



Arizona Peace Officer Standards and Training Board

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

Amended

MINUTES OF THE APRIL 19, 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 April 19, 2023, at the Arizona Peace Officer Standards and Training Board, located at 2643 E. University Drive, Phoenix, AZ.

Members Present (in person):

Commander Matthew Figueroa, Jail Commander, Coconino County Sheriff's Office
Director Jeff Glover, Arizona Department of Public Safety
Detective Joseph Krajcer, Tempe Police Department
Attorney General Kris Mayes
Mr. Randy Schoch, Public Member
Sheriff Doug Schuster, Mohave County Sheriff's Office
Director Ryan Thornell, AZ Department of Corrections Rehabilitation & Reentry
Chief Chris Vasquez, Eloy Police Department
Ms. Leesa B. Weisz, Public Member

Members Absent:

Detective Benjamin Cook, Pinal County Sheriff's Office
Sheriff Mark Dannels, Cochise County Sheriff's Office, Chairman
Professor Kevin Robinson, Arizona State University

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
Mike Deltenre, Compliance Specialist
Danielle Deneault, ADCRR Compliance Specialist
Mike Giammarino, Compliance Program Administrator
Al Grijalva, Compliance Specialist
Chuck Miiller, Advanced Training Program Administrator
Darcy Nichols, Compliance Program Administrator
Mark Post, Compliance Specialist
Mike Puente, 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
Dale Wyman, Digital Media Specialist

Assistant Attorneys General:

Mark Brachtl
Diane DeDea

A. Call to Order

Acting Chair Leesa Weisz called the meeting to order at 10:01 a.m. and asked Director Thornell to lead everyone in reciting the Pledge of Allegiance.

B. Introductions, Presentations and Announcements

Matt Giordano, Executive Director

- Nine Board members are present at today's meeting. Sheriff Dannels is out of state and unable to attend, Ms. Weisz is the acting chair. The position of large city Chief of Police is still vacant.
- New Board Member Director Ryan Thornell was introduced. Director Thornell is the new director of the Department of Corrections Rehabilitation & Reentry. He was appointed by Governor Hobbs.
- Assistant Attorney General Diane DeDea is the Independent Legal Advisor for all final action cases.
- The Attorney General's Office has filled the vacant Assistant Attorney General position at AZPOST. Joe Dyllo will be our new Assistant Attorney General and comes to us with a wealth of experience. He will attend the next meeting.

C. Executive Director's Report

Matt Giordano, Executive Director

- The Columbian National Police is aiming to create national standards of training and compliance for their national police force. They will be traveling to California, Oregon and Arizona to tour the POST agencies from each state. We will be hosting them for two days in early May and will provide any assistance they require to help them prepare those models of standards and practice. The Board will be updated at the May meeting on the outcome of this visit.
- The Annual Law Enforcement Summit, which is held in Flagstaff in July, will include a 4-hour training course sponsored by AZPOST. We have partnered with Judy Powell to provide training titled Crisis Communication in Leadership. Judy is an excellent instructor and we believe this will be valuable training for all those in attendance.
- Attended the following meetings the past month: PANT Meeting in Camp Verde, Copper Rim Meeting in Globe and the SALEM Meeting in Tucson.

Sheriff Schuster thanked Executive Director Giordano for traveling throughout the state representing AZPOST at all these meetings.

D. Consent Agenda

Chief Vasquez made a motion to accept the Consent Agenda. The motion was seconded by Sheriff Schuster and passed unanimously.

The following items were approved:

1. Minutes of the Board meeting held on March 15, 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:

2023-035 Javier R. Garcia-Palacios Pima County Sheriff's Department

- E. Review, Discussion and Possible Action on a Firearms Range Certification for the Peoria Police Department to be used for AZPOST firearms training.

The Peoria Police Department requested an AZPOST inspection of a firearms range, located at 8351 W. Cinnabar Avenue in Peoria, Arizona to be used for basic curriculum/waiver process firearms training for waiver applicants for peace officer certification. Per AZPOST rules, an on-site inspection must be conducted and the range must be in compliance. AZPOST staff conducted an on-site inspection and determined the range meets all the requirements of R13-4-116(B)(6).

Sheriff Schuster made a motion that the Peoria Police Department Firearms Range, located in Peoria, AZ, meets the standards of R13-4-116(B)(6) and may be used for AZPOST firearms training. The motion was seconded by Chief Vasquez and passed unanimously.

- F. Review, Discussion and Possible Action on a Peace Officer Physical Aptitude Test (POPAT) Course Certification for the Peoria Police Department POPAT Course to be used for AZPOST POPAT assessment.

The Peoria Police Department requested an AZPOST inspection of a POPAT course, located at 23100 North Lake Pleasant Parkway in Peoria, Arizona, to be used for basic curriculum/waiver process POPAT assessment for waiver applicants for peace officer certification. Per AZPOST rules, an on-site inspection must be conducted and the course must be in compliance. AZPOST staff conducted an on-site inspection and determined the POPAT course meets all the requirements of R13-4-116(B)(7).

Detective Krajcer made a motion that the Peoria Police Department POPAT course, located in Peoria, AZ, meets the standards of R13-4-116(B)(7) and may be used for AZPOST POPAT assessment. The motion was seconded by Attorney General Mayes and passed unanimously.

- G. Review, Discussion and Possible Action on a Proposed Driving Track Certification for the Peoria Police Department driving track to be used for AZPOST driving assessment.

The Peoria Police Department requested an AZPOST inspection of a driving track, located at Luke Air Force Base, to be used for basic curriculum/waiver process drivers training for waiver applicants for peace officer certification. Per AZPOST rules, an on-site inspection must be conducted and the driving track must be in compliance. AZPOST staff conducted an on-site inspection and determined the track meets all the requirements of R13-4-116(B)(5).

Detective Krajcer made a motion that the Peoria Police Department Driving Track, located at Luke Air Force Base, meets the standards of R13-4-116(B)(5) and may be used for AZPOST driving assessment. The motion was seconded by Sheriff Schuster and passed unanimously.

- H. Review, Discussion and Possible Action on a Firearms Range Certification for the Kingman Police Department to be used for AZPOST firearms training.

The Kingman Police Department requested an AZPOST inspection of a firearms range, located at 3155 Oatman Road in Golden Valley, Arizona to be used for basic curriculum/waiver process firearms training for waiver applicants for peace officer certification. Per AZPOST rules, an on-site inspection must be conducted and the range must be in compliance. AZPOST staff conducted an on-site inspection and determined the range meets all the requirements of R13-4-116(B)(6).

Sheriff Schuster made a motion that the Kingman Police Department Firearms Range, located in Golden Valley, AZ, meets the standards of R13-4-116(B)(6) and may be used for AZPOST firearms training. The motion was seconded by Chief Vasquez and passed unanimously.

- I. Review, Discussion and Possible Action on a Peace Officer Physical Aptitude Test (POPAT) Course Certification for the Kingman Police Department POPAT Course to be used for AZPOST POPAT assessment.

The Kingman Police Department requested an AZPOST inspection of a POPAT course, located at 3333 Harrison Street in Kingman, Arizona, to be used for basic curriculum/waiver process POPAT assessment for waiver applicants for peace officer certification. Per AZPOST rules, an on-site inspection must be conducted and the course must be in compliance. AZPOST staff conducted an on-site inspection and determined the POPAT course meets all the requirements of R13-4-116(B)(7).

Chief Vasquez made a motion that the Kingman Police Department POPAT course, located in Kingman, AZ, meets the standards of R13-4-116(B)(7) and may be used for AZPOST POPAT assessment. The motion was seconded by Director Glover and passed unanimously.

- J. Review, Discussion and Possible Action on a Peace Officer Physical Aptitude Test (POPAT) Course Certification for the Goodyear Police Department POPAT Course to be used for AZPOST POPAT assessment.

The Goodyear Police Department requested an AZPOST inspection of a POPAT course, located at 1933 S. Ballpark Way in Goodyear, Arizona, to be used for basic curriculum/waiver process POPAT assessment for waiver applicants for peace officer certification. Per AZPOST rules, an on-site inspection must be conducted and the course must be in compliance. AZPOST staff conducted an on-site inspection and determined the POPAT course meets all the requirements of R13-4-116(B)(7).

Sheriff Schuster made a motion that the Goodyear Police Department POPAT course, located in Goodyear, AZ, meets the standards of R13-4-116(B)(7) and may be used for AZPOST POPAT assessment. The motion was seconded by Chief Vasquez and passed unanimously.

K. Review, Discussion and Possible Action on a Globe Police Department Petition pursuant to A.A.C. R13-4-103(G) for Applicant Jaron A. Tillman.

Assistant Attorney General Mark Brachtl addressed the Board regarding a Globe Police Department petition for Applicant Jaron A. Tillman. Applicant Tillman consumed marijuana in November 2021; per AZPOST rules, consumption of marijuana is prohibited within two year of appointment as an officer. Chief Dale Walters, Globe Police Department, addressed the Board to request that the petition be granted.

Several Board members commented on the issue of recreational marijuana being legal in the State of Arizona. They felt that agencies are losing qualified applicants due to the two-year wait period imposed by AZPOST rules, and that this causes confusion for applicants. It was determined that it may be time to move forward and consider a rule change on the minimum standards regarding pre-employment drug use. This would require research and surveying of all agency heads to get their input. Also, since marijuana is still illegal on the federal level, this is something else that needs to be considered. We are not considering lowering standards, but modernizing standards, in order to stay current with recent trends in recreational marijuana use.

Chief Vasquez made a motion that the Board grant the Globe Police Department's request for waiver on Applicant Jaron A. Tillman. The motion was seconded by Attorney General Mayes and passed unanimously.

L. Final Action Cases:

1. 2022-106 – Raymond C. Pyle – Sierra Vista 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. Director Glover made a motion to accept the proposed consent agreement for a 12-month suspension of Mr. Pyle's peace officer certification. The suspension shall be in effect beginning June 8, 2022, and ending June 8, 2023. The motion was seconded by Commander Figueroa and passed by a vote of 8-1. One nay vote was recorded for Sheriff Schuster.

2. 2022-212 – Carlos L. Balderrama – Somerton 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. Sheriff Schuster made a motion to accept the proposed consent agreement for a 12-month suspension of Mr. Balderrama's peace officer certification. The suspension shall be in effect beginning December 2, 2022, and ending December 2, 2023. The motion was seconded by Chief Vasquez and passed unanimously.

M. New Charging Cases:

1. 2022-146 – Tomas J. Montoya – Greenlee County Sheriff's Office

The Board considered comments from Compliance Specialist William Caldwell, who provided a brief overview of the case. Sheriff Schuster made a motion to Initiate

Proceedings against Mr. Montoya's peace officer certification. The motion was seconded by Director Glover and passed unanimously.

2. 2022-201 – Daniel Carbajal – Page Police Department

The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Sheriff Schuster made a motion to Initiate Proceedings against Mr. Carbajal's peace officer certification. The motion was seconded by Director Glover and passed unanimously.

3. 2023-009 – Trenton J. Davis – Phoenix Police Department

The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Chief Vasquez made a motion to Initiate Proceedings to deny peace officer certification to Mr. Davis. The motion was seconded by Director Glover and passed unanimously.

4. 2023-024 – Andrew R. Fritz – Phoenix 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 to deny peace officer certification to Mr. Fritz. The motion was seconded by Sheriff Schuster and passed unanimously.

N. Future Agenda Items

There are no items to add. Staff will look at pre-employment drug standards for future discussion.

O. Adjournment

The meeting was adjourned at 10:54 a.m.

Dated: May 4, 2023

Sandra L. Sierra, Recording Secretary

Minutes approved as written.

Dated: May 17, 2023

Ms. Leesa Weisz, Acting Chair