

**ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD  
MINUTES OF MEETING  
MARCH 18, 2009  
PHOENIX, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on March 18, 2009, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

Mr. Joseph Duarte, Chairman  
Sheriff John Armer  
Detective Lee Ann Dobbertin  
Chief Patricia Huntsman  
Ms. Wendy Larsen  
Interim Director Charles Ryan  
Sheriff Tom Sheahan  
Chief Jerry Sheridan  
Director Roger Vanderpool

Members Absent:

Dr. Scott Decker  
Attorney General Terry Goddard  
Chief Jack Harris  
Sergeant Robert Thompson

Staff in Attendance:

Harry Atkins  
Ted Brandon  
Dan Ciernia  
Lori Ketron  
Curt Milam  
Marie Dryer  
Tom Hammarstrom  
Steve Jacobs  
Gary Maschner  
Paul Orfe  
Sandy Sierra  
Maria Valtierra

Assistant Attorney General  
Diana Stabler

**A. CALL TO ORDER**

Chairman Duarte called the meeting to order at 10:02 a.m.

**B. INTRODUCTIONS AND PRESENTATIONS**

Director Hammarstrom presented a plaque to staff member Ed Felix. Ed is retiring effective March 20, 2009, after 39 years of service with the Department of Public Safety.

**C. CONSENT AGENDA**

The Consent Agenda was approved unanimously, motion made by Ms. Larsen, seconded by Chief Huntsman.

1. Minutes of the Regular Board meeting, held on January 21, 2009, were approved as written.
2. Minutes of the Charging Board meeting, held on February 18, 2009, were approved as written.
3. The next scheduled Charging Board meeting is Wednesday, April 15, 2009, at 10:00 a.m. at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

The next scheduled Regular Board meeting is Wednesday, May 20, 2009, at 10:00 a.m. at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

4. Ministerial Actions:
  - a. Certification Waivers: LIST ATTACHED TO AGENDA PACKET.
  - b. Instructor Certification Renewals: LIST ATTACHED TO AGENDA PACKET. Training Program Confirmations: LIST ATTACHED TO AGENDA PACKET.
5. Decertification Case Status Report - As of January 31, 2009, the Compliance and Standards Unit had a caseload of 112 active cases. Twelve cases are ready for initial presentation; forty cases need further investigation; five cases are pending service of or response to a Notice of Complaint or Decision; five cases are pending a hearing; six cases are ready for final action, and forty-four cases are waiting for outside action, i.e., a criminal trial or civil service hearing.
6. Income and Expense Statement – January 2009
 

Funds as of January 1, 2009	\$ 814,171.39
CJEF Revenue	679,232.11
Expenditures/Encumbrances	(390,799.41)

Balance for September 30, 2008                      \$1,102,604.09

**D. REGULAR AGENDA**

1. Globe Police Department Petition on Behalf of Russell L. Toumberlin

The Globe Police Department has petitioned the Board to determine whether the pre-employment drug usage by applicant Russell L. Toumberlin was experimental.

Sheriff Armer made a motion to grant the petition for a determination that the pre-employment drug usage by Russell L. Toumberlin was experimental, seconded by Chief Sheridan, motion carried unanimously.

**E. LEGISLATIVE UPDATE**

There is nothing of direct impact to AZ POST at this time.

**F. SUMMARY OF CURRENT EVENTS**

Director Hammarstrom informed the Board that AZ POST is partnering with the AZ Civil Rights Advisory Board to revise its training video on Biased Policing. AZ POST will revise this training video with the assistance of the AZ Attorney General's Office and the Department of Public Safety.

**G. COMMITTEE UPDATE**

Director Hammarstrom informed the Board that a Firearms Qualification Review Committee has been formed to review firearms qualification standards and to make recommendations to the Board regarding an improved course of fire. The Committee will meet on April 1<sup>st</sup> at AZ POST.

**H. REPORTS**

1. Basic Training

ALEA – Commander Markley reported they have three classes with 45 recruits representing 15 agencies. An all Phoenix class of 26 recruits just recently graduated. The April class has been canceled. Their next class starts June 1.

CHANDLER-GILBERT – Director John Terpay reported that they have a class with 14 recruits that is in its 24<sup>th</sup> week. They will soon finish their first semester.

COTA – Director Ryan reported they recently graduated 89 cadets. They currently have four classes with 96 recruits. This fiscal year 19 cadets participated in the waiver program with \$96,000 cost benefit for the agency. COTA continues to offer its facilities to other agencies.

PIMA COUNTY – Detective Dobbertin reported they had a class graduate on February 27<sup>th</sup> with 37 recruits.

SALETC – Lt. Lane reported they currently have a class with 38 recruits representing 10 agencies. Their next class will start on March 30<sup>th</sup> and they have 23 reservations for this class representing 8 agencies.

2. Department of Corrections – Interim Director Ryan stated the budget is an ongoing process. Their biggest concern at this time is a proposal that would eliminate 612 correctional officer positions.

## I. FINAL ACTION CASES:

### Case #1 – Lorenzo Buck – Navajo Division of Public Safety

The Board considered comments from Assistant A. G. Diana Stabler. Sheriff Sheahan made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Director Vanderpool, motion carried unanimously.

### Case #2 – Karl Keith Etsitty – Navajo Division of Public Safety

*Mr. Duarte recused himself from this case.* Chief Sheridan was acting Chair for this case. The Board considered comments from Assistant A. G. Diana Stabler. Director Vanderpool made a motion to revoke peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

### Case #3 – Justin A. Dwyer – Yavapai County Sheriff's Office

The Board considered comments from Assistant A. G. Diana Stabler. Ms. Larsen made a motion to revoke peace officer certification, seconded by Chief Sheridan, motion carried unanimously.

## J. NEW CHARGING CASES:

### Case #1 – Dobie J. Adams – Phoenix Police Department

Chief Sheridan made a motion to **Initiate Proceedings**, seconded by Chief Huntsman, motion carried unanimously. Chief Sheridan requested that staff negotiate a consent agreement on this case that would impose a one year suspension of peace officer certification

### Case #2 – Michael R. Andazola – Greenlee County Sheriff's Office

Sheriff Armer made a motion to **Initiate Proceedings**, seconded by Director Vanderpool, motion carried unanimously.

### Case #3 – Filbert Begay – Navajo Division of Public Safety

Director Vanderpool made a motion to **Initiate Proceedings**, seconded by Sheriff Sheahan, motion carried unanimously.

### Case #4 – Jason L. Brant – Phoenix Police Department

Chief Sheridan made a motion to **Initiate Proceedings**, seconded by Chief Huntsman, motion carried unanimously.

Case #5 – Gilbert Davis – Navajo Department of Law Enforcement

Sheriff Armer made a motion to **Initiate Proceedings**, seconded by Director Vanderpool, motion carried unanimously.

Case #6 – Brandel L. Hobbs – AZ DOA – Capitol Police Department

Director Vanderpool made a motion to close this case with **No Action**, seconded by Sheriff Sheahan, motion carried with two nay votes.

Case #7 – Michael L. Kerley – Phoenix Police Department

Chief Huntsman made a motion to close this case with **No Action with Agency Discretion**, seconded by Chief Sheridan, motion carried unanimously.

Case #8 – Michael P. Mancino – Goodyear Police Department

Sheriff Armer made a motion to close this case with **No Action**, seconded by Director Ryan, motion carried unanimously.

Case #9 – Kenneth W. Palmer – Phoenix Police Department

Chief Sheridan made a motion to **Initiate Proceedings**, seconded by Director Vanderpool, motion carried unanimously.

Case #10 – Richard A. Ruff – Phoenix Police Department

Detective Dobbertin made a motion to **Initiate Proceedings**, seconded by Chief Huntsman, motion carried unanimously.

Case #11 – Jason L. Phillips – Marana Police Department

Chief Sheridan made a motion to close this case with **No Action with Agency Discretion**, seconded by Chief Huntsman, motion carried unanimously.

Case #12 – William J. Strozewski – Phoenix Police Department

Sheriff Armer made a motion to **Initiate Proceedings** on Allegation #1 and **Research Further** on Allegations 2-5, seconded by Ms. Larsen, motion carried unanimously.

Case #13 – Armando Teyechea – South Tucson Police Department

Director Vanderpool made a motion to close this case with **No Action with Agency Discretion**, seconded by Sheriff Sheahan, motion carried unanimously.

**K. CALL TO THE PUBLIC**

Mr. Palmer addressed the Board during the call to the public about the desirability of training peace officers on first amendment rights. He also played a tape recording for the Board's information.

**L. ADJOURN**

Chairman Duarte adjourned the meeting at 11:11 a.m.