



Department of Law
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POST Board Meeting

Colorado Department of Law

Friday, September 20, 2019

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

**Peace Officer Standards and Training (POST) Board Meeting:
10:00 am – 12:00 pm**

Board Members
Philip J. Weiser
Attorney General
Chair
Sheriff Anthony Spurlock
Douglas County
Vice 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
Chief Debra Funston
City of Palisade
Chief Daric Harvey
City of Canon City
Executive Director Stan Hilkey
Department of Public Safety
Kara Hoofnagle
Public Member
Sheriff Robert Jackson
Alamosa County
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 Phibbs
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
Bradley F. Taylor
Public Member

1. **Welcome** Attorney General Phil Weiser
2. **Pledge of Allegiance** Attorney General Phil Weiser
3. **Introduction of New Board Member** Attorney General Phil Weiser
Chief Daric Harvey – Canon City PD
4. **Recognition of Departing SME Committee Members** Attorney General Phil Weiser
Sgt. Phil Rathbun – Curriculum Committee
Commander William Baker – Firearms Committee
5. **Introduction of Board Members, SME Members, Staff and Guests**
6. **Roll Call** Director Erik Bourgerie
7. **Approval of POST Board Minutes from June 14, 2019** Attorney General Phil Weiser
(See supplemental handout- Red Tab)
8. **Subject Matter Expert Committee Reports**
 - A. **Arrest Control** Agent Ike Beers
Chair

POST Director
Erik Bourgerie

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| B. | Curriculum

Proposed Change to Rule 21
(See supplemental handout – White/Blue Tab) | Director Cathy LaBrecque
Chair |
| C. | Driving | Commander Karl Smalley
Chair |
| D. | Firearms | Commander Paul Gregory
Chair |
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9. **Request for Variance Appeal
Michael Amory**
(See supplemental handout – White Tab) Director Erik Bourgerie
 10. **Request for Variance Appeal
Brandi Camp**
(See supplemental handout) Director Erik Bourgerie
 11. **Request for Variance Appeal
Sara Cummings**
(See supplemental handout) Director Erik Bourgerie
 12. **Peace Officer Certification
Revocation Actions**
(See supplemental handout – Blue Tab) Director Erik Bourgerie

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. M19-06, Gary Allen Valko, Certification B11181 (PID 121141). On April 11, 2019, Respondent was convicted of one count of Official Oppression, §18-8-403, a class 2 Misdemeanor, in Case No. 17M2360 in the County Court of Douglas County. The respondent was employed as a peace officer on the date of the offense (Date of Offense: September 10, 2017) with the Department of Corrections, Inspector General’s Office, Separated December 5, 2017. The respondent ***has*** complied with POST Show Cause Order No. M19-06 by appearing at the scheduled Show Cause Hearing on June 18, 2019. Director Bourgerie recommends revocation of Gary Allen Valko’s Colorado Peace Officer Certification B11181 (PID 121141).

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. F19-03, Melissa Nicole Montoya, Certification (PID 7351-3522). On February 25, 2019, Respondent was granted a deferred judgement for one count of Attempted Aggravated Cruelty to Animals, §18-9-202(1.5)(b), a class 6 Felony, in Case No. 2017CR3262 in the District Court of Arapahoe County. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: September 29, 2017) The respondent has failed to comply with POST Show Cause Order No. F19-03 by failing to appear at the scheduled Show Cause Hearing on June 3, 2019. Director Bourgerie recommends revocation of Melissa Nicole Montoya's Colorado Peace Officer Certification (PID 7351-3522).
2. No. F19-04, Fernando Mendoza, Certification B2384 (PID 120977). On April 26, 2019, Respondent was convicted of one count of Attempted Aggravated Incest – Defendant's Child, §18-6-302(1)(a), a class 4 Felony, in Case No. 17CR102 in the District Court of Lake County. The respondent was employed as a peace officer on the date of the offense (Date of Offense: December 23, 2016) with Lake County Sheriff's Office, Separated November 20, 2017. The respondent has failed to comply with POST Show Cause Order No. F19-04 by failing to appear at the scheduled Show Cause Hearing on June 3, 2019. Director Bourgerie recommends revocation of Fernando Mendoza's Colorado Peace Officer Certification B2384 (PID 120977).
3. No. F19-05, Randall Lavon Johns, Certification B5359 (PID 113662). On February 26, 2019, Respondent was convicted of one count of Attempted Identity Theft – Uses Info to Obtain, §18-5-902(1)(a), a class 5 Felony, in Case No. 18CR1148 in the District Court of Lake County. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: June 7, 2018). The respondent has failed to comply with POST Show Cause Order No. F19-05 by failing to appear at the scheduled Show Cause Hearing on June 3, 2019. Director Bourgerie recommends revocation of Randall Lavon Johns' Colorado Peace Officer Certification B5359 (PID 113662).
4. No. F19-06, Michael Edwin John Christian, Certification B14560 (PID 133546). On April 5, 2019, Respondent was granted a deferred judgement for one count of Theft – \$100,000 - \$1,000,000, §18-4-401(1),(2)(i), a class 3 Felony, in Case No. 18CR1501 in the District Court of El Paso County. The respondent was employed as a peace officer on the date of the offense (Date of Offense: March 1, 2010) with El Paso County Sheriff's Office, Separated July 16, 2018. The respondent has failed to comply with POST Show Cause Order No. F19-06 by failing to appear at the scheduled Show Cause Hearing on June 3, 2019. Director Bourgerie

recommends revocation of Michael Edwin John Christian's Colorado Peace Officer Certification B14560 (PID 133546).

5. No. F19-07, Robert Aaron May, Certification B14569 (PID 133561). On April 5, 2019, Respondent was granted a deferred judgement for one count of First Degree Trespass of Dwelling, §18-4-502, a class 5 Felony, in Case No. 18CR6664 in the District Court of El Paso County. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: October 30, 2018). The respondent has failed to comply with POST Show Cause Order No. F19-07 by failing to appear at the scheduled Show Cause Hearing on June 3, 2019. Director Bourgerie recommends revocation of Robert Aaron May's Colorado Peace Officer Certification B14569 (PID 133561).
6. No. F19-08, James W. Gomez, Certification B13873 (PID 130349). On April 29, 2019, Respondent was granted a deferred judgement for one count of §21.11(a)(2), Indecency with Child - Exposes, a class 3 Felony, in Case No. D-1-DC-17-302034 in the 450th District Court of Travis County, Texas. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: October 8, 2017). The respondent has failed to comply with POST Show Cause Order No. F19-08 by failing to appear at the scheduled Show Cause Hearing on June 17, 2019. Director Bourgerie recommends revocation of James W. Gomez' Colorado Peace Officer Certification B13873 (PID 130349).
7. No. F19-09, Donald Glenn Beasley, Certification B11705 (PID 122298). On June 10, 2019, Respondent was convicted of one count of §18:2252(a)(2) and (b)(1), Receipt of Visual Depictions of Minors Engaged in Sexually Explicit Conduct, a Felony, and one count of §18:2252(a)(4)(b) and (b)(2), Possession of Visual Depictions of Minors Engaged in Sexually Explicit Conduct, a Felony, in Case No. 4:18-CR-10028-KMM in the United States District Court for the Southern District of Florida (Miami – Dade County). The respondent was not employed as a peace officer on the date of the offense (Date of Offense: September 20, 2018). The respondent has failed to comply with POST Show Cause Order No. F19-09 by failing to appear at the scheduled Show Cause Hearing on July 22, 2019. Director Bourgerie recommends revocation of Donald Glenn Beasley's Colorado Peace Officer Certification B11705 (PID 122298).
8. No. F19-10, Michael Kichin Choi, Certification B9443 (PID 113264). On June 3, 2019, Respondent was convicted of one count of §18-3-203(1)(i), Second Degree Assault – Strangulation/DV, a class 4 Felony, in Case No. 18CR644 in the District Court of Douglas County. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: June 24, 2018). The respondent has failed to comply with POST Show Cause Order No. F19-10 by failing to appear at the scheduled Show Cause Hearing on July 22, 2019. Director Bourgerie recommends revocation of Michael Kichin Choi's Colorado Peace Officer Certification B9443 (PID 113264).

Misdemeanor Convictions:

1. No. M19-04, Roger Leonard Stockman, Certification B15359 (PID 134987). On February 1, 2019, Respondent was convicted of one count of Third Degree Assault

– Negligent – Deadly Weapon, §18-3-204(1)(a), a class 1 Misdemeanor, in Case No. 18CR161 in the District Court of Adams County. The respondent was employed as a peace officer on the date of the offense (Date of Offense: November 11, 2017) with the Westminster Police Department, Separated December 20, 2017. The respondent has failed to comply with POST Show Cause Order No. M19-04 by failing to appear at the scheduled Show Cause Hearing on June 3, 2019. Director Bourgerie recommends revocation of Roger Leonard Stockman’s Colorado Peace Officer Certification B15359 (PID 134987).

2. No. M19-05, Tomas Luther Alexander Crowley, Certification B12878 (PID 128618). On January 30, 2019, Respondent was convicted of one count of Harassment – Telephone – Threat/Obscene, §18-9-111(1)(e), a class 3 Misdemeanor, in Case No. 18CR626 in the District Court of Boulder County. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: March 17, 2018). The respondent has failed to comply with POST Show Cause Order No. M19-05 by failing to appear at the scheduled Show Cause Hearing on June 3, 2019. Director Bourgerie recommends revocation of Tomas Luther Alexander Crowley’s Colorado Peace Officer Certification B12878 (PID 128618).
3. No. M19-08, LeAnn Marie Moreno, Certification B11279 (PID 100726). On June 19, 2019, Respondent pled guilty and was sentenced for one count of Unlawful Use of Controlled Substance, §18-18-404, a Misdemeanor, in Case No. 19CR283 in the District Court of Fremont County. The respondent was not employed as a peace officer on the date of the offense (Date of Offense: May 18, 2019). The respondent has failed to comply with POST Show Cause Order No. M19-08 by failing to appear at the scheduled Show Cause Hearing on August 12, 2019. Director Bourgerie recommends revocation of LeAnn Marie Moreno’s Colorado Peace Officer Certification B11279 (PID 100726).

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| 13. | Work Session Recap | Director Erik Bourgerie |
| 14. | Sunrise Review Subcommittee Report
(See supplemental handout) | Sheriff Tony Spurlock |
| | Fire Code Compliance Officers
Department of Revenue Motor Vehicle Investigations Unit
Department of Revenue Criminal Tax Enforcement Section | |
| 15. | Grant Guidelines Revision
(See supplemental handout – Pink Tab) | Grant Manager Kim Hernandez |
| 16. | Proposed SME Policy
(See supplemental handout – Lime Tab) | Compliance Manager
Cathy Rodriguez |

17. **2020 Proposed POST Board Meeting Dates** Director Erik Bourgerie
- March 27, 2020 (Work Session March 26, 2020)
June 5, 2020
September 18, 2020 (Work Session September 17, 2020)
December 18, 2020
18. **VIN Inspector Revocations** Director Erik Bourgerie
19. **Decertification for Untruthfulness Process** Director Erik Bourgerie
20. **Comments from Others on POST Issues**
21. **Adjournment** Attorney General Phil Weiser

Next POST Board Meeting

December 6, 2019

Ralph L. Carr Colorado Judicial Center
1300 Broadway
Denver CO

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