

POST COMMISSION MEETING
MONDAY, OCTOBER 26, 2009; 10:00 AM
WYOMING PUBLIC SERVICE COMMISSION HEARING ROOM
2515 WARREN AVE., SUITE 300
CHEYENNE, WY

A P.O.S.T. Commission meeting was held in Cheyenne, Wyoming on Monday, October 26, 2009. Bruce Salzburg, Attorney General called the meeting to order.

MEMBERS PRESENT

Bruce Salzburg, Attorney General
Jerry Colson, Carbon County Sheriff
Bob Lampert, Director DOC, at large member
Sam Powell, Colonel WHP
Lori Emmert, Chief Douglas P.D.
Cary Berry-Smith, At large member

GUESTS

Jeff Schulz, Interim Chief, Cheyenne P.D.

MEMBERS ABSENT

Rich Adriaens, Chief Gillette PD

STAFF MEMBERS

Betty Haukap, P.O.S.T. Director
Mary Kay Gonzales, POST Admin Specialist
Ken Nelson, Assistant Attorney General

I. Contested case hearings

a. Docket #09-013. The Commission ordered that an Order of Default be entered in the disciplinary matter of Edward Few, Docket #09-013 and that the Petition & Complaint request for decertification be and hereby is granted. Commissioner Lampert recused himself from this matter.

b. Docket #09-017. The Commission ordered that an Order of Default be entered in the disciplinary matter of Russell P. Dougherty, Docket #09-017 and that the Petition & Complaint request for decertification be and hereby is granted. Commissioner Lampert recused himself from this matter.

II. Set hearing date for continuance Docket #09-026

a. In the disciplinary matter of Justin Snell, Docket #09-026, a stipulation for continuance was presented to the Commission. A hearing in this matter will be rescheduled.

III. Election of POST Commission Chairman

Commissioner Powell nominated Sheriff Colson as the chairman of the POST Commission. Commissioner Emmert seconded the motion. Commissioner Berry-Smith made a motion for nominations to cease. Motion seconded by Commissioner Lampert. All were in favor and motion carried.

Chairmanship passed to Jerry Colson and the remainder of meeting continued under Chairman Colson.

IV. Settlements

Docket #09-020 in the matter of Christopher D. Gebhart. Commissioner Berry-Smith made a motion to accept the settlement. The motion to accept died due to lack of a second. Commissioner Salzburg made a motion to reject the settlement agreement in the matter of Christopher Gebhart. Commissioner Emmert seconded the motion. All were in favor and the motion carried.

Docket #09-012 in the matter of Hanni Mench. Mr. Lambert recued himself from this matter. Commissioner Berry-Smith made a motion to accept the settlement agreement in the disciplinary matter of Hanni Mench. Commissioner Salzburg seconded the motion. All were in favor and the motion carried.

Docket #09-002 in the matter of Rick Curtis. Chairman Colson recued himself from this matter. Commissioner Berry-Smith made a motion to accept the settlement agreement. Commissioner Lampert seconded the motion. All were in favor and the motion carried.

V. Request for extension of time for Matt Gloff

Director Haukap explained that she is deferring a request, to the POST Commission from the Casper Police Department, to grant Matt Gloff a four and one half year extension to maintain his POST certification while he is enlisted full-time in the US Army Reserve. Mr. Gloff was hired by the Casper PD on January 7, 2008 and he completed the challenge process on March 19, 2008. The military orders show that Mr. Gloff enlisted in the military full-time. Mr. Gloff has been granted a military leave of absence by the City of Casper to be provided a job for up to 5 years from August 18, 2009.

Commissioner Emmert made a motion to deny the request from the Casper Police Department to grant Matt Gloff a 5 year extension on his POST certification. Commissioner Powell seconded the motion. All were in favor and motioned carried.

VI. Report from the "POST rules revision" committee

Director Haukap, with the approval of the Commission, reported that she has put a committee together to review and recommend rule changes to POST rules chapters 10 & 11. The committee is made up of Jim Marker of the Law Enforcement Academy, Rich Adriaens a POST Commission member, John Becker, the training sergeant at the Natrona County Sheriff's Office, and Pete Norris, the training manager for the Wyoming Department of Corrections. As the committee looked through the rules, they found that there are many places in the rules that need to be reviewed in addition to chapters 10 & 11. The committee asked Director Haukap to ask the Commission 3 questions to be used as guidelines on what the Commission's focus and vision is.

1. What is the purpose or objective of advanced levels of certification (i.e. Basic, advanced, professional) and would the commission consider omitting the certification levels?

Director Haukap explained that with the current computer system, it is extremely labor intensive to continue awarding levels of certification.

The Commission felt that certification levels are a matter of pride to the officers, credibility, some agencies base their pay on POST certification level, and some agencies consider POST certification level in promotions.

No, the Commission does not want the levels of certification to be eliminated. They asked Director Haukap to bring recommendations back to the Commission that would simplify the process without completely eliminating certification levels. The recommendations should include requirements to improve the database system.

2. Does the Commission want to require specific training as part of the required advanced training?

No, the Commission asked if the Sheriff's & Chiefs Association and the Wyoming Law Enforcement Academy would consider suggesting recommendations on needed/specific training with regard to liability and critical areas rather than making specific training a POST requirement.

3. Does the Commission want to require students that attend a regional academy (a basic training course in a Wyoming location other than the WLEA) to pass a test upon completion of their basic training course?

No.

VII. Other

Director Haukap asked the Commission for direction on what a "comparable" basic training course is. She explained that as the rules read right now all she can consider, when an officer comes to Wyoming and wants reciprocity, is the basic training course that then officer took in the past. Rules do not allow her to consider prior law enforcement experience or advanced training hours. She gave an example of an officer that completed an investigator's basic training course. Although the officer was a peace officer, he worked his whole carrier as an investigator and his basic course did not include several courses that Wyoming peace officer basic students receive during basic training.

Commission members suggested a rule change to allow the ability to consider not only the basic course alone but to also consider prior experience, advanced training & certification.

Commissioner Berry-Smith made a motion to have Director Haukap write up a rule change for "comparable" and submit it to the Commission for review prior to the next meeting. The Commission can vote on it at that time. Commissioner Powell seconded the motion. All were in favor and the motion carried.

Commissioner Emmert made a motion to adjourn. Commissioner Lampert seconded the motion. All were in favor and the motion carried.

Respectfully submitted,

Mary Kay Gonzales
POST Administrative Specialist