

LAW ENFORCEMENT OFFICERS
STANDARDS AND TRAINING COMMISSION
Roosevelt Room - The Lodge
Deadwood, SD
April 15, 2025

The South Dakota Law Enforcement Officers Standards and Training Commission meeting was called to order at 8:00 am MDT on April 15, 2025, in the Roosevelt Room at the Deadwood Lodge. This meeting was conducted both in-person as well as via virtual teleconference.

Roll call was taken with the following members responding: Steve Allender, Municipal League; Casey Collins, SD Highway Patrol Superintendent; Gary Gaikowski, Sisseton-Wahpeton Chief of Police; Andy Howe, Clay County Sheriff; Marty Jackley, Attorney General; Jessica Quigley, Tea Chief of Police; Kathy Peterson, Rapid City; Jay Rasmussen, Sioux Falls; Troy VanDusen, Codington County Commissioner; and Tom Wollman, Lincoln County State's Attorney. Others present included Dan Satterlee, Chairman; Hank Prim, Executive Secretary; Law Enforcement Training and DCI Staff. Commission member Neil Fulton, USD School of Law Dean, and Joan Machione, SAC, FBI, were absent.

Chairman Satterlee declared a quorum present.

The following agenda amendment was approved on a **motion** by Commission Member Allender, **second** by Commission Member Gaikowski, motion **approved**.

- Removal of Timothy Matsen's request for basic eligibility reinstatement - he withdrew the request.

The order of business started with the Commission's approval of the previous minutes as presented on a **motion** by Commission Member VanDusen, **second** by Commission Member Peterson, motion **approved**.

Chairman Satterlee opened the floor, in-person and online, for public comments. There were no public comments and/or testimony on any of the agenda items.

Executive Secretary Prim presented the following basic eligibility reinstatement requests:

The Roberts County Sheriff's Office is seeking reinstatement for **Alicen Fladland's** eligibility for law enforcement employment and certification. Sheriff Appel is present; Fladland is available via virtual conference. Alicen was dismissed from the 187th Session of the Basic Certification Course for academic failure. Reference to ARSD 2:01:02:01 (11) (f) and 2:01:02:08:

Minimum standards for employment. A person may be employed or certified as a law enforcement officer only if the person...Has not... Been dismissed from a basic law enforcement training program due to an academic failure or skill failure.

Discontinuance of employment of law enforcement officer. No temporary or probationary law enforcement officer may continue as an officer after a showing that the officer has violated any of the conditions of § 2:01:11:01 or has been dismissed from the basic law enforcement training program pursuant to § 2:01:06:14. Applicants who have been rejected for certification, have falsified information, or have been dismissed from the basic law enforcement training program may, after one year, reapply to the Law Enforcement Officers Standards and Training Commission for certification if the reasons for rejection have been eliminated and a new application is submitted. The commission, upon application by the original appointing authority and a determination of good cause, may allow one new certification application for the applicant from the original appointing authority prior to the expiration of one year.

Fladland's application to attend the Basic Certification training course in 2023 was denied due to marijuana usage disclosures. Fladland appeared before the commission in July 2023, seeking eligibility to attend the Basic Certification course. The Commission agreed to reinstate and permit her to submit a new application for certification, as she was outside the 12-month marijuana-prohibiting window. Alicen attended the 187th Basic Certification session. She had multiple academic and skills proficiency failures and was dismissed due to academic failure. Fladland had no disciplinary history while attending the 187th Basic Certification session. Sheriff Appel advised Alicen has an unwavering commitment to self-improvement, service, and the citizens of Roberts County. She continues to try to excel. She is a correctional officer.

Staff has concerns regarding Fladland's ability for success in the Basic Law Enforcement Certification Course due to the multiple documented instances of academic and skills proficiency failure.

Understanding the staffing difficulties existing in the Roberts County area, if the Commission were to reinstate eligibility, staff recommends to reinstate the law enforcement eligibility as it relates to reserve officer certification, allow to work under supervision, and can reappear before the commission prior to full law enforcement employment.

Motion by Commission Member Howe to return to reserve status, allow to work under supervision, and can reappear before the commission, **second** by Commission Member Rasmussen, motion **approved**.

Jacob Puckett is before members seeking reinstatement of law enforcement officer employment and certification eligibility. Puckett was dismissed from the 182nd Basic Certification session after lying about the completion of assignments. Reference to ARSD 2:01:02:01 (11) (f) and 2:01:02:08 as previously stated.

Puckett appealed his dismissal, and a hearing was held in April 2023. The Commission affirmed that Puckett failed to demonstrate by preponderance of the evidence justification to overturn the dismissal from Law Enforcement Training, and the Commission upheld the dismissal. The Training Administrator dismissed Puckett for lying in violation of academy rules.

Staff recommendation is to table Puckett's request for reinstatement of eligibility and encourage him to re-appear later with a potential sponsoring law enforcement agency.

Motion by Commission Member Allender to table Puckett's request for reinstatement of eligibility and encourage him to re-appear at a later date with a potential sponsoring law enforcement agency, **second** by Commission Member Gaikowski, motion **approved**.

Tyler Torres is present seeking reinstatement of his eligibility for employment/certification. Torres was dismissed from the 189th Basic Certification Session for violations of the student handbook and for engaging in conduct that, had he been certified, would be grounds for revocation or suspension of certification. Reference to ARSD 2:01:02:01 (11) (f) and 2:01:02:08 as previously stated.

Following Torres' dismissal, Law Enforcement Training became aware of a secondary incident that occurred while Torres was on holiday break involving a drug incident. When Torres returned to his residence, he contacted local law enforcement to report the concerns.

After his dismissal, Torres was employed as a correctional officer with the Davison County Sheriff's Office. Torres was terminated by the Davison County Sheriff's Office for "conduct unbecoming, rude behavior, and facilitating a hostile work environment" stemming from an incident in which he was extremely rude to and unprofessional with an inmate.

Staff - recommend denying Torres' request for reinstatement of eligibility after considering the recency of the underlying dismissal incident, as well as concerns regarding Torres' overall decision-making capabilities and professionalism when factoring in the drug incident and his recent termination from the Davison County Sheriff's Office.

Motion by Commission Member VanDusen to deny Torres' request for reinstatement of eligibility, **second** by Commission Member Gaikowski, motion **approved**.

Sydney Zuber is present via virtual conference to request reinstatement of eligibility for law enforcement and certification. Zuber was dismissed from the 189th Basic Certification Session for violations of the student handbook and for engaging in conduct that, had she been certified, would be grounds for revocation or suspension of certification. Reference to ARSD 2:01:02:01 (11) (f) and 2:01:02:08 as previously stated. Zuber takes accountability and regrets the decision.

Staff does not take a position on this request, and defer to the Commission's best judgment. **Motion** by Commission Member Howe to declare Zuber eligible for law enforcement officer employment and certification as it relates to the dismissal issue, upon obtaining a sponsoring agency and a background to be completed by the sponsoring agency, **second** by Commission Member Allender, motion **approved**.

Members took a short recess and reconvened with a quorum present.

Executive Secretary Prim presented the following requests for certification eligibility:

Tate Fremo is present along with attorney Jason Glodt. Fremo is seeking reinstatement of law enforcement officer employment/certification eligibility. Fremo's application for certification was denied in January 2024 because he failed to meet the minimum standards for law enforcement

officer certification pursuant to ARSD 2:01:02:01 (4), which states: *A person may be employed or certified as a law enforcement only if the person ...Is of good moral character.* This determination stemmed from an incident, while employed with the Hughes County Jail, where he was charged with petty theft after taking a portable breath test (PBT) machine from the Hughes County Jail without authorization. Fremo appealed the denial and appeared in March 2024 before the Commission. The Commission affirmed the denial of Fremo's application, finding Fremo failed to meet the burden that he possesses the requisite good moral character and fitness to be certified as a law enforcement officer in the State of South Dakota.

Motion by Commission Member Jackley to consider in executive session, **second** by Commission Member Gaikowski.

Albert Little Elk is present, asking for certification eligibility. Little Elk's application was denied in January 2025. During the review of previous employment history and background, Law Enforcement Training learned Little Elk was terminated by the Rosebud Sioux Tribe Law Enforcement Services (RST-LES) for a use-of-force incident. The determination stemmed from an incident in December 2021, during a call for service, he displayed his Taser, pointed it at a male subject, told the subject multiple times to get dressed, and then deployed the Taser against the male. After subject was secured, Little Elk commented, "all you had to do was get dressed." Subsequently RST-LES terminated his employment upon determining he was not within use of force policy, infraction of Taser deployment, excessive force and potentially violation of civil rights. A Grievance Hearing was held in February 2022, and Little Elk's termination was sustained by the Hearing Officer. **Motion** by Commission Member Wollman to consider in executive session, **second** by Commission Member Collins.

The Mitchell Police Department is requesting consideration that **Ryken Ishman** be allowed to apply for a South Dakota law enforcement employment and certification. Chief Jason Jones, Pierre Police Department, is present. Ishman is available via virtual conference. Ishman fails to meet the minimum standards and was rejected in March 2025 for South Dakota officer employment and certification. The determination stemmed from an incident in January 2025, in which Ishman filed a bill of sale and title in Nebraska for a vehicle he purchased. Ishman falsely completed the bill of sale and title to reflect a purchase price of \$500 rather than the \$10,000 for which he had purchased the vehicle. Ishman paid less in taxes by forging the bill of sale. The title and bill of sale were filed in Deuel County, Nebraska. Reference to ARSD 2:01:02:01 (4) and 2:01:02:08:

Minimum standards for employment. A person may be employed or certified as a law enforcement officer only if the person...Is of good moral character.

Discontinuance of employment of law enforcement officer. ..._Applicants who have been rejected for certification, have falsified information, or have been dismissed from the basic law enforcement training program may, after one year, reapply to the Law Enforcement Officers Standards and Training Commission for certification if the reasons for rejection have been eliminated and a new application is submitted._The commission, upon application by the original appointing authority and a determination of good cause, may allow one new certification application for the applicant from the original appointing authority prior to the expiration of one year.

Chief Jones feels that a young 21-year-old individual who desires to have a career in Law Enforcement should not be banned from that opportunity based upon a single decision he made

and his remorsefulness since that decision. Ishman had disclosed falsely misrepresenting the sale price of the recent pickup purchase in Nebraska during the polygraph procedure required by the police department. Ishman assisted the investigation into the matter and provided the documents for review. Ishman indicated it wasn't the right thing to do and would take it back if he could. No criminal action has been taken. Ishman's conduct, if it had been committed in the State of South Dakota, could be a felony offense.

Staff does not take a specific position on this request. Staff has concerns regarding the recency of Ishman's actions and the potential integrity issues with the incident.

Motion by Commission Member Allender to deny Ryken Ishman's request for law enforcement employment and certification, **second** by Commission Member Jackley, motion **approved**.

The McPherson County Sheriff's Office is requesting consideration for an additional firearms qualification attempt for **Jorge Olivar**. Sheriff Dave Ackerman, McPherson County is present. Olivar is available via virtual conference. Olivar was dismissed from the 195th Basic Certification Session due to failure to demonstrate proficiency in firearms. Olivar made three attempts during the basic session to qualify with his handgun. During the three opportunities to qualify, Olivar scored 25, 24, and 26 with his duty handgun, which is below the required 38 standard. Olivar was placed in remediation. Olivar was allowed a final qualification attempt on March 7, 2025, but did not obtain a minimum passing score of 38; his score was 20. Sheriff Ackerman advised Olivar has scheduled training sessions with state firearms instructors in their area and has been improving. Sheriff Ackerman attributes some of Olivar's challenges as English is his second language, and Spanish is the main language. Olivar is dedicated to the law enforcement profession and has worked hard to get himself to where he is today.

Motion by Commission Member Howe to allow one final qualification within 14 days of the commission meeting at the Law Enforcement Training Center range administered by Law Enforcement Training staff, **second** by Commission Member VanDusen, motion **approved**.

Members retired into executive session on a **motion** by Commission Member Gaikowski, **second** by Commission Member Peterson to further discuss the eligibility for certification requests for Tate Fremo and Albert Little Elk, motion **approved**.

Members reconvened into open session on a **motion** by Commission Member Collins, **second** by Commission Member Peterson, motion **approved**.

Eligibility for certification - **Tate Fremo**: **Motion** by Commission Member Jackley to reinstate eligibility for certification, whereby the applicant must report to Law Enforcement Training the sponsoring agency name and Law Enforcement Training shall disclose the case findings and conclusions to the hiring agency, **second** by Commission Member Allender.

Eligibility for certification - **Albert Little Elk**: **Motion** by Commission Member Wollman to deny application for certification, will be allowed to attend advanced training, also be allowed to reapply to the Commission after one year, **second** by Commission Member Jackley, motion **approved**.

The following reciprocity eligibility requests were presented:

The Rapid City Police Department is seeking a waiver of the two-year reciprocity eligibility requirement for **Mark Callaghan**. Callaghan and Rapid City Police Department Training Sgt. James Ingalls are present.

Reference to ARSD 2:01:06:03. Reciprocity. The commission may permit an individual to take the reciprocity process outlined in this section ... *if that the person has completed a basic law enforcement certification course of equivalent content and quality in another jurisdiction no more than two years prior to the date of the appointment or has been employed within the prior two years as a fully empowered certified law enforcement officer in another jurisdiction and has completed a basic law enforcement certification course of equivalent content and quality.*

The commission shall consider in totality the person's law enforcement experience, law enforcement training, and related substantive experience.

Callaghan completed the California 946-hour basic course in April 2007 and gained his basic law enforcement certification from the State of California in October 2008. The program is considered equivalent in content and quality. Callaghan was employed with the Sacramento Police Department from April 2007 until his resignation in April 2022. POST records reflect no derogatory information. After leaving the Sacramento Police Department, he was employed as a Parole Agent with the South Dakota Department of Corrections from 2022-2024 and a Correctional Officer with the Pennington County Sheriff's Office from April 2022 to October 2022. He was hired by the Rapid City Police Department in June 2024. Callaghan has completed the Rapid City Police Department's PTO (Police Training Officer) program.

The recommendation is based upon Callaghan's length of law enforcement service, continued public safety (corrections and parole services) service, and limited time outside the reciprocity eligibility window. Staff recommends: Declare Callaghan eligible for reciprocity certification, permit him to undertake the reciprocity certification process, and grant him certification upon successful completion of all criteria.

Motion by Commission Member Allender to grant Callaghan eligible for reciprocity certification, to take the reciprocity process, and grant Callaghan South Dakota law enforcement officer certification upon successful completion of all criteria, **second** by Commission Member Collins, motion **approved**.

Jorge Carrasco, Lincoln County Sheriff's Office/Lincoln County State's Attorney's Office, is present seeking reciprocity certification eligibility as his previous law enforcement employment places him outside the two-year eligibility requirement.

Reference to ARSD 2:01:06:03. Reciprocity. The commission may permit an individual to take the reciprocity process outlined in this section ... *if that the person has completed a basic law enforcement certification course of equivalent content and quality in another jurisdiction no more than two years prior to the date of the appointment or has been employed within the prior two years as a fully empowered certified law enforcement officer in another jurisdiction and has completed a basic law enforcement certification course of equivalent content and quality.*

The commission shall consider in totality the person's law enforcement experience, law enforcement training, and related substantive experience.

Carrasco was employed by U.S. Customs and Border Protection from November 1997 to December 2021, an intelligence Agent/Task Force Agent with Drug Enforcement Administration in Sioux Falls and worked with Homeland Security Investigations for approximately six months into 2022. Carrasco is presently employed by the Lincoln County State's Attorney's Office as an investigator and has been deputized by the Lincoln County Sheriff's Office. SDCL 7-16-7 permits State's Attorneys to employ one or more special agent(s), the special agent(s) shall be a certified law enforcement officer. The Lincoln County Sheriff's Office deputation allows Carrasco to go through the reciprocity process as he is authorized as a law enforcement officer. Carrasco completed the Border Patrol Academy at Glynco, Ga, in April 1998. His basic training hours are equivalent with select training to meet full equivalency. All outstanding training can be accomplished by Law Enforcement Training's reciprocity training week, limited basic course attendance, and/or internal training. This is consistent with the Commission's determination from a past U.S. Customs and Border Protection reciprocity candidate.

Recommendation is approve Carrasco's reciprocity eligibility based upon his years of law enforcement service, training and investigative experience; and grant law enforcement certification contingent upon completion all reciprocity requirements and satisfying the following training needs: DUI; Haz Mat; TIMS; accident response and reporting; CIT portion of response to persons in crisis.

Motion by Commission Member Jackley to recommend reciprocity eligibility contingent upon completion of all reciprocity requirements and additional training courses, **second** by Commission Member Gaikowski, motion **approved**. Note - Commission Member Wollman is recused.

The following certification reinstatements requests were presented by Executive Secretary Prim:

Reference to ARSD 2:01:01:11:

Certification expires on the last day of the twenty-fourth calendar month following separation from law enforcement employment. Upon application the Law Enforcement Officers Standards and Training Commission may waive all or any of the basic training program for recertification of a person whose certification has expired under this provision.

Paige Erickson, Lead Police Department, and Chief of Police Robert Williams are requesting certification reinstatement. Erickson completed the 163rd Basic Law Enforcement Certification Course and received certification in February 2017. Erickson was employed by the South Dakota Highway Patrol from November 2016 to December 2021. Erickson did not maintain law enforcement employment following her separation in 2021, resulting in her law enforcement certification expiring in December 2023. Erickson was hired by the Lead Police Department in December 2024. Since employment with the Lead Police Department, Erickson has completed the following trainings: domestic violence, response to resistance and responding to people with mental illness, handgun qualification, and Taser certification. Erickson is a Field Training Officer with the Lead Police Department.

Recommendation - Reinstate Erickson's law enforcement certification based upon the limited period spent uncertified and her previous law enforcement experience.

Motion by Commission Member Jackley to reinstate Erickson's law enforcement certification, **second** by Commission Member Quigley, motion **approved**.

Reference to ARSD 2:01:01:11:

Certification expires on the last day of the twenty-fourth calendar month following separation from law enforcement employment. Upon application the Law Enforcement Officers Standards and Training Commission may waive all or any of the basic training program for recertification of a person whose certification has expired under this provision

Khrista Nelson, Pennington County Sheriff's Office, and Pennington County Sheriff's Office Training Coordinator Rusty Schmidt are present seeking certification reinstatement. Nelson completed the 155th Basic Law Enforcement Certification Course and received certification in May 2014. Nelson was employed as a Trooper with the South Dakota Highway Patrol from February 2014 to September 2019. Nelson did not maintain law enforcement employment following her separation in 2019, resulting in her law enforcement certification expiring in September 2021. Nelson was hired by the Pennington County Sheriff's Office in February 2025. Training Coordinator Rusty Schmidt advised Nelson will receive 240 hours of pre-service training prior to entering the 16-week, 640-hour, field training program that she must successfully complete prior to working independently.

Recommendation - Reinstate Nelson's law enforcement certification contingent upon completing the Pennington County Sheriff's Office pre-service and field training program. The Pennington County Sheriff's Office will provide documentary proof of training completion to Law Enforcement Training, and Nelson's certification will be reinstated.

Motion by Commission Member VanDusen to reinstate Nelson's law enforcement certification contingent upon successfully completing the Pennington County Sheriff's Office pre-service and field training program, **second** by Commission Member Wollman, motion **approved**.

Executive Secretary Prim presented the following waiver requests for continuing education cycle requirements:

Reference to ARSD 2:01:06:17.03:

Waiver. The commission may waive the requirements of any provision of this section upon presentation of documentary evidence by an agency that a law enforcement officer has satisfactorily completed training equivalent to that required in § 2:01:06:17 or that good cause exists for a waiver. Good cause for a waiver would include matters such as military service, illness, injury, or an authorized leave of absence.

The Sioux Falls Police Department is seeking a waiver of the 2023/2024 continuing education cycle requirements for **Sierra Mechaley**. Mechaley was deployed in August 2024 with the National Guard and is scheduled to return from deployment in May 2025. Mechaley completed

35.5 hours of the required 40 hours for the 2023/2024 continuing education cycle but did not complete the annual handgun qualification.

Recommendation - to waive the outstanding 2023/2024 cycle continuing education requirements for Sierra Mechaley and require her to successfully qualify on her firearm prior to resuming law enforcement duties.

Motion by Commission Member Rasmussen to waive Mechaley's outstanding 2023/2024 cycle continuing education requirements and require her to qualify on her firearm prior to resuming law enforcement duties, **second** by Commission Member Collins, motion **approved**.

The Sioux Falls Police Department is seeking a waiver of the 2023/2024 continuing education cycle requirements for Jackson Neal. Neal was deployed in September 2024 with the National Guard and is scheduled to return from deployment in April 2025. Due to his military deployment, Neal is unable to complete the continuing education requirements.

Recommendation - to waive the outstanding 2023/2024 cycle continuing education requirements.

Motion by Commission Member Gaikowski to waive Neal's outstanding 2023/2025 cycle continuing education requirements, **second** by Commission member Peterson, motion **approved**.

The Gettysburg Police Department is requesting a 2024 firearms waiver for Shaina Carbone. Carbone is currently undergoing medical treatment which affects the use of her hands. As a result, she is unable to complete her annual firearms qualification for calendar year 2024. Carbone completed the annual firearms qualification for 2023.

Recommendation - to waive the 2024 handgun qualification requirement for Carbone and require her to successfully complete a firearms qualification prior to being restored to full duty.

Motion by Commission Member Peterson to waive the 2024 handgun qualification requirement for Carbone and require her to successfully qualify with her firearm before performing law enforcement duties, **second** by Commission Member Quigley, motion **approved**.

Consent Agenda: Reciprocity certification requests (Attachment A) were reviewed.

Matters appearing on the Consent Agenda are expected to be non-controversial and will be acted upon by the Commission at one time, without discussion. At the request of any one Commission member, the Chairman, or the Executive Secretary, an item may be removed from the Consent Agenda and placed on the regular agenda whenever additional discussion on an item is necessary. Items removed from the Consent Agenda will be discussed at the beginning of the formal items

Reference to ARSD 2:01:06:03. Reciprocity. The Law Enforcement Officers Standards and Training Commission may waive any portion of the training program requirement of § 2:01:06:01, except firearms, emergency vehicle operations course, use of force, and the written reciprocity examination, upon formal application of a person requesting the waiver. The application must show that the person has completed a basic law enforcement certification course of equivalent content and quality in another jurisdiction no more than two years prior to the date of the appointment or has been employed within the prior two years as a fully empowered certified law enforcement officer in another jurisdiction and has completed a basic law enforcement certification course of equivalent content and quality. The commission's executive secretary shall

administer to the applicant a written examination to determine the applicant's state of competence. Upon completion of the examination, the executive secretary or designee must notify the applicant of the training to be completed before the applicant may be certified. After the applicant successfully completes the required training and if the applicant meets the minimum standards for certification of § 2:01:02:01, the commission must issue the applicant a certificate as a certified law enforcement officer.

Motion by Commission Member Howe to accept the staff recommendations for reciprocity law enforcement certification candidates, as listed in Attachment A (*pages 11-13 of minutes*) of the consent agenda, **second** by Commission Member Rasmussen, motion **approved**.

Consent Agenda: Canine Team certification requests (Attachment B) were reviewed

Motion by Commission Member Wollman to accept the staff recommendations for canine team certification and recertification as listed in Attachment B (*pages 14-15 of minutes*) of the consent agenda, **second** by Commission Member Quigley, motion **approved**.

Members took a recess and reconvened with a quorum present.

Hearing Officer Vogel proceeded with the scheduled hearing for **Kevin Murfield**. The hearing is held to determine whether Murfield engaged in conduct unbecoming of a law enforcement officer, in violation of SDCL § 23-3-35(3), ARSD 2:01:11:01, and ARSD 2:01:11:10 (1) and/or (2), based upon the allegations contained in a complaint by Hank Prim, Executive Secretary, Law Enforcement Officers Standards and Training Commission.

Murfield is present without counsel. Mark Vargo, Assistant Attorney General, is representing the commission. The record will reflect a stenographic transcription of the hearing will be made and copies of the transcripts will be available upon request and tender of the cost thereof. See file for exhibits.

Opening statements were made, presentation of exhibits, questions, and testimony was heard.

Concluding testimony, review of exhibits, questions by commission members, summarization, and closing statements, the evidentiary portion of the hearing concluded. The commission retired into executive session on a **motion** by Commission Member Collins, **second** by Commission Member Gaikowski, motion **approved**.

Members reconvened into open session with a quorum present on a **motion** by Commission Member Peterson, **second** by Commission Member VanDusen, motion **approved**.

Motion by Commission Member Wollman, finding that by clear and convincing evidence conduct unbecoming of a law enforcement the subject of that would be revocation, to authorize the Chair to sign Findings and Conclusion on behalf of the Commission, **second** by Commission Member Allender, motion unanimous by verbal response. **Action 10-0** (Allender, Collins, Gaikowski, Howe, Jackley, Peterson, Quigley, Rasmussen, VanDusen and Wollman). This concludes the hearing proceedings.

Members recessed for lunch and reconvened at 1:00 pm MDT. Roll call was taken with the following members responding: Steve Allender, Municipal League; Casey Collins, SD Highway Patrol Superintendent; Gary Gaikowski, Sisseton-Wahpeton Chief of Police; Andy Howe, Clay County Sheriff; Marty Jackley, Attorney General; Jessica Quigley, Tea Chief of Police; Kathy Peterson, Rapid City; Jay Rasmussen, Sioux Falls; Troy VanDusen, Codington County Commissioner; and Tom Wollman, Lincoln County State's Attorney. Quorum present.

Business continued with the next scheduled hearing.

Hearing Officer Vogel proceeded with the hearing for Kevin Fanti. The hearing is held to determine whether Kevin Fanti (Fanti) meets the requisite minimum standards to be employed or certified as a law enforcement officer, to-wit:

On or about June 26, 2019, Fanti, while employed as a Deputy Sheriff with the Broward County (FL) Sheriff's Office, was involved in a use-of-force incident with a prisoner. The Broward County Sheriff's Office internally sustained allegations that Fanti engaged in excessive force, and Fanti was criminally charged because of the incident. Following a jury trial, Fanti was acquitted. On or about November 27, 2023, Fanti's Florida law enforcement officer certification was suspended by the Florida Criminal Justice Standards and Training Commission by way of a settlement agreement due to the underlying use-of-force incident.

pursuant to SDCL 23-3-42 and ARSD 2:01:02:01.

Fanti is present without counsel. Mark Vargo, Assistant Attorney General, is representing the commission. The record will reflect a stenographic transcription of the hearing will be made and copies of the transcripts will be available upon request and tender of the cost thereof. See file for exhibits.

Opening statements were made, presentation of exhibits, questions, and testimony was heard.

Concluding testimony, review of exhibits, questions by commission members, summarization, and closing statements, the evidentiary portion of the hearing concluded. The commission retired into executive session on a **motion** by Commission Member Allender, **second** by Commission Member Jackley, motion **approved**.

Members reconvened into open session with a quorum present on a **motion** by Commission Member Rasmussen, **second** by Commission Member Peterson, motion **approved**.

Motion by Commission Member Howe, Kevin Fanti meets the required minimum standards to become a law enforcement officer, to authorize the Chair to sign the Order on behalf of the commission, **second** by Commission Member VanDusen. Motion approved by verbal response. **Action 8 Aye-2 Nay** (Allender, Collins, Gaikowski, Howe, Jackley, Peterson, Quigley, Rasmussen, VanDusen and Wollman). This concludes the hearing proceedings.

A short break was taken and reconvened with a quorum present.

Commission Members VanDusen and Quigley reviewed and commented on the latest complaint dispositions.

The following is for commission information only does not require any action.

A voluntary consent of decertification has been received from: Cameron Ducheneaux, former Pennington County Deputy; Austine Wilson, former Lead Police Department officer; Sarah Simon, former Metro Communications dispatcher; Tahj Lark, former Huron Police Department Officer; and Pamela Smallwood terminal operator.

Welcome Assistant Attorney General Mark Vargo to the team. Mr. Vargo is the legal representative for the Standards and Training Commission.

The next meeting is scheduled for May 28th, will be a virtual meeting.

There being no further business to come before the meeting body, the meeting was adjourned 2:45 pm MDT on a **motion** by Commission Member Rasmussen, **second** Commission Member Peterson, motion **approved**.

ATTACHMENT A

Reciprocity Law Enforcement Certification Requests

Cahill, Matthew - Sioux Falls Police

Department Completed the reciprocity exam
on 11/14/2024

- Completed the 937.5 New York City Police Academy July 1, 2002 - January 21, 2003. His peace officer certification is valid, and he is in good standing with the New York City Police Department.
- Based on NYPD academy, advanced training, and 20+ years NYPD law enforcement experience, coupled with his Sioux Falls PTO training, satisfies equivalency to South Dakota training hours.
- New York City Police Department employment 07/2002 to 12/2023
- Hired by the Sioux Falls Police Department on November 4, 2024
- Completed skills and classroom requirements during the January 20-24, 2025, reciprocity training week

Staff recommendation: Grant reciprocity certification

McGavran, Robert - Deadwood Police Department

Completed the reciprocity exam on 1/14/2025

- Completed the 480-hour Montana Law Enforcement Academy in March 2019.
- Montana Peace Officer Basic certification received 1/2020; Intermediate certification received 1/2023. He is in good standing with the State of Montana. Additional equivalency training required for reciprocity: Resiliency; HazMat; Report Writing; and Traffic Accident Response & Reporting. All required additional training has been completed.
- Law enforcement employment with the Ravalli County Sheriff's Office: Reserve Deputy Sheriff from 5/2016 to 1/2019; Patrol/K9 Deputy from 1/2019 to 6/2024.
- Hired by the Deadwood Police Department on July 8, 2024
- Completed skills and classroom requirements during January 20-24, 2025, reciprocity training week

Staff recommendation: Grant reciprocity certification

Peters, Raymond - SD Highway Patrol

Completed the reciprocity exam on 10/24/2024

- Completed the 654-hour Indian Police Academy Rural Police Officer Training in February 2016. Training is equivalent.
- Law enforcement employment – Rosebud PD 6/2015 to 4/2018; Veterans Affairs, police officer patrolling VA property - 4/2018 to 10/2018; Rosebud Police Department -10/2018 to 10/2024
- Hired by the SD Highway Patrol on October 8, 2024
- Completed skills and classroom requirements during the January 20-24, 2025, reciprocity training week

Staff recommendation: Grant reciprocity certification

Randall, Howard - SD Gaming Commission

Completed the reciprocity exam on 12/19/2024

- Completed the Missouri 300-hour Basic Police Academy in 6/1996. [LET basic 320-hrs.] Training hours are equivalent
- State of Missouri law enforcement employment:
Polk County Sheriff's Office 11/2002 to 6/2024 - full-time officer Holden Police Department, 3/1999 to 10/2002 - Reserve
Johnson County Sheriff's Office 9/1998 to 7/2002 - full-time officer Johnson County Sheriff's Office 4/1997 to 9/1998 - Reserve
Village of La Tour 2/1997 to 7/11/1999 - full-time officer Cass County Sheriff's Office - 3/1996 to 12/1998 - Reserve
- Hired by the SD Gaming Commission on June 24, 2024
- Completed skills and classroom requirements during the January 20-24, 2025, reciprocity training week

Staff recommendation: Grant reciprocity certification

Waters, John - Bennett County Sheriff's Office

Completed the reciprocity exam in 1/9/2025

- Completed the 597.5-hour Indian Country Police Officer Training Program in 7/2022
- Law enforcement employment:
Martin Police Department from 5/2024 to 10/2024
Oglala Sioux Department of Public Safety from 2/2022 to 5/2024 Oglala Sioux Department of Corrections from 7/2020 to 2/2022
- Hired by the Bennett County Sheriff's Office on October 29, 2024
- Completed skills and classroom requirements during the January 20-24, 2025, reciprocity training week

Staff recommendation: Grant reciprocity certification

Cadet, Pierre - Harding County Sheriff's Office

Completed the reciprocity exam in 12/18/2023

- Completed the 601-hour Detroit Basic Recruit Police Academy in June 2015, Training is equivalent
- Law enforcement employment with the Detroit Police Department Appointed 11/2014
Military 8/2019 to 10/2021 Military from 2/2022 to 2/2024 Resigned Detroit PD 2/1/2024
- Hired by the Harding County Sheriff's Office in June 2023
- Hired by the Brand Board 8/20224
- Completed skills and classroom requirements during the January 8-12, 2024, reciprocity training week

Staff recommendation: Grant reciprocity certification

ARSD 2:01:06:03. Reciprocity. The Law Enforcement Officers Standards and Training Commission may waive any portion of the training program requirement of § 2:01:06:01, except firearms, emergency vehicle operations course, use of force, and the written reciprocity examination, upon formal application of a person requesting the waiver. The application must show that the person has completed a basic law enforcement certification course of

equivalent content and quality in another jurisdiction no more than two years prior to the date of the appointment or has been employed within the prior two years as a fully empowered certified law enforcement officer in another jurisdiction and has completed a basic law enforcement certification course of equivalent content and quality. The commission's executive secretary shall administer to the applicant a written examination to determine the applicant's state of competence. Upon completion of the examination, the executive secretary or designee must notify the applicant of the training to be completed before the applicant may be certified. After the applicant successfully completes the required training and if the applicant meets the minimum standards for certification of § 2:01:02:01, the commission must issue the applicant a certificate as a certified law enforcement officer.

ATTACHMENT B
Canine team certification requests

NAME	DEPARTMENT	Certification Date	Certification	Renewal New Team
Joel Neuman / Krome	Bon Homme Co SO	11-7-2024	Drug Detection	Renewal
Paperwork received 12-02-24	Completion date 11-7-24			
Peter Eng / Grayz	Edmunds Co SO	1-6-2025	Drug Detection	New
Paperwork received 1-13-2025	Completion date 1-6-25			
Michael Varilek / Zigi	Corson Co SO	1-6-2025	Drug Detection	Renewal
Paperwork received 1-11-2025	Completion date 1-6-25			
Paul Smedsrud / Nix	Sioux Falls PD	12-2-2024	Explosives Detection	New
Paperwork received 12-6-2024	Completion date 12-2-24			
Josh Olson / Luna	SD Highway Patrol	12-2-2024	Drug Detection	Renewal
Paperwork received 12-6-2024	Completion date 12-2-2024			
Cody Jansen / Jak	SD Highway Patrol	12-2-2024	Explosives Detection	Renewal
Paperwork received 12-6-2024	Completion date 12-2-2024			
Cody Jansen / Jak	SD Highway Patrol	12-12-2024	Patrol Dog	Renewal
Paperwork received 12-18-2024	Completion date 12-12-2024			
Shannon Irish / Bram	Sioux Falls PD	12-2-2024	Drug Detection	Renewal
Paperwork received 12-6-2024	Completion date 12-2-2023			
Shannon Irish / Bram	Sioux Falls PD	12-12-2024	Patrol Dog	Renewal
Paperwork received 12-16-2024	Completion date 12-12-2024			
Thomas Klein / Spike	Moody Co SO	12-12-2024	Patrol Dog	Renewal
Paperwork received 12-16-2024	Completion date 12-12-2024			
Dylan Wilson / Corona	Yankton PD	12-12-2024	Patrol Dog	Renewal
Paperwork received 12-16-2024	Completion date 12-12-2024			
Eric Peterson / Drago	SD Highway Patrol	12-12-2024	Patrol Dog	Renewal
Paperwork received 12-18-2024	Completion date 12-12-2024			
Grant Van Voorst / Hugo	Sioux Falls PD	12-12-2024	Patrol Dog	Renewal
Paperwork received 12-16-2024	Completion date 12-12-2024			
Charles Wilderson / Szakal	Brookings Co SO	12-12-2024	Patrol Dog	Renewal
Paperwork received 12-16-2024	Completion date 12-12-2024			
Seth Bonnema / Teddi	Brookings PD	12-12-2024	Patrol Dog	Renewal
Paperwork received 12-30-2024	Completion date 12-12-2024			
Ekaras Jackson / Hoonigan	Rapid City PD	12-18-2024	Patrol Dog	New
Paperwork received 12-30-24	Completion date 12-18-2024			

Canine team certification requests

[illegible]

Staff recommendation: Grant canine team certification in accordance with listed type and status.