

LAW ENFORCEMENT OFFICERS
STANDARDS AND TRAINING COMMISSION
Amphitheatre - Criminal Justice Training Center
Pierre, SD
February 16, 2022

The South Dakota Law Enforcement Officers Standards and Training Commission meeting was called to order on February 16, 2022, in the Amphitheatre at the Criminal Justice Training Center in Pierre, SD.

Roll call was taken with the following members responding: Steve Allender, Rapid City Mayor; Jim Eschenbaum, Hand County Commissioner; Andy Howe, Clay County Sheriff; Jessica Quigley, Tea Chief of Police; Jason Ravensborg, Attorney General; Tom Wollman, Lincoln County State's Attorney, and Rick Miller, SD Highway Patrol Superintendent. Others present included Chad Mosteller, Executive Secretary; Kim Knecht, Assistant Training Administrator, and Law Enforcement Training Staff. Commission Members Neil Fulton, USD Dean School of Law; and Gary Gaikowski, Sisseton-Wahpeton Chief of Police, were absent.

With a quorum present, Chairman Natvig called the meeting to order at 8:30 a.m.

Chairman Natvig declared a quorum present and started the order of business with the review of the previous meeting's minutes.

- November 9, 2021 minutes of the South Dakota Law Enforcement Officers Standards and Training Commission was approved on a **motion** by Commission Member Howe, **second** by Commission Member Miller.
- November 10, 2021 minutes of the South Dakota Law Enforcement Officers Standards and Training Commission was approved as reviewed on a **motion** by Commission Member Wollman, **second** by Commission Member Eschenbaum.

Commission Member Wollman commented on other commissions and public boards regarding the amount of time allotted for public comments. In his experience, Commission Member Wollman thought that a reasonable amount of time set for public comments was five minutes. Concluding discussion by members, a motion was made by Commission Member Wollman to limit public comment to a five-minute period of time, second by Commission Member Allender, motion **approved**.

Following SDCL1-25-1, official meetings open to the public, time was allowed by Chairman Natvig for public comments, and the floor was open for public comments. Public comment was given by Jason Jares.

Chairman Natvig continued the order of business with the approval of agenda amendments:

- the addition of Cadaver Dog discussion;
- and the 1 pm hearing was resolved

Motion by Commission Member Ravensborg to approve the agenda amendments, second by Commission Member Eschenbaum, motion **approved**.

Business continued with the following requests:

Mike Koster, Mitchell Police Department Chief of Police, is before the commission requesting reinstatement of their reserve unit program. Due to budget cuts and the loss of former members, the program became inactive. The agency now has the opportunity to restart the program and is asking the commission to consider the request. They would start a new program and would comply with all laws, rules, and regulations. There would be no issues in setting up the program instruction as the Sgt. that was previously in charge of the unit is still with the department. LET staff is confident with the agency to administer the mandated 100 hours of training and has no issues with the request. **Motion** by Commission Member Ravensborg to reinstate the Mitchell PD reserve unit request, **second** by Commission Member Wollman, motion **approved**.

Lt. David Switzer, Pennington County Sheriff's Office, along with Reserve Deputies Kevin Sosa and Alex Rasmussen, are before members requesting a waiver to retain their reserve certification for 2022. Reserve Deputy Douglas Noyes was unable to appear before members but submitted a letter of explanation for member review. Executive Mosteller referred to administrative rule 2:01:09:03, regarding recertification of officers. Noyes was unable to satisfy the minimum patrol hours due to significant family obligations, personal challenges, and time commitments for 2021. Sosa and Rasmussen are both full-time firefighter paramedics with the Rapid City Fire Department. Staffing shortages, Covid, and mandatory overtime shifts prevented them from putting in the minimum 96 hours of duty time for the calendar year 2021. All reserve deputies have indicated they will be able to meet the minimum requirements for 2022. Law Enforcement Training staff has no issues with the request. **Motion** by Commission Member Miller to reinstate their status, **second** my Commission Member Eschenbaum, motion **approved**.

Jim Severson, Douglas County Sheriff, is requesting certification reinstatement. Severson completed the Six Week Basic Officer certification course and was certified on March 13, 1992. He was employed with the Division of Criminal Investigation from 1995 - to 2017 and part-time with the Lincoln County Sheriff's Office from 6/2017 to 1/2019. His certification lapsed in 1/2021. **Motion** by Commission Member Ravensborg to reinstate Severson's law enforcement officer's certification, **second** simultaneously by Commission Members Howe and Quigley, motion **approved**.

Kyle Kocmick, along with Chief Deputy Mike Rothschadl, Yankton County Sheriff's Office, are present requesting certification reinstatement. Kyle completed the 163rd 520-hour Basic Certification session and was certified on 2/24/2017. Kyle was employed with the Sioux Falls Police Department from 11/2016 to 12/2018 and resigned as a result of a DUI/eluding charge. His certification lapsed on 12/2020. LET looked at the charges/arrests which have been sealed and did not deny his application. The hiring agency has done due diligence in the background investigation. LET is comfortable with the reinstatement request. Kocmick will need to complete firearms qualification, Domestic Violence, Mental Health, and Use of Force. **Motion** by Commission Member Wollman to approve Kyle Kocmick's request pending recommendations by

LET, firearms, DV, Mental Health and Use of Force, **second** by Commission Member Miller, motion **approved**.

Mellette County Sheriff Mike Blom and **Brandon Watson** are present requesting eligibility to be reinstated in the Basic Certification Course. Watson was dismissed from the 168th session for academic failure. Watson failed the phase one exam and per LET policy, was allowed one retest and failed the retest. Watson struggled with the criminal law portion of the exam. Sheriff Blom stated Watson was employed with the Mission Police Department and did not have an opportunity for on-the-job or leadership training. Watson will need to attend the full 13-Week academy and he cannot work until the commission would approve to reinstate the eligibility to attend the basic session. **Motion** by Commission Member Howe to reinstate Brandon Watson's eligibility in the basic certification course, **second** by Commission Member Eschenbaum, motion **approved**.

Sarah Holzer, along with Scott Johnson, Director/Supervisor of the Meade County 911 Center in Sturgis, is present before commission members seeking 911 telecommunicator certification reinstatement. Sarah attended the 53rd Two-Week Basic Telecommunicator course in 2016. She was employed with the Mitchell Police Department from 5/2016 to 3/2017. Her certification lapsed in 3/2019. LET has no issues with the certification reinstatement and she would be required to attend the NCIC full access and Ethics session during the second week of the basic telecommunicator course. **Motion** by Commission Member Allender to approve Sarah Holzer's certification reinstatement, **second** by Commission Member Wollman, motion **approved**.

Note for the record: Commission Member Eschenbaum was recused and did not enter any discussion or voting procedure.

Members took a short break and reconvened with a quorum present. Commission Member Miller had a prior commitment.

Executive Secretary Mosteller presented the following reciprocity requests:

Nicholas Fendrich completed the Law Enforcement Technology program at Southeast Technical College in May 2021 and completed the reciprocity exam in August 2021. A background check revealed no adverse information. Nicholas attended the September 2021 reciprocity skills training and did not successfully demonstrate proficiency in firearms. On November 12, 2021, Nicholas successfully demonstrated proficiency in firearms with a score of 46. A graduate must demonstrate the same level of skills in EVOC and Firearms as required in the Basic Certification Course. Nicholas is eligible for certification and will become certified when hired by a law enforcement agency within two years of graduation. **Motion** by Commission Member Eschenbaum to approve the reciprocity application for Nicholas Fendrich, **second** by Commission Member Howe, motion **approved**.

Elyse Helkenn, SD Highway Patrol, completed the Law Enforcement Technology program at Western Dakota Technical College in 2020. Elyse completed the reciprocity exam in June 2021. A background check revealed no adverse information. Elyse attended the September 2021 reciprocity skills training and did not successfully demonstrate proficiency in firearms. On November 12, 2021, Elyse successfully demonstrated proficiency in firearms with a score of 44. A graduate must demonstrate the same level of skills in EVOC and Firearms as required in the LEOSTC

Basic Certification Course. **Motion** by Commission Member Wollman to approve the reciprocity application for Elyse Helkenn, **second** by Commission Member Ravensborg, motion **approved**.

Michael Chasing Horse, Box Elder Police Department, completed the Law Enforcement Technology program at Western Dakota Technical College in May 2021 and completed the reciprocity exam in October 2021. A background check revealed no adverse information. Michael completed the September 2021 EVOC, Firearms, and Response to Resistance reciprocity skills requirements. **Motion** by Commission Member Quigley to approve the reciprocity application for Michael Chasing Horse, **second** by Commission Member Allender, motion **approved**.

Travis Cookson, Rapid City Police Department, completed the Law Enforcement Technology program at Western Dakota Technical College in May 2021 and completed the reciprocity exam in October 2021. A background check revealed no adverse information. Travis completed the September 2021 EVOC, Firearms, and Response to Resistance reciprocity skills requirements. **Motion** by Commission Member Ravensborg to approve the reciprocity application for Travis Cookson, **second** by Commission Member Howe, motion **approved**.

Jacob Mundt, Pennington County SO, completed the Law Enforcement Technology program at Western Dakota Technical College in May 2021 and completed the reciprocity exam in October 2021. A background check revealed no adverse information. Jacob completed the September 2021 EVOC, Firearms, and Response to Resistance reciprocity skills requirements. **Motion** by Commission Member Eschenbaum to approve the reciprocity application for Travis Cookson, **second** by Commission Member Wollman, motion **approved**.

Ethan Schulz, Box Elder Police Department, completed the Law Enforcement Technology program at Western Dakota Technical College in 2020. Ethan completed the reciprocity exam in October 2021. A background check revealed no adverse information. Ethan completed the September 2021 EVOC, Firearms, and Response to Resistance reciprocity skills requirements. **Motion** by Commission Member Ravensborg to approve the reciprocity request for Ethan Schulz, **second** by Commission Member Allender, motion **approved**.

Scott Brewer, Freeman Police Department, completed the entrance level curriculum which meets the minimum standards of the Maryland Police Training Commission conducted in 2004 by the Maryland Transportation Authority Police Academy. An officer hired by an agency is required to complete field training before certification. The Academy does a minimum of 230 hours of field training. Brewer was certified in March 2005. A background check revealed no adverse information. Brewer completed the reciprocity exam in October 2021 and completed the reciprocity classroom and skills requirements in February 2022. **Motion** by Commission Member Eschenbaum to approve the reciprocity application for Scott Brewer, **second** by Commission Member Allender, motion **approved**.

Jacob Juelfs, Sioux Falls Police Department, completed the Hennepin Technical College Law Enforcement Program in 2018. Jacob fulfilled all requirements for licensure as a Peace Officer pursuant to Minnesota Statute in March 2019. A background check revealed no adverse information. Jacob completed the reciprocity exam on February 24, 2020, and completed the February 2022 reciprocity classroom and skills requirements. **Motion** by Commission Member

Allender to approve the reciprocity application for Jacob Juelfs, **second** by Commission Member Howe, motion **approved**.

Jared Moore, Sioux Falls Police Department, completed the 936-hour course in the Chicago Basic Recruit Training Program on September 14, 2018. At the completion of instruction, Jared was required to pass the State of Illinois certification examination and received certification by the State of Illinois on September 25, 2018. Jared was employed by the Chicago Police Department from 2018 to 2021. A background check revealed no adverse information. Jared completed the reciprocity exam on September 28, 2021 and completed the February 2022 reciprocity classroom and skills requirements. **Motion** by Commission Member Ravnsborg to approve the reciprocity application for Jared Moore, **second** by Commission Member Wollman, motion **approved**.

Jason Parmenter, Rapid City Police Department, completed a 480-hour Basic Training course at the Illinois State Police Academy in September 2014. The basic academy training combined with additional training is equivalent to our basic 520-hour course. Jason achieved a passing score on the Illinois law enforcement certification exam and fulfilled all requirements for certification on September 25, 2014. Jason was employed by the Normal Police Department from 2014 - to 2021. A background check revealed no adverse information. Jason completed the reciprocity exam in October 2021 and completed the February 2022 reciprocity classroom and skills requirements. **Motion** by Commission Member Quigley to approve the reciprocity application for Jason Parmenter, **second** by Commission Member Eschenbaum, motion **approved**.

Dylan Pfeilsticker, Roberts County Sheriff's Office, completed the Alexandria Tech and Community College Law Enforcement Program in May 2020. Dylan passed the Professional Peace Officer Education Exam and completed the POST Boards examination requirements for peace officer licensure. Dylan was employed by the Lake City Police Department from 2019 - to 2021. The background check revealed no adverse information. Dylan completed the reciprocity exam in December 2021 and completed the February 2022 reciprocity classroom and skills requirements. **Motion** by Commission Member Ravnsborg to approve the reciprocity application for Dylan Pfeilsticker, **second** by Commission Member Allender, motion **approved**.

Christopher Riggins, Sioux Falls Police Department, completed the Regular Basic Course (police academy) requirement and completed his probationary time period with his agency in 2013. There are no derogatory footnotes in his profile. Christopher was employed by the West Sacramento Police Department from 2014 - 2020, and the Walnut Creek Police Department from 2020 - 2021. A background check revealed no adverse information. Christopher completed the reciprocity exam in December 2021 and completed the February 2022 reciprocity classroom and skills requirements. **Motion** by Commission Member Eschenbaum to approve the reciprocity application for Christopher Riggins, **second** by Commission Member Allender, motion **approved**.

Zachary Schwartz, Sioux Falls Police Department, completed the Phoenix Regional Police Academy required course of study for peace officers as approved by the Arizona Peace Officer Standards and Training Board in 2018. Zachary was employed with the Avondale Police Department from 2018 - to 2020, and with the Mesa Police Department from 2020 - to 2021. A background check revealed no adverse information. Zachary completed the reciprocity exam in December 2021 and completed the February 2022 reciprocity classroom and skills requirements.

Motion by Commission Member Eschenbaum to approve the reciprocity application for Zachary Schwartz, **second** by Commission Member Howe, motion **approved**.

Beth Bachand, Sturgis Police Department, completed the Law Enforcement emphasis program at Western Dakota Technical College in May 2021. A background check revealed no adverse information. Beth completed the reciprocity exam in October 2021. Beth completed the firearms skills and Response to Resistance evaluation skills requirements but did not successfully demonstrate proficiency in EVOC skills. Beth attended the 40-hour EVOC training during the 181st Basic Training Session and successfully demonstrated proficiency in the EVOC skills requirements on February 4, 2022. **Motion** by Commission Member Howe to approve the reciprocity application for Beth Bachand, **second** by Commission Member Allender, motion **approved**.

Noah Ross, Pennington County Sheriff's Office, completed the Law Enforcement emphasis program at Western Dakota Technical College in May 2021. A background check revealed no adverse information. Noah completed the reciprocity exam in October 2021. Noah completed the firearms skills and Response to Resistance evaluation skills requirements but did not successfully demonstrate proficiency in EVOC skills. Noah attended the 40-hour EVOC training during the 181st Basic Training Session and successfully demonstrated proficiency in the EVOC skills requirements on February 4, 2022. **Motion** by Commission Member Ravnsborg to approve the reciprocity application for Noah Ross, **second** by Commission Member Allender, motion **approved**.

Nicolette Thomson, Box Elder Police Department, completed the Law Enforcement Emphasis program at Western Dakota Technical College in May 2021. A background check revealed no adverse information. Nicolette completed the reciprocity exam in October 2021. Nicolette completed the firearms skills and Response to Resistance evaluation skills requirements but did not successfully demonstrate proficiency in EVOC skills. Nicolette attended the 40-hour EVOC training during the 181st Basic Training Session and successfully demonstrated proficiency in the EVOC skills requirements on February 4, 2022. **Motion** by Commission Member Wollman to approve the reciprocity application for Nicolette Thomson, **second** by Commission Member Allender, motion **approved**.

Elyse Brewster Faulkner, Sioux Falls Police Department, attended the Albuquerque Police Department Academy completing 1,118 hours of required instruction and received New Mexico officer certification in December 2017. The New Mexico Law Enforcement Academy Board has not received any misconduct reports or taken disciplinary action against the officer's certification; Elyse's certification is in good standing. Elyse was employed with the Albuquerque Police Department in 2017. A background check revealed no adverse information. Elyse completed the reciprocity exam in September 2021 and completed the February 2022 reciprocity classroom and skills requirements. **Motion** simultaneously by Commission Members Ravnsborg and Eschenbaum to approve the reciprocity application for Elyse Brewster Faulkner, **second** by Commission Member Wollman, motion **approved**.

Andrew Faulkner, Lennox Police Department, attended the Albuquerque Police Department Academy completing 1,126 hours of required instruction and received New Mexico officer

certification in May 2018. The New Mexico Law Enforcement Academy Board has not received any misconduct reports or taken disciplinary action against the officer's certification, his certification is in good standing. Andrew was employed with the Albuquerque Police Department from 2017 - to 2021. A background check revealed an arrest for driving while barred, failure to have a valid license/permit. Andrew had marked no on his application for certification that he had never been arrested or detained. Concluding further documentation review, the Sioux Falls Police Department did not have an issue with the arrest and his application was not denied. Andrew completed the reciprocity exam in September 2021 and completed the February 2022 reciprocity classroom and skills requirements. **Motion** by Commission Member Howe to approve the reciprocity application for Andrew Faulkner, **second** by Commission Member Eschenbaum, motion **approved**.

Members recessed for a short break and reconvened with a quorum present.

Reece Scott, Sioux Falls Police Department, attended the Albuquerque Police Department Academy completing 1,118 hours of required instruction and received New Mexico officer certification in December 2017. The New Mexico Law Enforcement Academy Board has not received any misconduct reports or taken disciplinary action against the officer's certification; his certification is in good standing. Reece was employed with the Albuquerque Police Department from 2017 - to 2021. A background check revealed no adverse information. Reece completed the reciprocity exam in September 2021 and completed the February 2022 reciprocity classroom and skills requirements. **Motion** by Commission Member Ravensborg to approve the reciprocity application for Reece Scott, **second** by Commission Member Howe, motion **approved**.

Kyle Trebitowski, Sioux Falls Police Department, attended the Albuquerque Police Department Academy completing 1,126 hours of required instruction and received New Mexico officer certification in May 2018. The New Mexico Law Enforcement Academy Board has not received any misconduct reports or taken disciplinary action against the officer's certification; his certification is in good standing. Kyle was employed with the Albuquerque Police Department from 2017 - to 2021. A background check revealed no adverse information. Kyle completed the reciprocity exam in December 2021 and completed the February 2022 reciprocity classroom and skills requirements. **Motion** by Commission Member Eschenbaum to approve the reciprocity application for Kyle Trebitowski, **second** by Commission Member Allender, motion **approved**.

Business continued with a review of complaint dispositions.

Ten complaints were presented to Commission Member Allender for review. Executive Mosteller determined the complaints did not warrant presentation to the full Commission. Commission Member Allender concurred with the Executive Secretary's decision and presented an overview of the complaints. These complaints were investigated by Law Enforcement Training. Commission Member Allender reviewed the original complaint and the investigation file on all complaints prior to the commission meeting.

Complaint #22005 - A small township law enforcement officer engaged in conduct unbecoming of a law enforcement officer. The complaint was reviewed by the South Dakota Attorney General's Office, Law Enforcement Training. There were prior complaints on the agency and the officer referenced in this complaint. This officer has been previously decertified by the commission making this complaint moot.

Complaint #210014 - A local South Dakota Police Department officer engaged in conduct unbecoming of a law enforcement officer. The complaint was reviewed by the South Dakota Attorney General's Office, Law Enforcement Training. The report is a general discontented reporting party. The issue is not a commission item.

Complaint #210015 – This complaint is the same reporting party as complaint 210014, conduct unbecoming of a law enforcement officer. The complaint was reviewed by the South Dakota Attorney General's Office, Law Enforcement Training. Commissioner Allender concurred that this was not a commission issue.

Complaint #210017 – The complaint is the same reporting party as complaints 210014 and 210015. The complaint was reviewed by the South Dakota Attorney General's Office, Law Enforcement Training. Commissioner Allender concurred that this complaint was not a commission issue.

Complaint #210018 - The complaint is the same reporting party as complaints 210014, 210015, and 210017. The complaint was on a neighboring police department. The complaint was reviewed by the South Dakota Attorney General's Office, Law Enforcement Training. Commissioner Allender concurred that this complaint was not a commission issue.

Complaint #210016 - Allegation involving a sheriff's office, and neighboring city council member alleging dishonesty. The complaint was reviewed by the South Dakota Attorney General's Office, Law Enforcement Training. Commissioner Allender concurred that this complaint was not a commission issue.

Complaint #210019 - A complaint of general harassment against a police department. The complaint was reviewed by the South Dakota Attorney General's Office, Law Enforcement Training. Commissioner Allender concurred that this complaint was not a commission issue.

Complaint #210021 – This complaint involved a South Dakota sheriff's office alleging fraud. The officer in the allegation was terminated by the department. The complaint was reviewed by the South Dakota Attorney General's Office, Law Enforcement Training. Commissioner Allender concurred that this complaint was not a commission issue.

Complaint #210024 - Complaint against a sheriff's office concerning a family civil matter. The complaint was reviewed by the South Dakota Attorney General's Office, Law Enforcement Training. Commissioner Allender concurred that this complaint was not a commission issue.

Complaint #210025 – This complaint was on a South Dakota sheriff's office alleging conduct unbecoming of an officer. The complaint was reviewed by the South Dakota Attorney General's Office, Law Enforcement Training. Commissioner Allender concurred that this complaint was not a commission issue.

Complaint #210012 - This complaint was Sheriff's office's use of force was unnecessary following a pursuit. The complaint was reviewed by the South Dakota Attorney General's Office, Law Enforcement Training. Commissioner Allender concurred that this complaint was not a commission issue.

The following canine teams have met the requirements of certification or recertification.

- Canine Team **Shane Johnson and K9 Kobra**, SD Highway Patrol, have met the requirements for Drug Detection certification on November 23, 2021;

- Canine Team Dylan Wilson and K9 Corona, Yankton PD have met the requirements for Drug Detection certification on October 7, 2021;
- Canine Team Trista Bulit and K9 Krai, Dewey Co SO, have met the requirements for Drug Detection certification on October 7, 2021;
- Canine Team Paul Sheldon and K9 Mack, Jerauld Co SO, have met the requirements for Patrol Dog certification on December 4, 2021;
- Canine Team Manuel Langstraaoutht and K9 Arras, Brookings Co SO, have met the requirements for Patrol Dog certification on December 9, 2021;
- Canine Team Cody Nachreiner and K9 Spike, Sioux Falls PD, have met the requirements for Patrol Dog certification on December 9, 2021;
- Canine Team Michael Dale and K9 Sadie, SD Highway Patrol, have met the requirements for Patrol Dog certification on December 15, 2021;
- Canine Team Eric Peterson and K9 Drago, SD Highway Patrol, have met the requirements for Patrol Dog certification on December 15, 2021;
- Canine Team Garrett Mastin and K9 Vito, Rapid City PD, have met the requirements for Patrol Dog certification on December 9, 2021;
- Canine Team Ronan Reiman and K9 Max, Rapid City PD, have met the requirements for Patrol Dog certification on December 9, 2021;
- Canine Team Brandon Thompson and K9 Jary, Rapid City PD, have met the requirements for Patrol Dog certification on December 9, 2021;
- Canine Team Shannon Irish and K9 Bram, Sioux Falls PD, have met the requirements for Patrol Dog certification on December 15, 2021.

Motion by Commission Member Ravensborg to adopt the canine certification as presented, **second** by Commission Member Eschenbaum, motion **approved**.

Cadaver (Human Remains Detection Dog) Dog discussion regarding certification, administrative rules, and statute change resulted in tabling the issue until the next scheduled meeting.

The following items were for commission information only and did not require any commission action by members:

- The Enhanced Concealed Pistol Use of Force application is updated to provide a more detailed description of fingerprint requirements, NRA number, and fee.
- The School Sentinel application added more detailed information reference fingerprint cards, signed authorization and release information, and the medical verification of physical ability.
- The voluntary consent of decertification was received by Darin Moké, formerly with the Davison County Sheriff's Office;
- The voluntary consent of decertification was received by Jeremy Johnson formerly with the Douglas County Sheriff's Office; and

- Law Enforcement Training is overseeing the technical colleges and is proposing guidelines on what Law Enforcement Training expects from the technical colleges. Audits were conducted at all three technical colleges. Proposed changes are being made to the articulation agreements between Law Enforcement Training and each of the technical colleges including what students need to be trained in. Each of the technical colleges is receptive to the changes and very open to better quality trained students and a higher success on the reciprocity exam.

There being no further business to come before the meeting body, the meeting was adjourned on a **motion** by Commission Member Ravensborg **second** by Commission Member Wollman, motion **carried**. The next meeting is planned for April 20, 2022, in conjunction with the Chief's and Sheriff's conference at the Lodge in Deadwood.