

LAW ENFORCEMENT OFFICERS
STANDARDS AND TRAINING COMMISSION
Conference Room 412 - Capitol Building
Pierre, SD
July 12, 2023

The South Dakota Law Enforcement Officers Standards and Training Commission meeting was called to order at 8:30 am on July 12, 2023, in Conference Room 412 at the Capitol Building in Pierre, South Dakota.

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

The meeting opened with the approval of the following agenda amendments:

- Cancellation of a scheduled 10:30 am hearing on July 12th.
Individual withdrew the appeal, therefore eliminating the need for a hearing.
- The addition of an academy eligibility request by Mellette County Sheriff's Office; and
- The addition of a grant funding ceiling increase proposal.

Motion by Commission Member Jackley to approve the agenda amendments, **second** by Commission Member Wollman, motion **approved**.

Chairman Satterlee declared a quorum present, and the order of business started with the Commission's approval of the previous minutes as presented on a **motion** by Commission Member Howe, **second** by Commission Member Pecora, motion **approved**.

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

Business continued with the following certification reinstatement requests, reference to ARSD rule 2:01:02:11:

Expiration of certification. Certification expires on the last day of the twenty-fourth calendar month following termination of employment. Upon petition the commission may waive all or any of the basic training program for recertification of a person whose certification has expired under this provision.

John Slama, Yankton County Sheriff's Office, along with Sheriff Preston Crissey, are present requesting certification reinstatement as John has recently been hired as part-time courtroom security and would need arrest powers. John attended the 320-hour Eight Week basic officer certification course in 1997. John's certification lapsed in May 2018. John has 19 years of law enforcement experience as a Deputy Sheriff, Sheriff, Chief of Police, and has worked as a part-time jailor for the Yankton County Sheriff's Office. Staff would recommend, based on his 19 years of law enforcement, to reinstate certification contingent upon completing 40-hours of continuing education prior to the expiration of his 12-month temporary/probationary period, to be applied to the 2023-2024 cycle.

Motion by Commission Member Wollman to reinstate certification contingent upon completion of 40 hours of continuing education, to include firearms, domestic violence, or any outstanding training in that period (40 hours continuing education prior to the 12-month period), **second** by Commission Member Rasmussen, motion **approved**.

Amelia Knuth, Flandreau Police Department, and Chief of Police Zach Weber are seeking certification reinstatement. Amelia attended and completed the 175th 520-hour basic certification session in November 2020. Amelia's certification lapsed in February 2023. Amelia was employed with the Sioux Falls Police Department from July 2020 to February 2021. There were no problems or disciplinary issues while employed with the Sioux Falls police department. Amelia was hired by the Flandreau police department in April 2023. Staff's recommendation is to reinstate certification contingent upon completing 40 hours of continuing education prior to the expiration of her 12-month temporary/probationary period, to be applied to the 2021/2022 cycle, and waiver of firearms for 2021/2022. **Motion** by Commission Member VanDusen to approve reinstatement contingent upon staff recommendation, **second** by Commission Member Jackley, motion **approved**.

The following basic and academy eligibility requests were presented:

Bobbi Ann Sullivan, formerly employed by the Day County Sheriff's Office, is present requesting eligibility reinstatement into a basic certification training session. Sullivan enrolled in the 181st basic training session on November 29, 2021, and departed on December 7, 2021, due to medical withdrawal. Sullivan enrolled in the 182nd basic training session, March 7 - June 3, 2022. Sullivan was dismissed on April 27, 2022, per ARSD rule 2:01:06:14 and student handbook section 6.

2:01:06:14. Dismissal. The executive secretary may dismiss, from the school, any person who violates any restriction or rule established by the executive secretary to administer or maintain order during the basic training course. The executive secretary may dismiss any person who engages in conduct which would be grounds for revocation or suspension of certification if the person was certified.

Section 6: Student Discipline, Paragraph C:

Dishonesty in the pursuit of academic excellence and skill achievement is unacceptable. Any student caught cheating on any written academic test, any skills evaluation, or any written assignment may be dismissed from the training program.

The dismissal decision involved a case study problem-based learning exercise to be completed by Sullivan and her group. The request for information (RFI) component for the assignment was a completed RFI from a previous basic certification course. The RFI Sullivan referenced in completing the assignment was submitted from the 181st basic course. Sullivan confirmed she had not contributed to the 181st session RFI as she was no longer attending that course and confirmed the action was dishonest and amounted to cheating. Sullivan advised she has been a volunteer firefighter for 10 years, has worked in different areas of security, and has enrolled in the Lake Area Technical College law enforcement program. Her goal is to serve in law enforcement. Staff recommendation is to deny the eligibility request as it is an integrity issue. Sullivan also previously indicated to the Training Administrator that the basis for the dismissal was not accurate despite her admissions. **Motion** by Commission Member Wollman to deny, **second** by Commission Member Pecora, motion **approved**.

Alicen Fladland, Roberts County Sheriff's Office, and Sheriff Tyler Appel are before members asking consideration to allow eligibility for Fladland to attend the Basic Certification training course to become a South Dakota certified officer. Fladland's application to attend the Basic Certification course was denied based on the responses on her application. Reference to ARSD rule 2:01:02:01(10):

2:01:02:01. Minimum standards for employment. A person may be employed or certified as a law enforcement officer only if the person meets the following requirements... Has not unlawfully used any prescribed drug, controlled substance, or marijuana within one year before the time of application for certification.

Fladland answered yes on the application to using marijuana within the last year. She had knee surgery and smoked marijuana for the pain. Fladland purchased marijuana on the Flandreau Santee Sioux Tribe reservation using a medical card issued by the Flandreau Santee Sioux Tribe. Fladland is not an enrolled member of the Flandreau Santee Sioux Tribe, and smoked the marijuana at her home in Sisseton, not within the reservation boundaries of the Flandreau Santee Sioux Tribe. Fladland was honest on the application for certification and was forthcoming in the investigation and interview with Professional Standards Unit Investigator Guy DiBenedetto. Fladland is currently outside the 12-month marijuana-prohibiting window. Staff recommendation is to declare eligible and permit her to submit a new application for certification. **Motion** by Commission Member Jackley to reinstate subject and to fill out a new application, **second** by Commission Member Gaikowski, motion **approved**.

Jose Bonilla, and Mellette County Sheriff Mike Blom are present requesting commission consideration to employ Bonilla and be allowed to attend the academy. Bonilla was dismissed from the 174th Basic Training session due to academic failure. The 174th training session was during the COVID pandemic with online training. Bonilla was overwhelmed with the online course portal. Bonilla was employed with the Mission Police Department from February - October 2020. Mellette County Sheriff's Office would like to offer Bonilla employment as a deputy. Staff recommends eligibility reinstate to attend the academy and allow Bonilla to submit an application for certification. **Motion** by Commission Member VanDusen to accept staff recommendation, **second** by Commission Member Peterson, motion **approved**.

Members considered the following requests for another opportunity at handgun qualifications to obtain certification as a South Dakota law enforcement officer:

Kohl Mahoney, Platte Police Department, and Chief of Police Brandon Semmler are before commission members seeking consideration for an additional attempt for firearms qualification to complete certification as a law enforcement officer. Mahoney was dismissed from the 186th Basic Certification training session due to failure to demonstrate proficiency in firearms. Mahoney made three attempts during the basic session to qualify with his handgun. During the three opportunities to qualify, Mahoney did not obtain a minimum passing score of 38. Five remedial training sessions were offered by the Law Enforcement Training Staff. Mahoney only attended one of the remedial training sessions. Chief Semmler advised Mahoney has spent several hours of practicing at the local range and has shot an average of 43 out of 50 rounds. The Platte Police Department is a two-man department and hiring is difficult. Mahoney has met all other requirements for certification. The staff has no position. If members approve another opportunity for qualification, staff request one attempt to qualify conducted under the supervision of Law Enforcement Training staff in Pierre prior to the 187th-188th training sessions. **Motion** by Commission Member Howe to approve one more attempt pursuant to the staff recommendation prior to the next academy session, **second** by Commission Member Peterson, motion **approved**.

Nolan Koistinen, SD Highway Patrol along with Major Jason Kettering are present requesting Koistinen be given another opportunity to meet the state's standards firearms qualification. Koistinen was dismissed from the 186th Basic Certification training session due to failure to demonstrate proficiency in firearms. Koistinen made three attempts during the basic session to qualify with his handgun. During the three opportunities to qualify, Koistinen did not obtain a minimum passing score of 38. Five remedial training sessions were offered by the Law Enforcement Training Staff, and Koistinen attended four out of the five training sessions. Major Kettering advised Koistinen has spent multiple hours of firearms training and is consistently shooting mid-40s. Koistinen has shown professionalism and loyalty to the organization, is a team player, and has worked hard. The staff has no position. If members grant another opportunity for qualification, staff request one attempt to qualify conducted under the supervision of Law Enforcement Training staff in Pierre prior to the 187th-188th training sessions. **Motion** by Commission Member Pecora to approve one more attempt pursuant to the staff recommendation prior to the next academy session, **second** by Commission Member Rasmussen, motion **approved**.

The Sturgis Police Department is requesting financial assistance to host the following grant. Sgt. Dylan Goetsch is present to answer any questions members may have.

Patrol Rifle Instructor Development. The five-day 44-hour course is taught by American Firearms Training and Tactics (AFTT) and will be conducted in August 2023. The course is designed to develop instructors in the use of the law enforcement patrol rifle. The cost of the course is \$13,000.00 and covers everything needed. The police department is requesting \$10,000.00 and will charge a small tuition fee to cover the remaining \$3,000.00. The course would have a maximum of 20 students. Law Enforcement Training has utilized the vendor to conduct courses in Pierre. The training course will be open to all statewide law enforcement officers. Staff recommended funding. **Motion** by Commission Member Rasmussen to approve the grant request, **second** by Commission Member Pecora, motion **approved**.

Sisseton Police Department is seeking funding assistance to host the following grant. Sgt. Jeremy Stauss is present via phone to answer any questions members may have regarding the grant request. *Public Safety Recruitment and Retention*. The two-day workshop will be presented by Fresh Talent and will be conducted in October 2023. Law enforcement agencies are facing challenges when it comes to attracting, engaging, and retaining top talent. The workshop will be beneficial for agencies in recruiting and retaining officers for their departments. The police department is requesting \$10,000.00 to assist in funding the workshop. Staff recommends funding. **Motion** by Commission Member Howe to approve the grant request, **second** by Commission Member Gaikowski, motion **approved**.

Executive Secretary Prim presented a grant ceiling request for member consideration. The current ceiling for grant applications is for any amount up to, but not exceeding \$10,000.00. Due to inflation, it is proposed to raise the ceiling to \$15,000.00 to cover increasing costs. Grant funding requests have not maxed the \$85,000.00 allotted amount. **Motion** by Commission Member Howe to make the change to the \$15,000.00 ceiling amount, **second** by Commission Member Peterson, motion **approved**.

Chairman Satterlee called a brief recess and members returned to session with a quorum present.

The Sturgis Police Department has submitted a firearms qualification waiver request under ARSD 2:01:06:02. Each year the Sturgis PD hires certified officers from South Dakota and surrounding states to supplement the police force and help with the influx of people during the annual Sturgis Motorcycle Rally. For officers that have not been able to qualify prior to the start of the Rally, the PD will have their firearms instructor qualify them prior to their scheduled shifts. Due to time and budget constraints, the PD relies on other officers being up to date on all their training and certification requirements mandated by their agencies and their administrative rules. Staff recommended granting the waiver request and require Sturgis PD furnish Law Enforcement Training with a list of appointed officers, verification of firearms qualification completion within the year prior to their appointment, and the employment start date and projected end date. **Motion** by Commission Member Pecora to approve the Sturgis waiver request to include staff recommendation, **second** by Commission Member VanDusen, motion **approved**.

Executive Secretary Prim presented the following reciprocity requests:

Tucker Amiotte, Jackson County Sheriff's Office, completed the FLETC basic training course in October 2000. Staff reviewed the 14-week curriculum, and it is equivalent to the 520-hour course. Amiotte was employed by the:

- Bureau of Indian Affairs, Office of Justice Services from March 2009 to June 2015
- Bureau of Indian Affairs, Division of Drug Enforcement Pierre from June 2015 to June 2016, and
- Bureau of Indian Affairs, Division of Drug Enforcement Rapid City from January 2017 to April 2022

The background check revealed no adverse information. Amiotte completed the reciprocity exam in April 2023, and the April 2023 reciprocity training week requirements. **Motion** by Commission

Member Rasmussen to approve the reciprocity application for Tucker Amiotte, **second** simultaneously by Commission Members Howe and VanDusen, motion **approved**.

Michael Drake, Brookings Police Department, completed a 462-hour basic course for police officers in 1995 and the 1,064-hour New York State Police Academy in April 1997. Drake was employed by the Village of Monticello Police Department from March 1996 to October 1996 and the New York State Police from October 1996 to August 2022. The background check revealed no adverse information. Drake completed the reciprocity exam in March 2023 and the April 2023 reciprocity training week requirements. **Motion** by Commission Member Howe to approve the reciprocity application for Michael Drake, **second** by Commission Member Wollman, motion **approved**.

Cameron Fields, Wagner Police Department, completed the 597.5-hour FLETC Indian Country police officer training in April 2020. The academy curriculum has been reviewed by staff and is equivalent to the 520-hour course. Per the Bureau of Indian Affairs, Fields meets the Peace Officer Standards to be a certified officer and there is no derogatory information concerning the applicant. Fields was employed with Yankton Sioux Tribe Law Enforcement Services from August 2019 to December 2022. The background check revealed no adverse information. Fields completed the reciprocity exam in April 2023 and the April 2023 reciprocity training week requirements. **Motion** by Commission Member Rasmussen to approve the reciprocity application for Cameron Fields, **second** by Commission Member VanDusen, motion **approved**.

Aaron Furth, Tea Police Department, completed the Minnesota West Technical College Law Enforcement Program in May 2014 and fulfilled all requirements for licensure as a peace officer in July 2015. Staff review of academic requirements and skills academy revealed training is equivalent to the 520-hour course. Furth was employed with the Marshall Police Department from June 2015 to September 2022. The background check revealed no adverse information. Furth completed the reciprocity exam in April 2023 and the April 2023 reciprocity training week requirements. **Motion** by Commission Member Wollman to approve Aaron Furth's reciprocity application, **second** by Commission Member Howe, motion **approved**.

Kyle Kleinschmit completed the Law Enforcement Science Program at Southeast Technical College in May 2020 during the COVID pandemic. Kleinschmit was hired by an agency in 2022. The background check revealed no adverse information. Kleinschmit completed the reciprocity exam in February 2023 and the April 2023 reciprocity skills requirements. **Motion** by Commission Member Howe to approve the reciprocity application for Kyle Kleinschmit, **second** by Commission Member Pecora, motion **approved**.

Alyssa Palmer, Sioux Falls Police Department, completed the State of Wisconsin 520-hour law enforcement basic training course through the Madison Police Department Academy in November 2009. Palmer resigned in good standing from the Madison Police Department in October 2022. The training curriculum and in-service records reviewed by staff is equivalent to the 520-hour LET training course. The background revealed no adverse information. Palmer completed the reciprocity exam in November 2022 and the April 2023 reciprocity training week requirements. **Motion** by Commission Member Gaikowski to approve Palmer's reciprocity application, **second** by Commission Member Rasmussen, motion **approved**.

Joshua Rauenhorst, Aberdeen Police Department, completed the Alexandria Technical and Community College Law Enforcement Program in May 2022. Rauenhorst passed the Minnesota Peace Officer Licensing Exam in June 2022 and is eligible for a peace officer license. The background check revealed no adverse information. Rauenhorst completed the reciprocity exam in April 2023, and the April 2023 reciprocity training week requirements. **Motion** by Commission Member VanDusen to approve the reciprocity application for Joshua Rauenhorst, **second** by Commission Member Wollman, motion **approved**.

Blaine Wilson completed the 597.5-hour FLETC Indian Country Police Officer Training Program in April 2021. The academy curriculum has been reviewed by staff and is equivalent to the 520-hour course. Wilson was employed by the Oglala Sioux Tribal Department of Public Safety from December 2020 to July 2022. The background revealed no adverse information. Wilson completed the reciprocity exam in April 2023 and the April 2023 reciprocity training week requirements. **Motion** by Commission Member Howe to approve Wilson's reciprocity application, **second** by Commission Member Gaikowski, motion **approved**.

The following technical college students completed the Firearms, EVOC, and Use of Force requirements in July 2023, and were issued a letter of eligibility for certification. The students will become certified upon being hired by an agency within two years of graduation and reaching 21 years of age when hired by a law enforcement agency.

- Lake Area Technical College: Brandon Anderson; Riley Folkers; and Gabriell Larson
- Southeast Technical College: Jakob DeBerg
- Western Dakota Technical College: Janae Olson; and Andre Stroup

Staff recommends accepting the reciprocity requests from all six and grant certification contingent upon being hired by an agency and becoming 21 years of age.

Motion by Commission Member Wollman to approve the reciprocity application names as listed, **second** by Commission Member Howe, motion **approved**.

Executive Secretary Prim presented a proposal regarding an Agreed Disposition of Contested Cases Protocol for member review, discussion, and consideration. The commission is empowered by ARSD 2:01:11:01 to revoke or suspend the certification of a law enforcement officer for specified misconduct and by ARSD 2:05:03:01 for 911 telecommunicators. The revocation or suspension process is activated by the Executive Secretary giving notice of a contested case hearing under SDCL chapter 1-26. Resolution of contested cases via an agreed disposition is permitted by SDCL 1-26-20:

1-26-20. Agreed disposition of contested cases. Unless precluded by law, informal disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default.

Executive Secretary Prim discussed the criteria, scope, and protocol involved with the agreed disposition negotiations, settlement agreement corrective actions, and the process by which the agreed disposition can be negotiated, proposed, and approved for conduct which would be grounds for certification action under ARSD 2:01:11:01 and ARSD 2:05:03:01.

Concluding member review and discussion if investigative files would be public information, Commission Member Wollman made a **motion** to approve the process with further discussion regarding public information, **second** by Commission Member Jackley, motion **approved**. Members agreed it sounds appropriate for their consideration.

The following canine teams have met the requirements for certification or recertification:

- Canine Team **Brandon Thompson and K9 Hoonigan**, Rapid City PD, have met the requirements for Drug Detection certification on March 30, 2023;
- Canine Team **Brandon Thompson and K9 Hoonigan**, Rapid City PD, have met the requirements for Patrol Dog certification on May 18, 2023;
- Canine Team **Wesley Bowsher and K9 Tango**, Grant Co SO, have met the requirements for Drug Detection certification on March 30, 2023;
- Canine Team **Matthew Geppert and K9 Sadie**, SD Department of Corrections, have met the requirements for Corrections Dog certification on August 23, 2022;
- Canine Team **Matthew Geppert and K9 Delta**, SD Department of Corrections, have met the requirements for Corrections Dog certification on April 25, 2023;
- Canine Team **Chris Happe and K9 Bleu**, SD Department of Corrections, have met the requirements for Corrections Dog certification on August 23, 2022;
- Canine Team **Michael Varilek and K9 Taz**, Corson Co SO, have met the requirements for Drug Detection certification on April 21, 2023;
- Canine Team **Jeremy Reede and K9 Rowdy**, Cheyenne River Sioux Tribe, have met the requirements for Drug Detection certification on April 21, 2023;
- Canine Team **Don Farlee and K9 Utah**, Cheyenne River Sioux Tribe have met the requirements for Drug Detection certification on April 21, 2023;
- Canine Team **Don Farlee and K9 Utah**, Cheyenne River Sioux Tribe have met the requirements for Patrol Dog certification on May 18, 2023;
- Canine Team **Garrett Mastin and K9 Vito**, Rapid City PD, have met the requirements for Drug Detection certification on April 21, 2023;
- Canine Team **Dennis Mez and K9 Doc**, SD Highway Patrol, have met the requirements for Drug Detection certification on April 21, 2023;
- Canine Team **Bill Berry and K9 Loki**, SD Highway Patrol, have met the requirements for Drug Detection certification on April 21, 2023;
- Canine Team **Stuart Griffith and K9 Sem**, SD Highway Patrol, have met the requirements for Drug Detection certification on April 21, 2023;
- Canine Team **Shannon Rojo and K9 Chena**, Oglala Sioux Tribe, have met the requirements for Drug Detection certification on April 21, 2023;
- Canine Team **William Moran and K9 Ontario**, BIA Drug Enforcement, have met the requirements for Drug Detection certification on March 30, 2023;

- Canine Team **Nate Pepin and K9 Zane**, Mobridge PD, have met the requirements for Drug Detection certification on April 21, 2023;
- Canine Team **Grant Van Voorst and K9 Hugo**, Sioux Falls PD have met the requirements for Patrol Dog certification on May 18, 2023;
- Canine Team **Thomas Klein and K9 Spike**, Moody Co SO, have met the requirements for Patrol Dog certification on May 18, 2023;
- Canine Team **Dennis Maude and K9 Poli**, Huron PD, have met the requirements for Drug Detection certification on June 22, 2023;
- Canine Team **Seth Bonnema and K9 Gina**, Brookings PD, have met the requirements for Drug Detection certification on June 22, 2023;
- Canine Team **Damon Griffith and K9 Oakley**, Wagner PD, have met the requirements for Drug Detection certification on June 22, 2023;
- Canine Team **Garrett Harmon and K9 Igor**, Chamberlain PD, have met the requirements for Drug Detection certification on June 22, 2023;
- Canine Team **Jordan Anderson and K9 Demi**, SD Highway Patrol, have met the requirements for Drug Detection certification on June 22, 2023;
- Canine Team **Brandon Miller and K9 Murph**, SD Highway Patrol, have met the requirements for Drug Detection certification on June 22, 2023;
- Canine Team **Taylor Mohr and K9 Brio**, SD Highway Patrol, have met the requirements for Drug Detection certification on June 22, 2023;
- Canine Team **Nathan Monger and K9 Dax**, SD Highway Patrol, have met the requirements for Drug Detection certification on June 22, 2023; and
- Canine Team **Paul Smedsrud and K9 Tommy**, Sioux Falls PD, have met the requirements for Explosives Detection certification on July 5, 2023

Motion by Commission Member VanDusen to approve the canine certification listing as presented, **second** by Commission Member Pecora, motion **approved**.

Newly appointed commission member Troy VanDusen was introduced to members. Troy is a retired Watertown PD officer and the current 911 Watertown PD supervisor. Troy is the County Commission representative.

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

Members were provided copies of the Western Dakota Technical College Law Enforcement Training Academy Memorandum for review.

During the most recent audit, Law Enforcement Training had identified four areas in the college program that were identified as deficient. The deficiencies demonstrate non-compliance with the articulation agreement:

- Deficiency 1: Submitting inaccurate/false reports;
- Deficiency 2: Presenting students for testing, prior to the final program semester;
- Deficiency 3: Failure to record and report required retention information; and
- Deficiency 4: Instructor credential records.

As authorized by the articulation agreement, each deficiency could qualify as a basis for the program to be placed on at-risk status and a one-year probationary period. Law Enforcement Training requested that Western Dakota Technical College voluntarily remedy the deficiencies by providing written documentation no later than May 1, 2023, outlining their corrective action plan. In-person conversations with Director Satterlee, Assistant Director Stoeser, Western Dakota Technical College President, and Vice-President have resulted in a good arrangement to move forward to provide a written corrective plan to resolve and comply with deficiencies to put the program in good standing by August 1, 2023.

A Southeast Technical College audit was presented to members for their review. There are no major issues.

Lake Area Technical College has lost its law enforcement program director. They are still on board with the agreement, but Law Enforcement Training will not conduct an audit until a new program director is in place.

Staff changes - Law Enforcement Training welcomes new Training Coordinator John McQuillen. John is a former Brown County Deputy, a 911 supervisor, and has been a LET adjunct instructor. 911 coordinator Mary Niles retired in June 2023.

Members recessed for lunch and reconvened at 1:00 pm with a quorum present.

Business proceeded with the scheduled hearing of **Kody Beckers**. Chairman Satterlee turned the proceedings over to Hearing Officer Ryan Vogel. It was stated for the record that this is the time and place for the adversarial hearing to determine whether Beckers possesses the requisite minimum standards required to be employed or certified as a law enforcement officer, to-wit: On or about September 17, 2015, Beckers unlawfully possessed marijuana wax in violation of Minnesota statute 152.025.2(a)(1). He pled guilty to that offense, which was a felony under Minnesota law at the time and received a stay of adjudication pursuant to Minnesota statute 152.18 subd 1; pursuant to SD 23-3-42 and ARSD 2:01:01:01 and 2:01:02:02.

Beckers is present without counsel. Kelly Marnette, Assistant Attorney General, is acting counsel for the State. 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, presentation of exhibits, and testimony were heard.

Concluding continued testimony, questions, and closing statement, the evidentiary portion of the hearing concluded. The commission retired into executive session on a **motion** by Commission Member Wollman, **second** by Commission Member Pecora, motion **approved**.

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

Motion by Commission Member Rasmussen to grant Kody Beckers eligibility for reciprocity with the stipulation he be subject to random drug testing by LET indefinitely and to authorize the Chair to sign the Order on behalf of the commission, **second** by Commission Member Wollman, motion **approved**. Motion approved by verbal response in the affirmative by all members. **Action: 8-0 Aye** (Gaikowski, Howe, Jackley, Pecora, Peterson, Rasmussen, VanDusen, and Wollman). Assistant Attorney General Ms. Marnette will prepare the Order. This concluded the hearing proceedings.

The meeting was adjourned and reconvene on July 13, 2023, at 10:00 a.m.