supplemental handout) | Director Erik Bourgerie |
| 24. | SME Committee Membership Numbers (See supplemental handout) | Director Erik Bourgerie |
| 25. | Lateral Academies | Director Erik Bourgerie |
| 26. | Comments from Others on POST Issues | |
| 27. | Adjournment | Attorney General Cynthia Coffman |

Next POST Board Meeting

TBD

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Denver CO

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POST Board Meeting – 10:00 am