

**ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD  
MINUTES OF MEETING  
JULY 21, 2010  
PHOENIX, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on July 21, 2010, at Little America Hotel in Flagstaff, AZ.

Members Present:

Mr. Joseph Duarte, Chairman  
Sheriff John Armer  
Dr. Scott Decker  
Detective Lee Ann Dobbertin  
Director Bobby Halliday  
Chief Patricia Huntsman  
Chief Kevin Kotsur  
Ms. Wendy Larsen  
Mr. Gerald Richard, representing Attorney General Terry Goddard  
Director Charles Ryan  
Sheriff Tom Sheahan  
Director Jerry Sheridan

Members Absent:

Sergeant Robert Thompson

Staff in Attendance:

Harry Atkins  
Dan Ciernia  
Curt Milam  
Marie Dryer  
Bob Irish  
Steve Jacobs  
Lyle Mann  
Gary Maschner  
Paul Orfe  
Sandy Sierra  
Rick Watling

Assistant Attorney General

Nancy Beck  
Diana Stabler

**A. CALL TO ORDER**

Chairman Duarte called the meeting to order at 2:01 p.m.

**B. INTRODUCTIONS, RECOGNITIONS AND AWARDS**

Executive Director Lyle Mann presented Randy Brice, of the Maricopa County Sheriff's Office, with a plaque in appreciation for his service and assistance with the E-Learning Program. He also presented plaques to Diana Stabler and Dan Ciernia. Diana and Dan were both instrumental in the preparation of the SB 1070 DVD Training Program provided by AZ POST to all law enforcement agencies in the state.

**C. CONSENT AGENDA**

The Consent Agenda was approved after two minor revisions were made, motion made by Mr. Richard, seconded by Director Sheridan

1. Minutes of the Regular Board meeting, held on May 19, 2010, were approved as written.

Minutes of the Charging Board meeting, held on June 16, 2010, were approved as written.

3. The next scheduled Charging Board meeting is Wednesday, August 18, 2010, at 10:00 a.m. at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

The next scheduled Regular Board meeting is Wednesday, September 15, 2010, at 10:00 a.m. at city hall council chambers, Bullhead City, 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 May 31, 2010, the Compliance and Standards Unit had a caseload of 103 active cases. Eight cases are ready for initial presentation; forty-eight cases need further investigation; eight cases are pending service of or response to a Notice of Complaint or Decision; seven cases are pending a hearing; three cases are ready for final action, and twenty-nine cases are waiting for outside action, i.e., a criminal trial or civil service hearing.

6. Income and Expense Statement – May 2010
 

Funds as of May 1, 2010	\$ 1,908,202.51
CJEF Revenue	871,834.98
Expenditures/Encumbrances	(520,509.89)
Balance for May 31, 2010	\$2,259,527.60

**D. REGULAR AGENDA**

1. 2010 Firearms Simulator Grants  
AZ POST surveyed all agencies to determine if there was a need to upgrade any firearms simulators. 32 agencies responded and POST provided funding for these agencies to upgrade and improve their simulators.
2. Firearms Qualification Review – Shooting Survey Results  
A committee was formed in 2009 to review the AZ POST Annual Qualification to determine if any changes were needed. A survey of police shootings was conducted to obtain statistics pertaining to officer involved shootings. The Board reviewed the results of the survey conducted by staff.
3. Budget Update  
Executive Director Mann provided the Board with an update on the current budget situation.
4. SB 1070 Update  
Executive Director Mann provided the Board with an update on the SB 1070 training.

**E. LEGISLATIVE UPDATE**

Director Mann informed the Board there are no current bills before the legislature.

**F. SUMMARY OF CURRENT EVENTS**

Director Mann informed the Board about the upcoming training being sponsored by the Office on Violence against Women. AZ POST will be doing calendar schools again and the schedule for these classes is on the website.

**G. COMMITTEE UPDATE**

There are no committee reports at this time.

**H. REPORTS**

1. Basic Training Academies  
  
ALEA – Major Lane reported they currently have one class with 23 recruits representing 9 agencies. The next class will start August 2nd with 20 recruits representing 7 agencies.  
  
CHANDLER-GILBERT - Director Terpay provided a written report that states they currently have a class that will graduate July 21<sup>st</sup> with 16 recruits. They also have a class that began June 12<sup>th</sup> with 12 recruits.

GLENDALE COMMUNITY COLLEGE – Commander Leggett provided a written report that states they have a class that will graduate on August 5<sup>th</sup> with 11 recruits. Class #67 finishes the first semester on July 27<sup>th</sup> with 18 recruits and Class #68 starts August 1<sup>st</sup>.

NARTA - Commander Francis reported they will have a class starting on August 9<sup>th</sup> with 21 recruits representing 10 agencies. 15 slots have been requested but not confirmed. They currently have an aggressive marketing campaign that does seem to be working for them.

SALETC – Commander Green provided a written report that states they had a class that graduated in January 2010 with 20 cadets. The classes scheduled for January, April and July were all canceled due to budgetary reasons.

2. Department of Corrections – Director Ryan stated that during FY 10 they had 715 cadets graduate; this is an 87.84% success rate. They currently have 5 classes in session with 192 cadets. They also had 15 go through the waiver process, saving the Department over \$63,000. They will also have 4,000 new prison beds activated.

#### **I. FINAL ACTION CASES:**

##### Case #1 – Kent S. Ogaard – Pinal County Sheriff's Office

The Board considered comments from Assistant A. G. Diana Stabler. Director Sheridan made a motion to adopt the Consent Agreement Order and Decision and impose a 6-month suspension of peace officer certification beginning on April 28, 2010, and ending on October 28, 2010, seconded by Chief Huntsman, motion carried unanimously.

##### Case #2 – Tommy C. Powell – AZ Department of Corrections

*Director Ryan 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 and impose a one year suspension of peace officer certification beginning on March 6, 2010, and ending on March 5, 2011, seconded by Sheriff Sheahan, motion carried unanimously.

##### Case #3 – Ian B. Quick – Pinal County Sheriff's Office

*Mr. Duarte recused himself from this case.* Director Sheridan was acting chair for this case. The Board considered comments from Compliance Manager Bob Irish. Sheriff Armer made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Mr. Richard, motion carried unanimously.

**J. NEW CHARGING CASES:**

Case #1 – Travis W. Austin – Flagstaff Police Department

The Board considered comments from Compliance Specialist Paul Orfe. Director Sheridan made a motion to close this case with **No Action with Agency Discretion**, seconded by Detective Dobbertin, motion carried unanimously.

Case #2 – Chet A. Lynch – Pima County Sheriff's Department

*Detective Dobbertin recused herself from this case.* The Board considered comments from Compliance Specialist Paul Orfe. Mr. Richard made a motion to **Initiate Proceedings**, seconded by Chief Huntsman, motion carried with one nay vote.

Case #3 – Jeffery A. Smay – Yuma Police Department

The Board considered comments from Compliance Specialist Curt Milam. Sheriff Armer made a motion to close this case with **No Action with Agency Discretion**, seconded by Mr. Richard, motion carried unanimously.

Case #4 – Ronald K. Weber – Mohave County Sheriff's Office

*Sheriff Sheahan recused himself from this case.* Board considered comments from Compliance Specialist Gary Maschner. Mr. Richard made a motion to **Initiate Proceedings**, seconded by Director Sheridan, motion carried unanimously.

**K. CALL TO THE PUBLIC**

No one wished to address the Board during the Call to Public.

**L. ADJOURN**

Chairman Duarte adjourned the meeting at 2:53 p.m.