

**ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD
MINUTES OF MEETING
DECEMBER 16, 2009
PHOENIX, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on December 16, 2009, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

Mr. Joseph Duarte, Chairman
Dr. Scott Decker
Detective Lee Ann Dobbertin
Chief Patricia Huntsman
Ms. Wendy Larsen
Mr. Gerald Richard, representing Attorney General Terry Goddard
Director Charles Ryan
Director Jerry Sheridan
Sergeant Robert Thompson
Director Roger Vanderpool

Members Absent:

Sheriff John Armer
Sheriff Tom Sheahan

Staff in Attendance:

Harry Atkins
Ted Brandon
Marie Dryer
Deb Howard
Bob Irish
Steve Jacobs
Lori Ketron
Lyle Mann
Gary Maschner
Curt Milam
Paul Orfe
Sandy Sierra
Chester Szoltysik
Maria Wheaton
Don Yennie

Assistant Attorneys General
Nancy Beck
Diana Stabler

A. CALL TO ORDER

Chairman Duarte called the meeting to order at 10:00 a.m.

B. INTRODUCTIONS, PRESENTATIONS AND ANNOUNCEMENTS

There was nothing new to report at this time.

C. BUDGET UPDATE

Director Mann provided the Board with an update on the current budget situation.

D. REQUEST FOR REIMBURSEMENT FOR ACADEMY ATTENDANCE – CASA GRANDE POLICE DEPARTMENT

The Casa Grande Police Department petitioned the Board to waive its rule and allow reimbursement for one of its officers to attend the CARLOTA academy. The officer previously attended an academy but was deployed shortly after graduation; this was over three years ago. Due to his deployment, he was not able to apply his academy training; therefore they are requesting he go through an academy again.

Director Vanderpool made a motion to table this matter until next month, due to the current budget situation; this was seconded by Director Ryan, motion failed.

Mr. Richard made a motion to make the Rule 103 findings, waive Rule 117 (F), and authorize reimbursement for Joshua Wright's second academy attendance, seconded by Director Sheridan, motion carried unanimously.

Mr. Richard left the meeting at this time.

E. FINAL ACTION CASES:

Case #1 – Kevin A. Horn - Avondale Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Director Sheridan made a motion to adopt the Consent Agreement, Order and Decision for voluntary relinquishment of peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #2 – Alvin L. Jackson – Phoenix Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Director Vanderpool made a motion to adopt the Consent Agreement, Order and Decision for voluntary relinquishment of peace officer certification, seconded by Ms. Larsen, motion carried unanimously.

Case #3 – Buck A. Reece – Maricopa County Sheriff's Office

Director Sheridan recused himself from this case. The Board considered comments from Assistant A. G. Diana Stabler. Chief Huntsman made a motion to adopt the Consent Agreement, Order and Decision for voluntary relinquishment of peace officer certification, seconded by Dr. Decker, motion carried unanimously.

Case #4 – Michael J. Turcotte – Gilbert Police Department

The Board considered comments from Assistant A. G. Diana Stabler and Robert Kavanagh, attorney for Mr. Turcotte. Director Sheridan made a motion to adopt the Consent Agreement, Order and Decision and impose a two year suspension of peace officer certification beginning December 16, 2009, and ending on December 16, 2011, seconded by Chief Huntsman, motion carried with one nay vote.

Case #5 – Travis J. Heeringa – La Paz County Sheriff's Office

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

Mr. Richard returned to the meeting at this time.

F. NEW CHARGING CASES:Case #1 – David L. Balanoff – Patagonia Police Department

Detective Dobbertin recused herself from this case. Mr. Richard made a motion to close this case with **No Action**, seconded by Director Sheridan, motion carried unanimously.

Case #2 – James M. Borrelli – Maricopa County Sheriff's Office

Director Sheridan recused himself from this case. Chief Huntsman made a motion to **Initiate Proceedings**, seconded by Director Vanderpool, motion carried unanimously.

Case #3 – David J. Cathie-Atkins – Coolidge Police Department

Director Sheridan made a motion to **Initiate Proceedings**, seconded by Mr. Richard, motion carried unanimously.

Case #4 – Ruth Nahom – Scottsdale Police Department

Mr. Richard made a made a motion to **Initiate Proceedings**, motion dies due to lack of a second. Chief Huntsman made a motion to close this case with **No Action**, seconded by Dr. Decker, motion carried with one nay vote.

Case #5 – Daniel E. Rios – Pima Police Department

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

Case #6 – Brandi L. White – Scottsdale Police Department

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

Case #7 – James A. Yesford – Mohave Tribal Police Department

Director Sheridan made a motion to ***Initiate Proceedings***, seconded by Mr. Richard, motion carried unanimously.

Case #8 – Jonathan W. Zimmerman – AZ Western College Police Department

Ms. Larsen made a motion to ***Initiate Proceedings***, seconded by Chief Huntsman, motion carried with one nay vote.

G. ADJOURN

Chairman Duarte adjourned the meeting at 10:54 a.m.