

POST COMMISSION MEETING
THURSDAY, APRIL 9, 2009, 3:00 P.M.
DOUGLAS, WY

A P.O.S.T. Commission meeting was held in Douglas, Wyoming on Thursday, April 9, 2009. Bruce Salzburg, Attorney General, called the meeting to order.

MEMBERS PRESENT

Bruce Salzburg, Attorney General
Mike Dayton, At large member
John Love, Chief Green River P.D.
Sam Powell, Colonel WHP
Lori Emmert, Chief Douglas P.D.

MEMBERS ABSENT

Jerry Colson, Carbon County Sheriff
Cary Berry-Smith, At large member

STAFF MEMBERS

Betty Haukap, P.O.S.T. Director
Trish Newberry, P.O.S.T. Executive Assistant
Ken Nelson, Assistant Attorney General

GUESTS

Tom Pagel, Chief Casper PD
Mike Thompson, Casper PD
Don Passanesi, State Parks
Byron Oedekoven, WASCOP
Brian Brooks, WLEA
Wayne Mower, WLEA
James Marker, WLEA
Dave Harris, Director WLEA

INTRODUCTIONS

Attorney General Bruce Salzburg asked everyone to introduce themselves. In addition Chairman Salzburg mentioned that the position of Chairman of POST is not a position given only to the Attorney General but a position that is open for election should any commission member care to run for that position.

Honors were given to Commissioner John Love for his years of service, 2000 through 2009 as a POST Commission member. Commissioner Love was given a certificate of appreciation signed by Director of POST Betty Haukap.

APPROVAL OF MINUTES

Commissioner Dayton moved to approve the September 18, 2008, and February 9, 2009, meeting minutes. Commissioner Love seconded the motion. All were in favor and the motion carried.

OLD BUSINESS

No comments for old business.

NEW BUSINESS

Ratification of Revocation

Stephen Walker, Ratification of Revocation Docket #09-005 a correctional officer who pled guilty to a felony.

Commissioner Emmert made a motion to ratify and confirm the decertification of Stephen Walker, Docket #09-005, and authorize Chairman Salzburg to sign the ratification for decertification. Commissioner Dayton seconded the motion. All were in favor and the motion carried.

POST Rules Review

Chairman Salzburg introduced the proposed modification to existing rules and regulations and asked the Commission members to review the proposed changes and stated that if the Commission wanted to move forward with the amendments, then the Commission would go through the normal public notice procedures for public comment. Chairman Salzburg asked Director Haukap to address the proposed changes and briefly explain why the changes are being proposed. Director Haukap explained that the proposed changes would bring uniformity and clarification to the POST Rules and Regulations and that rules and definitions that were statutorily bound were not going to be changed.

Director Haukap gave an overview of all the proposed rules and pointed out some of the areas that she has received comments about.

During the overview of Chapter 2, Chief Pagel emphasized the importance of conducting applicant backgrounds with the use of polygraph examinations and looking into Facebook and other social networks. Commissioner Love asked if this could be policy rather than rule.

Chairman Salzburg recommended that all proposed rule changes be in writing, with proposed wording and presented to the POST Commission for their consideration during the September meeting.

Chief Pagel stated that he would address recommended changes, in writing, and present them to the Commission.

A discussion took place during the overview of Chapter 3, Section 7 in all the areas that require a new officer to complete the challenge process. Current wording requires the officer to attend a Wyoming Criminal Law & Procedures course at the Wyoming Law Enforcement Academy. The proposed change would allow the new officer to complete the Wyoming Criminal Law & Procedures course at a Commission approved peace officer basic training course outside of the WLEA.

Commissioner Emmert asked if the criminal law course needs to be in conjunction with that agency's basic academy or if it is open for an applicant officer to attend any Commission approved Wyoming Criminal Law and Procedures course being offered by an agency other than WLEA. Ken Nelson clarified that in the proposed rule, the Wyoming Criminal Law and Procedures course does not have to be completed at the academy (WLEA) and emphasized that any Criminal Law and Procedures course had to be approved by the Commission.

Director Harris addressed the issue of accommodating applicants for the Wyoming Criminal Law and Procedures course by stating that the maximum number of Criminal Law and Procedures students is limited to 10 students per basic however if the student count exceeds 20, the WLEA would consider a stand-alone course for those officers.

Director Haukap asked that Chapter 10 Minimum Standards for Schools and Training Programs and Chapter 11 Minimum Standards for Instructors be reviewed closely by the Commission or a sub-committee that would recommend changes. Commissioner Love sits on this Commission representing law enforcement training and volunteered to be a part of the committee until his replacement has been selected for his position on the Commission. Director Haukap advised that she has spoken with Jim Marker, an instructor at the WLEA who has agreed to be a part of the committee and she will ask a couple other law enforcement personnel that are involved in training to be a part of the committee as well.

Commissioner Dayton made a motion to continue an ongoing review of the rules to update, modify, clarify and change as needed for latter approval of the Commission. Commissioner Love seconded the motion. Commissioner Powell suggested that the Commission, in a short telephone conference, approve all changes before they go out for public comment. Chairman Salzburg agreed. All were in favor and the motion carried.

POST COMMISSION APPOINTMENTS EXPIRING 6/30/09

Director Haukap stated that four POST Commission members' terms will expire June 30, 2009: Lori Emmert, representing municipal law enforcement, Mike Dayton, at large member, John Love, representing law enforcement training, and Sam Powell, representing state law

enforcement. Director Haukap contacted each Commission member and all have stated that they will be sending letters to the Governor requesting reappointment with the exception of Commissioner Love who will not seek reappointment. Director Haukap advised that there are a few individuals who have sent applications to the Governor requesting appointment to fill the position left by Commissioner Love. Chairman Salzburg asked Mr. Oedekoven to make an announcement to all those who may be interested in filling the law enforcement training position vacancy on the POST Commission. Mr. Oedekoven agreed to make the announcement.

DIRECTOR'S REPORT

POST currently certifies 1869 peace officers, 886 detention officers, 416 dispatchers, 154 coroners and deputy coroners, and 407 correctional officers, for a total of 3,732 certifications. Of those 434 are dual certified, 155 are with more than one agency. Once the new prison is open in Torrington, POST will receive approximately 300 additional correctional officers to certify. In 2008, 75 challenge exams were administered; 50 peace officers, 11 detention officers, 1 dispatcher and 13 correctional officers. So far in 2009, 12 have taken the challenge exam and all were peace officers. In 2008 POST added 321,490 hours of training. So far in 2009 POST has added 57,000 hours of training. There were 1,693 in-service training classes certified in 2008 and so far in 2009 there are 656 in-service classes certified. Currently 513 instructors are certified.

In 2008, 8 promotional exams were administered and so far in 2009 there have been 17 promotion exams administered. In 2008, 348 entry level exams were administered (250 passed, 98 failed, 71.84% passage rate). So far in 2009, 127 entry level exams have been given (88 passed, 39 failed, 69.29% passage rate).

In 2008 POST received 9 applications for retired officer ID cards and so far in 2009, POST has received 2 applications. Most calls received regarding the retired officer ID card, also request the concealed carry and Director Haukap refers those calls to Byron Oedekoven.

POST still has 1 open decertification case from 2007. In 2008, 15 decertification cases were opened. Of those, 6 were decertified, 5 were voluntarily surrendered, 1 was revoked, 2 cases were closed with no further action and 5 cases were still pending at the end of 2008. Of these pending cases, 5 have been decertified in 2009 (1 decertified, 2 voluntary surrender, 2 revoked) which leaves 2 cases still open from 2008. So far in 2009, 5 cases have been opened. To date 8 cases are pending decertification.

Also included in packets handed out to the Commission members is the 2008 survey and evaluations of POST. One hundred and twenty-five evaluation forms were sent out to Wyoming law enforcement agency administrators by mail and 92 responses have been received. Results of the survey may be obtained by contacting POST. Commissioner Powell stated that POST is obviously on the right track and working well with the agencies and commended the POST staff, Betty, Trish and Mary Kay on the great job that they are doing as is reflected in the 2008 survey.

OTHER

There was no other business.

Commissioner Love made a motion to adjourn. Commissioner Dayton seconded the motion. All were in favor and the motion carried.

Respectfully submitted,

Trish Newberry
POST Executive Assistant