

LAW ENFORCEMENT OFFICERS
STANDARDS AND TRAINING COMMISSION
Meeting Room #10
Sioux Falls Convention Center
Sioux Falls, SD
October 30, 2024

The South Dakota Law Enforcement Officers Standards and Training Commission meeting was called to order on October 30, 2024, in Meeting Room #10 at the Sioux Falls Convention Center. 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; Andy Howe, Clay County Sheriff; Marty Jackley, Attorney General; Joan Machione, Special Agent, FBI; Jessica Quigley, Tea Chief of Police; Kathy Peterson, Rapid City; Jay Rasmussen, Sioux Falls; Troy VanDusen, Codington County Commissioner; Neil Fulton, USD School of Law Dean, and Tom Wollman, Lincoln County State's Attorney, joined the meeting later. Others present included Dan Satterlee, Chairman; Hank Prim, Executive Secretary; Law Enforcement Training and DCI Staff. Commission Member, Gary Gaikowski, Sisseton-Wahpeton Chief of Police, was absent.

Chairman Satterlee declared a quorum present.

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

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

Executive Secretary Prim presented the following grant request:

The USD Police Department is requesting financial assistance to host a *Fundamentals of Executive Protection Course*. Chief of Police Bryant Jackson is available via phone should members have any questions regarding the grant request. The two-day program will be conducted by the Executive Protection Institute (EPI) in the Spring of 2025. The grant proposal is requesting \$10,000 to provide the required funding for the training event. The maximum enrollment is 30 officers, and the minimum enrollment is 20 officers. The USD Police Department has contacted other agencies that have expressed an interest in attending the course. The program is designed to equip participants with the essential skills and knowledge required for effective VIP security. This course combines practical techniques with intelligence-driven methodologies to prepare participants for the diverse challenges of executive protection in modern environments. **Motion** by Commission Member VanDusen to approve the grant request, **second** by Commission Member Howe, motion **approved**. Note - Commission Member Fulton is recused.

Halayna Prestjohn, and the Sturgis Police Department are requesting certification reinstatement. Prestjohn and Geody Vandewater are available by phone should members have any questions

regarding the certification reinstatement request. Prestjohn attended the 179th 520-hour Basic Officer Certification session and received law enforcement officer certification in November 2021. Prestjohn was employed with the Summerset Police Department from March 2021 to September 2022. Prestjohn's certification lapsed in September 2024. Prestjohn was rehired by the Sturgis Police Department in October 2024. Prestjohn remained within the justice system, working as a Court Service Officer in the Unified Judicial System of the Rapid City office.

Law Enforcement Training has reviewed the updated application package submitted by the Sturgis Police Department and determined that Prestjohn meets all minimum standards for employment and certification. Staff recommendation - reinstate certification contingent on completion of all necessary training to comply with the current continuing education cycle. **Motion** by Commission Member Fulton to accept the staff recommendation with the stipulation, **second** by Commission Member Machione, motion **approved**.

Reference made to ADRS 2:05:01:06:

A 911 telecommunicator's certification expires on the last day of the twenty-fourth calendar month following separation from 911 telecommunicator employment. ARSD 2:05:01:06 permits the Commission to reinstate certification and waive any portion of the basic training program for individuals whose certification had expired if the applicant "remains capable of performing the duties of a 911 telecommunicator, notwithstanding the expiration of certification."

The Roberts County Sheriff's Office is seeking 911 telecommunicator certification reinstatement of **Paula Hadzis**. Roberts County Sheriff Tyler Appel is present to answer any questions. Paula completed the 54th 911 2-Week Basic Session and gained 911 telecommunicator certification in March 2017. Paula was employed with the Roberts County Sheriff's Office from September 2016 until her resignation in December 2021. Her certification expired in December 2023. Paula was rehired by the Roberts County Sheriff's Office as a 911 telecommunicator in September 2024.

An updated application package has been submitted by the Roberts County Sheriff's Office. Law Enforcement Training has reviewed the application package and determined Paula meets all minimum standards for employment/certification. Staff recommendation - reinstate the 911 telecommunicator certification contingent upon attending and successfully completing within twelve months of the hire the NCIC Full Access portion of the Basic 911 Telecommunicator Certification Course. **Motion** by Commission Member Machione to grant certification reinstatement with staff stipulation, **second** by Commission Member Peterson, motion **approved**.

The Spink County Sheriff's Office is seeking 911 telecommunicator certification reinstatement of **Kandi Shantz**. Spink County Sheriff Jenna Appel is available by phone should members have any questions regarding the certification reinstatement request. Kandi completed the 58th 911 2-Week Basic Session and gained 911 telecommunicator certification in June 2018. Kandi was employed with the Spink County Sheriff's Office from January 2018 until August 2021, and the Brown County Jail from April 2022 until August 2024. Her certification expired in August 2023. Kandi was rehired by the Spink County Sheriff's Office as a 911 telecommunicator in August 2024.

An updated application package was submitted by the Spink County Sheriff's Office. Law Enforcement Training has reviewed the application package and determined Kandi meets all minimum standards for employment/certification. Staff recommendation - reinstate the 911 telecommunicator certification contingent upon satisfying the NCIC Full Access requirement portion of the Basic 911 Telecommunicator Certification Course within twelve months of the hire. **Motion** by Commission Member VanDusen to grant certification reinstatement with staff stipulation, **second** by Commission Member Rasmussen, motion **approved**.

Reference made to ARSD rule 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 South Dakota Highway Patrol submitted firearms waiver requests for Troopers **John Peary** and **Scott Longhofer**.

Trooper Peary was granted continuing education waiver requirements for the 2019; 2020; 2021; and 2022 cycles by the commission in March 2023 due to military service. Trooper Peary has been on various military orders since 2019. Trooper Peary's current assigned tour is September 2023 - September 2025 as documented in military orders provided to the Commission.

Staff recommendation - to waive the continuing requirements of ARSD 2:01:06:17.03 for the 2023/2024 cycle, with the stipulation Trooper Peary be required to complete all continuing education requirements before exercising any law enforcement powers in the event he returns before the expiration of his orders. **Motion** by Commission Member Jackley to approve staff recommendation, **second** by Commission Member Machione, motion **approved**. Note – Commission Member Collins is recused.

Trooper Longhofer was granted a continuing education waiver for the 2021/2022 cycle by the Commission in April 2023 due to military service. Trooper Longhofer had been on various military orders since 2015. Trooper Longhofer's military service has been extended to February 2038, as documented in a recent military order provided to the Commission.

Staff recommendation - to waive the continuing requirements of ARSD 2:01:06:17.03 for the 2023/2024 cycle, with the stipulation Trooper Longhofer be required to complete all continuing education requirements before exercising any law enforcement powers in the event he returns before the expiration of his orders. **Motion** by Commission Member Fulton to approve staff recommendation, **second** by Commission Member Peterson motion **approved**. Note - Commission Member Collins is recused.

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

- Canine Team **Amanda Fox and K9 Rex**, Sioux Falls Police Department, have met the requirements for Patrol Dog recertification on September 20, 2024;
- Canine Team **Garrett Mastin and K9 Vito**, Rapid City Police Department, have met

the requirements for Patrol Dog recertification on October 16, 2024; and

- Canine Team **Roan Reiman and K9 Max**, Rapid City Police Department, have met the requirements for Patrol Dog recertification on October 16, 2024.

Motion by Commission Member Collins to recommend renewal as detailed on the table, **second** by Commission Member Machione, motion **approved**.

Jacob Puckett, Rapid City, requested basic eligibility reinstatement. Puckett did not attend the meeting, and no explanation was given.

Executive Secretary Prim presented the proposed modification to commission suspension for **Damian Weets**. A hearing in the matter of the law enforcement officer certification of Weets was held in October 2023. The Commission found that Weets' conduct, use of excessive force, warranted a one-year suspension of his law enforcement officer certification effective October 25, 2023, with stipulations. The stipulations included a psychological evaluation and a "fit for duty" evaluation. Weets completed one psychological evaluation in January 2024. The psychologist concluded there was a low potential for future violence as a result of what constituted an isolated incident. Since the psychologist made no recommendation for compliance, a proposed order modifying suspension indicating the stipulation to complete a second fit-for-duty evaluation be struck to avoid the cost of an additional evaluation is being requested. All other conditions and suspension terms detailed in the December 2023 order remain in effect. Weets' suspension will end in December 2024, and he cannot be employed until his suspension ends. Members agreed to waive the second evaluation on a **motion** by Commission Member Machione and to authorize the Chair to sign the order on behalf of the commission, **second** simultaneously by Commission Members Collins and VanDusen, motion unanimous by verbal response. **Action 10-0** (Allender; Collins; Fulton; Howe; Jackley; Machione; Peterson; Quigley; Rasmussen, and VanDusen).

Executive Secretary Prim presented an Agreed Settlement of Contested Case in the matter of the law enforcement officer certification of **Samuel Ackerman**. Based upon findings and review of the investigative file, the respondent Ackerman, Executive Secretary Prim, Ackerman's attorney, and Chief Deputy Attorney General Kempema, agreed to resolve the formal contested case hearing and all other procedures before the Commission through the Agreed Settlement. The Agreed Settlement of Contested Case and the investigative file will be reviewed by the Commission.

Ackerman agrees this Agreed Settlement and the investigative file associated with this matter shall be disclosed to the chief law enforcement officer of Ackerman's employing agency and the respective State's Attorney servicing the respondent's (Ackerman's) jurisdiction. Ackerman agrees the Executive Secretary shall supply, upon request from any other law enforcement agency, this Agreed Settlement and the investigative file regarding the conduct leading to the suspension.

Ackerman shall serve a 30-day suspension of his South Dakota law enforcement officer certification. Ackerman shall attend four hours of remedial training in ethics conducted during the basic law enforcement certification course in Pierre. Remedial training must be completed by June 30, 2025. At the conclusion of the remedial training, Ackerman will submit to the Executive Secretary and the Commission a one-page summary of his key takeaways from the training and how he will apply those lessons moving forward. **Motion** by Commission Member Rasmussen to

accept the Agreed Settlement and authorize the Chair to sign the order approving the Settlement on behalf of the Commission, **second** by Commission Member Machione, motion unanimous by verbal response. **Action 10-0** (Allender; Collins; Fulton; Howe; Jackley; Machione; Peterson; Quigley; Rasmussen, and VanDusen).

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 VanDusen to accept the staff recommendations for reciprocity law enforcement certification candidates, as listed in Attachment A (*pages 7-8 of minutes*) of the consent agenda, **second** by Commission Member Machione, motion **approved**.

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

Hearing Officer Hieb proceeded with the scheduled hearing for **Jacob Hoffmeister**. The hearing is held to determine whether Jacob Hoffmeister was properly dismissed from the Basic Certification Course because Hoffmeister's conduct violated any restriction or rule established by the executive secretary to administer or maintain order during the basic training course and/or whether Hoffmeister engaged in conduct which would be grounds for revocation or suspension of certification if he were certified, to-wit: On or about August 20, 2024, while attending the basic certification course, it was discovered Hoffmeister was untruthful and dishonest in statements made to the Brookings County Sheriff's Office, his employing agency, regarding attempts to meet with Law Enforcement staff to fix performance deficiencies. Pursuant to SDCL 23-3-42 and ARSD 2:01:06:14 and/or 2:01:11:01 and 2:01:11:10.

Jacob Hoffmeister is present with counsel Erin Willadsen. Brent Kempema, Chief Deputy 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 Peterson, motion **approved**.

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

Motion by Commission Member Fulton to affirm the decision by Executive Secretary Prim to dismiss Mr. Hoffmeister and we further find there is a basis for Mr. Hoffmeister to make application without expiration of one year pursuant to ARSD 2:01:02:08, **second** by Commission Member Howe, motion unanimous by verbal response. **Action 11-0** (Allender, Collins, Fulton, Howe, Jackley, Machione, Peterson, Quigley, Rasmussen, VanDusen, and Wollman). **Motion** by Commission Member Collins to authorize the Chair to sign Findings and Conclusions on behalf of the Commission, **second** by Commission Member Allender, motion **approved**. This concluded the hearing proceedings.

Members recessed for lunch.

Attachment B, complaints, (*pages 9-14 of minutes*). No action is required by Commission Members. There have been 135 complaints in 2024; 114 complaints in 2023; and 89 complaints in 2022. The complaint process is a quality check, and the amount of work that goes into the complaints is incredible. The system is working.

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

Law Enforcement Training will be holding the Professional Standards training block for the 193rd basic session on Wednesday, November 13th. Commission Members are invited to attend.

The following voluntary consents of decertification have been received:

- Matthew Wilson, former Lincoln County Deputy, embezzlement of funds belonging to the Lincoln County Fraternal Order of Police.
- Gabriel Dillow, former Rapid City Police Department, lied and made false statements in a police report.

Regarding marijuana on the ballot, a meeting on policy and how to handle/rule will be conducted in the future.

There being no further business to come before the meeting body, the meeting was adjourned.

ATTACHMENT A

Reciprocity Law Enforcement Certification Requests

Staff recommendation: Grant reciprocity certification

Perry, Robert - South Dakota Department of Public Safety - SD Highway Patrol

Completed the reciprocity exam on 08/28/2024 - 80.5%

- Completed the requirements prescribed for the course of study for State Trooper in 6/1990.
Completed the course of instruction to be appointed a Special Agent of the FBI in 10/1997.
- Course equivalency based on the Pennsylvania State Police Academy in 1990, not on the FBI
- A background check revealed no adverse information.
- Employed by the Pennsylvania State Police from 1/1990 to 6/1997;
Federal Bureau of Investigation from 6/1997 to 12/2021;
Retired 1/2022 to 9/2023;
Appointed Cabinet Secretary 1/2024 - Department of Public Safety-SD Highway Patrol.
- Completed skills and classroom requirements during the Sept 30 - Oct 4, 2024, reciprocity training week.

Staff recommendation: Grant reciprocity certification

Sitter, Steven - Division of Criminal Investigation

Completed the reciprocity exam in 06/2024 - 84%

- Completed a 997-hour Basic Course-Intensive in Dec. 2014
- Basic Certificate awarded in 1/2018
- Training hours are equivalent
- A background check revealed no adverse information
- Employed by the Hartford Police Department from 1/2016 to 5/2024
- Completed skills and classroom requirements during the Sept 30 - Oct 4, 2024, reciprocity training week

Staff recommendation: Grant reciprocity certification

Urban, Dylan - Game, Fish & Parks

Completed the reciprocity exam in 12/2023 - 78%

- Completed a 589-hour Law Enforcement Program in December 2019
- Dylan will need to complete 4 hrs. of Fair and Impartial Treatment during the basic
- A background check revealed no adverse information
- Employed by the Utah DNR-Parks/Recreation from 8/2019 to 2/2024
- Completed skills and classroom requirements during the Sept 30 - Oct 4, 2024, reciprocity training week

Staff recommendation: Grant reciprocity

Schneider, Drayden - Lake Area Technical College

Completed the reciprocity exam in 4/2024 - 81.5%

- Completed the Law Enforcement Science Program in May 2024
- Attended the May 6 - 74, 2024, reciprocity skills, demonstrated proficiency in EVOC skills, completed the use of Force evaluation, but did not demonstrate proficiency in firearms. He completed the firearms requirement on 10/23/2024.
- Drayden will turn 21 in December
- Eligible for certification upon 21 years of age and when hired by a law enforcement agency within two years of graduation

Staff recommendation: Grant reciprocity certification upon 21 years of age, and when hired by a law enforcement within two years of graduation.

Auen, Brittney - Brookings Police Department [Dispatcher]

- Completed the Law Enforcement Science Program in May 2024
- Attended the May 6 - 74, 2024, reciprocity skills, demonstrated proficiency in EVOC skills, completed the use of Force evaluation, but did not demonstrate proficiency in firearms. She completed the firearms requirement on 10/24/2024.
- Brittney will turn 21 in December
- Eligible for certification upon 21 years of age and when hired by a law enforcement agency within two years of graduation

Staff recommendation: Grant reciprocity certification upon 21 years of age, and when hired by a law enforcement within two years of graduation



ATTACHMENT B - Complaints

SOUTH DAKOTA LAW ENFORCEMENT OFFICERS STANDARDS & TRAINING COMMISSION PROFESSIONAL STANDARDS AND MISCONDUCT COMPLAINT PROGRAM REPORT OF INDEPENDENT COMMISSION MEMBER REVIEW & DISPOSITION

In accordance with ARSD 2:01:11:04 and ARSD 2:05:03:04, the Executive Secretary shall submit any complaint not resulting in a contested case hearing to an independent commission member for review. After examining the complaint and investigative report, the commission member must either (1) request further investigation, (2) direct the executive secretary to give notice of a contested case hearing or (3) the commission member may dismiss the complaint if it appears that the grounds alleged in the complaint are frivolous, clearly unfounded in fact, or, in the opinion of the commission member, the appointing authority has adequately responded to allegations alleged in the complaint. If the commission member dismisses the complaint, such dismissal shall be reported to the commission at its next regularly scheduled meeting. This document reflects complaints/investigations reviewed by an independent commission member and subsequently dismissed.

I have reviewed the below listed complaints/investigations and concur with the Executive Secretary's determination not to give notice of a contested case hearing. Consequently, the below listed complaints/investigations are dismissed in accordance with the listed disposition.

Troy M. VanDusen		10/22/24
Commission Member Name	Commission Member Signature	Date of Signature

Complaint Number	Type of Agency	Summary	Disposition
240098	East River Sheriff's Dept.	The complainant reported that he encountered a deputy sheriff who allegedly committed a criminal act by breaking the window of his vehicle, brandishing his firearm, and attempting to kidnap him.	The DCI Special Agent concluded from the investigation that the driver did not cooperate with the deputy and eventually rolled up his window. This led the deputy to break the window in order to extract the driver. The enforcement measures taken were justified and appropriate. Consequently, the complaint was classified as unfounded, with no criminal or certification issues identified.
240104	East River Sheriff's Dept.	Complaint against a deputy by his agency, alleging that he had engaged in conduct unbecoming an officer in that his conduct was contrary to professional standard that shows an unfitness for duties, including an act of moral turpitude. Incident #1 - Agency advised that deputy had entered a residence without legal authority and collected evidence. This led to significant legal implications, including the inability to use the	The illegal search conduct by the officer resulted in his department taking disciplinary action against him. The sexual contact case was reviewed by the County States Attorney and a decision was made to not move forward with prosecution. DCI SA determined that the

		collected evidence in court. Incident #2 – Female advised the Sheriff that the deputy, while off-duty, had sexually assaulted her by grabbing her breast during a car ride. Shortly after making the accusation, the female rescinded the statement saying that she did not want to “destroy” his career. Despite the retraction, the allegation raised significant concerns within the department, highlighting potential issues of conduct that require investigation to ensure accountability and the safety of the community.	Deputy involved in this incident has resigned his position.
240105	East River Police Dept.	Complainant states that the officer committed crimes, used unreasonable force and engaged in conduct unbecoming of a law enforcement officer. The crime alleged is that the officer “assaulted a disabled person” while placing him in handcuffs. The complainant, while wearing a military vest with ballistic armor plates, approached the officer on foot while he was sitting in his patrol car. He began swearing and video-taping the officer. The officer’s demeanor remained calm and relaxed as he exited his car and began talking to the complainant. The complainant was told several times not to reach into his vest by the officer but continued to do so anyway. The officer, concerned for his safety, handcuffed the complainant.	The DCI Investigator concluded through body worn camera footage, reports and interviews that no assault occurred and that the officers’ actions of handcuffing him were justified and proper. There is no crime or certification issue.
240106	East River Police Dept.	The complainant accused the officer of committing perjury regarding the review of a child custody agreement, claiming that the officer allowed the child to remain with the biological father despite it being her scheduled weekend for visitation.	Investigator determined that the officer took appropriate action and there is no crime or certification issue.
240108	East River Sheriff’s Dept.	Complainant alleged that the deputy engaged in conduct unbecoming an officer by failing to respond to his calls for service regarding a neighbor dispute with threats.	Investigation revealed that there was no crime and the actions taken by the Sheriff were appropriate at the time. Complainant was advised to remain in contact with the Sheriff’s office regarding additional complaints. There is no crime or certification issue.
240112	East River Sheriff’s Dept.	Complainant alleged that the deputy engaged in conduct unbecoming an officer because they failed to take action, were unwilling to help the complainant and were unprofessional.	Investigation determined that the officers took appropriate action. This complaint was closed as unfounded. There is no crime or certification issue.
240119	State Correctional Facility	Complainant alleged that state corrections officer engaged in conduct unbecoming an officer.	Investigation determined that the individual named in the complaint are civilian staff members who are not state

			certified officers. Complainant will follow-up with the warden at the facility about the employee.
240118	State Law Enforcement	Complainant alleges that the officer used unreasonable force while dealing with her juvenile son and also demonstrated conduct unbecoming an officer. Complainant alleges that the officer “escalates” situations and treats people poorly during public encounters.	After review of the officers worn body camera and interviews with all persons involved, it was determined that the officer did not use unnecessary force and took action that was appropriate for the situation. No crime or certification issue.
240116	East River Police Dept.	Complainant alleged that the deputy failed to notify a judge to set bond following his arrest after his urine test came back positive for Fentanyl. Complainant reported that he had to sit in jail longer than usual because of the officer’s failure to notify the judge. He was arrested on May 27 th at 7:25pm.	Investigation revealed that the deputy had notified the judge on May 28 th at 5:59am about the arrest. His actions were lawful and appropriate and there is no crime or certification issue.
240121	East River Police Dept.	The complainant reported that an officer exhibited unprofessional conduct by failing to intervene during a confrontation during a property exchange. This incident ultimately led to the complainant sustaining an injury to his foot, which occur when it was inadvertently caught in a door.	Investigator determined through body-cam video and the department supervisor that the officer stood-by during a property exchange without incident. The foot sustained a minor injury when the complainant put his foot in the door jamb while the mother attempted to close it in an effort to avoid a confrontation. There is no crime or certification issue.



**SOUTH DAKOTA LAW ENFORCEMENT OFFICERS STANDARDS & TRAINING COMMISSION
PROFESSIONAL STANDARDS AND MISCONDUCT COMPLAINT PROGRAM
REPORT OF INDEPENDENT COMMISSION MEMBER REVIEW & DISPOSITION**

In accordance with ARSD 2:01:11:04 and ARSD 2:05:03:04, the Executive Secretary shall submit any complaint not resulting in a contested case hearing to an independent commission member for review. After examining the complaint and investigative report, the commission member must either (1) request further investigation, (2) direct the executive secretary to give notice of a contested case hearing or (3) the commission member may dismiss the complaint if it appears that the grounds alleged in the complaint are frivolous, clearly unfounded in fact, or, in the opinion of the commission member, the appointing authority has adequately responded to allegations alleged in the complaint. If the commission member dismisses the complaint, such dismissal shall be reported to the commission at its next regularly scheduled meeting. This document reflects complaints/investigations reviewed by an independent commission member and subsequently dismissed.

I have reviewed the below listed complaints/investigations and concur with the Executive Secretary's determination not to give notice of a contested case hearing. Consequently, the below listed complaints/investigations are dismissed in accordance with the listed disposition.

Steve Allender

Commission Member Name	Commission Member Signature	Date of Signature

Complaint Number	Type of Agency	Summary	Disposition
230052	City	Reporting party alleges the agency is holding her captive for sex, etc	Unfounded. The allegations or findings do not rise to the level of a certification issue.
230101/230102	County	RP runs a dent repair business. Claims Deputies stole property, lied etc	Unfounded. The allegations or findings do not rise to the level of a certification issue.
230104	County	PR was arrested. Minimal force was used resulting in minor abrasions. RP claims the arrest was unwarranted.	Unfounded. The allegations or findings do not rise to the level of a certification issue.
240011	County/city	RP claims the officer went to a school and spoke to his child w/o permission. Also accuses officer of lying on a report.	Unfounded. The allegations or findings do not rise to the level of a certification issue.
240040	State	RP complains about the traffic stop and arrest "without my consent"	Unfounded/forwarded to State agency for review. The allegations or findings do not rise to the level of a certification issue.
240048	State	RP alleges the officer sped, without lights or siren while catching up to him	Referred to State Agency. The allegations or findings do not rise to the level of a certification issue.
240049	City	RP alleges he was arrested without cause.	Unfounded/Referred to City Agency. The allegations or findings do not rise to the level of a certification issue.

240066	State	RP was mad the officer found out who he was and that he had a warrant	Unfounded/Referred to Agency. The allegations or findings do not rise to the level of a certification issue.
240067	City	Rp complains the officer overstepped his authority following a DV arrest. Turns out the situation was escalated by a poor working relationship between the PD and SO.	Unfounded. The allegations or findings do not rise to the level of a certification issue.
240070	County	RP alleges abuse of power during traffic stop	Unfounded. The allegations or findings do not rise to the level of a certification issue.
240072	County	RP alleges abuse of power during traffic stop	Unfounded. The allegations or findings do not rise to the level of a certification issue.
240076	County	RP alleges failure to act/ conduct unbecoming.	Unsubstantiated. The allegations or findings do not rise to the level of a certification issue.
240077	City	RP alleges failure to act.	Unfounded. The allegations or findings do not rise to the level of a certification issue.
240078	County	RP alleges failure to act following big fight	Unfounded/Referred to agency. The allegations or findings do not rise to the level of a certification issue.
240079	City	Embezzlement of funds meant for fallen officer's widow	Unfounded/misunderstanding. The allegations or findings do not rise to the level of a certification issue.
240080	County	RP alleges failure to act on land dispute	Civil matter / unfounded. The allegations or findings do not rise to the level of a certification issue.
240083/240084	City	RP alleges failure to act, also conduct unbecoming	Unfounded/Unsubstantiated. The allegations or findings do not rise to the level of a certification issue.
240086	City	RP alleges officer was rude and falsely accused him of being drunk	Turned over to agency. The allegations or findings do not rise to the level of a certification issue.
240088/240090	County	RP alleges the officers turned a welfare check into an armed encounter. Overstepped their authority, threatened deadly force.	Unsubstantiated. The allegations or findings do not rise to the level of a certification issue.
240091	State	Unnecessary force. Poor judgement. Lack of professionalism	Founded. Referred to agency for administrative action. The allegations or findings do not rise to the level of a certification issue.
240095	City	RP alleges the officer overstepped his authority by detaining him and following him into his house.	Unfounded. / Referred to local agency. The allegations or findings do not rise to the level of a certification issue.
240099	County	RP alleges officer became personally involved in a relationship and compromised his professional ethics.	This officer's certification was previously revoked by the

			commission. No further action can be taken by the commission.
240101	County	RP alleges the officer failed to act on his "civil rights" complaint	Unfounded. The allegations or findings do not rise to the level of a certification issue.
240115	County	RP alleges he and his wife's civil rights were violated during a traffic stop	Unfounded. The allegations or findings do not rise to the level of a certification issue.
240123	State	RP alleges officer violated various laws and rights during a traffic stop	Unfounded. Referred to state agency for review. The allegations or findings do not rise to the level of a certification issue.
240125, 240126, 240127	Unknown	The RP rambled incoherently to such an extent it cannot be determined what the complaint is about, or who he is complaining about. RP left incorrect contact info so no investigation was conducted.	Unknown. The allegations or findings do not rise to the level of a certification issue.
240110	County	RP alleges violation of her rights and crimes committed by deputies who arrested a fugitive in her home.	Unfounded. The allegations or findings do not rise to the level of a certification issue.
240113	City	RP alleges the officers were rude and aggressive.	Referred to the City agency. The allegations or findings do not rise to the level of a certification issue.
240109	City	RP alleges the agency sent a SWAT team to his residence to intimidate him.	Unfounded. The allegations or findings do not rise to the level of a certification issue.
240114	City	RP alleges the officer violated his rights by searching his motel room.	The incident occurred years ago. The officer is no longer working at the agency and is no longer certified.