



Arizona Peace Officer Standards and Training Board

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

MINUTES OF THE OCTOBER 18, 2023, MEETING OF THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD PHOENIX, ARIZONA

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on October 18, 2023, at the Arizona Peace Officer Standards and Training Board, located at 2643 E. University Drive, Phoenix, AZ.

Members Present (in person):

Sheriff Mark Dannels, Cochise County Sheriff's Office, Chairman
Inspector General John Barcello, representing Director Ryan Thornell, Arizona Department of Corrections Rehabilitation & Reentry
Detective Benjamin Cook, Pinal County Sheriff's Office
Detective Joseph Krajcer, Tempe Police Department
Professor Kevin Robinson, Arizona State University
Division Chief Nicholas Klingerman, representing Attorney General Kris Mayes, Arizona Attorney General's Office
Ms. Leesa B. Weisz, Public Member

Members Present (via online video/telephone conferencing):

Commander Matthew Figueroa, Jail Commander, Coconino County Sheriff's Office

Members Absent:

Colonel Jeff Glover, Arizona Department of Public Safety
Mr. Randy Schoch, Public Member
Sheriff Doug Schuster, Mohave County Sheriff's Office

Staff in Attendance (in person):

Matt Giordano, Executive Director
Sean Donegan, Deputy Director
Michele Blanco, Compliance Specialist
Richard Bradshaw, Compliance Specialist
William Caldwell, Compliance Specialist
Ryan Clark, Training Specialist
Mike Deltenre, Compliance Specialist
Alfred Grijalva, Compliance Specialist
Cathy Hawse, Compliance Specialist
Darcy Nichols, Compliance Manager
Mark Post, Compliance Specialist
Michael Rodriguez, Training Specialist
Rita Mae Schaefer, Administrative Assistant
Tim Shay, Compliance Specialist

Sandy Sierra, Executive Assistant
Aaron Thomas, Training Specialist
Dave Toporek, Compliance Specialist
Rick VanKeuren, Training Specialist
Lori Wait, Basic Training Manager
Dale Wyman, AZPOST Specialist

Assistant Attorneys General:

Mark Brachtl
Joe Dylo
Diane DeDea

A. Call to Order

Chairman Dannels called the meeting to order at 10:01 a.m. and asked Ms. Weisz to lead everyone in reciting the Pledge of Allegiance.

B. Introductions, Presentations and Announcements

Matt Giordano, Executive Director

- Roll-call was taken. Eight Board members are present, seven are here in person and one is participating via telephone/video conferencing. Colonel Glover, Mr. Schoch and Sheriff Schuster are absent. The positions of large city and small city Chiefs of Police remain vacant. The office of Boards and Commissions is aware of these vacancies.
- Professor Robinson will be recusing himself from case 2023-045.
- Final action case #1 (2022-147 Jason L. Halleman) will be moved to the end of the agenda to allow time for his attorney to join the meeting.

C. Executive Director's Report

Matt Giordano, Executive Director

- We hosted ten members of the Columbian National Police last week for two days. The group was in the East coast two months ago and also in the past two weeks, they spent two days in Oregon and two days in California. They are a fascinating group. No one in the group spoke English, but they did have two interpreters with them. They looked phenomenal in their uniforms and were very engaged. Columbia currently has approximately 145,000 peace officers and they are trying to modernize their standards and modernize their training; as well as create accountability at their POST level. I would like to personally acknowledge and thank Mike Sullivan of the Phoenix Police Department, Phoenix PD allowed the group to visit the academy and provided a two hour presentation on scenario based training. They also allowed them to use a simunition gun, which they are not familiar with and were very intrigued by. It was an honor to be selected by IADLEST as one of the three West coast agencies to represent a POST agency to assist the Columbian National Police in order to prepare standards and training for their national police force.
- This past weekend I attended the IACP Conference in San Diego. As a member of the IADLEST executive board, we received briefings from different federal agencies around the country and also received legislative updates on issues affecting police and police training. This conference is a great opportunity to interact with POST directors from around the country.

- I sit on the School Safety Taskforce with the AZ Department of Education. We will be meeting next week to discuss SRO staffing and funding. An announcement will be forthcoming soon on allowing a grant to be used through an off-duty mechanism as a stop-gap until next year, for agencies having a hard time retaining and recruiting new officers to fill those SRO positions. Hopefully recruiting and retention will pick up and those agencies will be able to dedicate current, full-authority peace officers, as part of their normal assignment to work as school resource officers.
- Attended the following meetings the past month: Pinal County Law Enforcement Association Meeting in Florence and the Copper Canyon Regional Meeting in Superior. The meeting in Superior was Chief Francisco Alanis' last meeting. Chief Alanis has been the chief in Superior for the past few years, he will be the new chief at Central Arizona College. I would like to publically commend Frank for the work he did at the Superior Police Department. He turned the department completely around and we have not had a new hire audit issue or a misconduct case from that agency since he became chief. I really enjoy attending the regional meetings around the state, these meetings help me understand what is going on in different parts of the state. What happens in Phoenix is different from what might happen in Snowflake/Taylor. Sitting down and sharing time with the chiefs and sheriffs in those respective areas is very beneficial to us and that is how we direct our resources related to basic training, advanced training and compliance matters.

D. Consent Agenda

Professor Robinson recused himself from this agenda item.

Detective Cook made a motion to accept the Consent Agenda. The motion was seconded by Ms. Weisz and passed unanimously.

The following items were approved:

1. Minutes of the Board meeting held on September 20, 2023.
2. Consent Agreements for Voluntary Relinquishment/Denial of Peace Officer Certification. The following individuals, without admitting to any misconduct, requests the Board accept their request to permanently relinquish their Arizona peace officer certification:

1. 2022-001	Danny F. Rubio	Phoenix Police Department
2. 2023-040	Aaron D. Joseph IV	Ft. Mojave Tribal Police Department
3. 2023-045	Jennifer M. DiPonzio	Phoenix Police Department
4. 2023-169	James T. Polk	Sierra Vista Police Department
5. 2023-181	Pedro E. Mazon	Surprise Police Department
3. POPAT Course and Driving Track Certification. The following facilities were inspected by AZPOST staff and were determined to meet or exceed the current minimum recommendation for an AZPOST approved POPAT Course and driving track:
 1. Central AZ College Police Department Driving Track – 8470 North Overfield Road, Coolidge, AZ.

2. Colorado City Police Department POPAT Course – 50 North Colvin Street, Colorado City, AZ.

- E. Review, Discussion and Possible Action on a Petition from the Payson Police Department pursuant to A.A.C. R13-4-103(G) for Applicant Alex Penning.

Assistant Attorney General Mark Brachtl addressed the Board regarding a Payson Police Department petition for Applicant Alex Penning. Applicant Penning, during the hiring process, disclosed he sold a small amount of marijuana when he was in high school, in 1989. This occurred one time. Per AZPOST rules, an applicant must not have sold marijuana. Chief Ron Tischer, Payson Police Department, addressed the Board to request that the petition be granted. Alex Penning also addressed the Board.

Ms. Weisz made a motion that based upon the petition submitted by the Payson Police Department pursuant to A.A.C. R13-4-103(G), the Board grant the petition for waiver on Applicant Alex Penning. The motion was seconded by Detective Krajcer and passed unanimously.

- F. Review, Discussion and Possible Action on a Petition from the Williams Police Department pursuant to A.A.C. R13-4-103(G) for Applicant James Eischen.

Assistant Attorney General Mark Brachtl addressed the Board regarding a Williams Police Department petition for Applicant James Eischen. Applicant Eischen, during the hiring process, disclosed he consumed marijuana, one time, approximately twenty months ago. Per AZPOST rules, consumption of marijuana is prohibited within two years of appointment as an officer. Chief Tad Wygal, Williams Police Department, addressed the Board to request that the petition be granted. James Eischen also addressed the Board.

Professor Robinson made a motion that based upon the petition submitted by the Williams Police Department and pursuant to A.A.C. R13-4-103(G), the Board grant the petition for waiver on Applicant James Eischen. The motion was seconded by Division Chief Klingerman and passed unanimously.

- G. Final Action Cases:

Case #1 was taken out of order and presented after case #7.

1. 2022-147 – Jason L. Halleman – Phoenix Police Department

The Board considered comments from Assistant Attorney General Mark Brachtl, attorney for the Arizona Peace Officer Standards and Training Board, who provided a brief overview of the proposed consent agreement, and from Ms. Cassidy Bacon, attorney representing Mr. Halleman. Detective Cook made a motion to accept the proposed consent agreement for a 24-month suspension of Mr. Halleman's peace officer certification. The suspension shall be in effect beginning October 19, 2023, and ending January 9, 2025. The 24-month suspension will include credit for the 120-hours of suspension time already served, as well as time taken while on medical leave of absence (269 days). The motion was seconded by Professor Robinson and passed unanimously.

2. 2023-095 – Casey S. Hunter – El Mirage Police Department

The Board considered comments from Assistant Attorney General Joe Dylo, attorney for the Arizona Peace Officer Standards and Training Board, who provided a brief overview of the proposed consent agreement, and from Ms. Donna McDaniel, attorney representing Mr. Hunter. The Board also considered comments from Mr. Hunter. Division Chief Klingerman made a motion to accept the proposed consent agreement and suspend Mr. Hunter's peace officer certification for six months. The suspension shall be in effect beginning March 19, 2023, and ending September 19, 2023. The motion was seconded by Detective Krajcer and passed unanimously.

3. 2023-043 – Daniel J. Raiss – Yavapai County Sheriff's Office

The Board considered comments from Assistant Attorney General Joe Dylo, attorney for the Arizona Peace Officer Standards and Training Board, who provided a brief overview of the proposed consent agreement. Division Chief Klingerman made a motion to reject the consent agreement. The motion failed due to lack of a second. Detective Cook made a motion to accept the proposed consent agreement for a 12-month suspension of Mr. Raiss' peace officer certification. The suspension shall be in effect beginning March 2, 2023, and ending March 2, 2024. The motion was seconded by Detective Krajcer and passed with one nay vote recorded for Division Chief Klingerman.

4. 2023-033 – Charles O. Hendricks – Pima County Sheriff's Department

The Board considered comments from Compliance Specialist William Caldwell, who provided a brief overview of the case. The Board also considered comments from Mr. Hendricks. Professor Robinson made a motion to accept the Findings of Fact and Conclusions of Law and permanently deny peace officer certification to Mr. Hendricks. The motion was seconded by Detective Cook and passed unanimously.

5. 2023-046 – Jeffrey L. Slaton – Salt River Pima-Maricopa Indian Community

The Board considered comments from Compliance Specialist Cathy Hawse, who provided a brief overview of the case. Division Chief Klingerman made a motion to accept the Findings of Fact and Conclusions of Law and suspend Mr. Slaton's peace officer certification for 36 months, beginning March 29, 2023, and ending March 29, 2026; at which time his peace officer certification will lapse. The motion was seconded by Ms. Weisz and passed unanimously.

6. 2023-097 – Brandon Poninski – Goodyear Police Department

The Board considered comments from Compliance Specialist Mark Post, who provided a brief overview of the case. Detective Krajcer made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Poninski's peace officer certification. The motion was seconded by Detective Cook and passed unanimously.

7. 2022-199 – Michael R. Lanouar – Scottsdale Police Department

The Board considered comments from Compliance Specialist Tim Shay, who provided a brief overview of the case. Division Chief Klingerman made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Lanouar's peace officer certification. The motion was seconded by Detective Krajcer and passed unanimously.

H. New Charging Cases:

1. 2023-023 – Colton R. Adams – AZ State University Police Department
Detective Krajcer recused himself from this case. The Board considered comments from Compliance Specialist Michele Blanco, who provided a brief overview of the case. Division Chief Klingerman made a motion to Initiate Proceedings against Mr. Adams' peace officer certification. The motion was seconded by Professor Robinson and passed unanimously.
2. 2023-082 – Ismael A. Verdugo – Gila River Police Department
The Board considered comments from Compliance Specialist Michele Blanco, who provided a brief overview of the case. Ms. Weisz made a motion to Initiate Proceedings to deny peace officer certification to Mr. Verdugo. The motion was seconded by Division Chief Klingerman and passed unanimously.
3. 2023-143 – Colton D. Bussen – Gilbert Police Department
The Board considered comments from Compliance Specialist Richard Bradshaw, who provided a brief overview of the case. Professor Robinson made a motion to Initiate Proceedings to deny peace officer certification to Mr. Bussen. The motion was seconded by Division Chief Klingerman and passed unanimously.
4. 2023-161 – Bryant J. Brimhall – Greenlee County Sheriff's Office
The Board considered comments from Compliance Specialist William Caldwell, who provided a brief overview of the case. Ms. Weisz made a motion to Initiate Proceedings against Mr. Brimhall's peace officer certification. The motion was seconded by Professor Robinson and passed unanimously.
5. 2023-152 – Ryun J. Deming – Clarkdale Police Department
The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Detective Krajcer made a motion to Initiate Proceedings against Mr. Deming's peace officer certification. The motion was seconded by Ms. Weisz and passed unanimously.
6. 2023-130 – Dan L. Maxfield – Flagstaff Police Department
The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Detective Cook made a motion to Initiate Proceedings to deny peace officer certification to Mr. Maxfield. The motion was seconded by Ms. Weisz and passed unanimously.
7. 2023-170 – Conor J. McCarthy – Phoenix Police Department
The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case; a short video was also presented. Division Chief Klingerman made a motion to close this case with No Action with Agency Discretion. The motion was seconded by Detective Krajcer and passed unanimously.
8. 2023-094 – Kevin D. Bambrough – Tohono O'odham Police Department
The Board considered comments from Compliance Specialist Mark Post, who provided a brief overview of the case. Division Chief Klingerman made a motion to close this case

with No Action with Agency Discretion. The motion was seconded by Detective Cook and passed unanimously.

9. 2023-145 – Danielle L. Trouton – Peoria Police Department

The Board considered comments from Compliance Specialist Mark Post, who provided a brief overview of the case. Professor Robinson made a motion to Initiate Proceedings against Ms. Trouton’s peace officer certification. The motion was seconded by Detective Cook and passed unanimously.

I. Future Agenda Items

We are working on the new proposed rule changes and hope to bring this matter to the Board at a future meeting.

J. Adjournment

The meeting was adjourned at 11:43 a.m.