

LAW ENFORCEMENT OFFICERS
STANDARDS AND TRAINING COMMISSION
DCI Conference Room
George Mickelson Criminal Justice Center
Pierre, SD
July 17, 2024

The South Dakota Law Enforcement Officers Standards and Training Commission meeting was called to order on July 17, 2024, in the DCI Conference Room at the George Mickelson Criminal Justice Center. *This meeting was conducted both in-person as well as via virtual teleconference.*

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

Chairman Satterlee declared a quorum present.

The following agenda amendments were approved on a **motion** by Commission Member Peterson, **second** by Commission Member Allender, motion **approved**.

- Remove Caleb Dirksen, Pennington County Sheriff's Office, request for certification reinstatement.
- Remove Candi Sutton, Sturgis Police Department, request for certification reinstatement.

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

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

Jace Standing Bear and Chief of Police Doug Lucero, Martin Police Department, are present requesting another opportunity to demonstrate proficiency in firearms. Standing Bear was dismissed from the 190th Basic Certification course for failing the firearms course of fire qualification and failure to qualify on the retest. Reference to ARSD rule 2:01:02:08 and Student Handbook Section 14.

Section 14: Testing - subsection A

Students will be required to pass all written academic tests, skills evaluations, and various other written assignments to successfully complete the Basic Certification Course.

Section 14: Testing - subsection H

The LET handgun shooting qualification standard is 75%. Students will be given three (3) opportunities to qualify during the first 12 weeks of training. A student who fails to qualify after three attempts is deemed to have failed the skills testing. They are eligible for one re-test within seven (7) calendar days. Failure on the re-test will result in dismissal from the training program.

2:01:02:08. Discontinuance of employment of law enforcement officer.*Applicants who have been rejected for certification, have falsified information, or have been dismissed from the basic law enforcement training program, may after one year, reapply to the Law Enforcement Officers Standards and Training Commission for certification if the reasons for rejection have been eliminated and a new application is submitted. The commission, upon application by the original appointing authority and a determination of good cause, may allow one new certification application for the applicant from the original appointing authority prior to the expiration of one year.*

His scores were 29, 35, and 27. A score of 38 out of 50 is required for qualification. The final attempt score was 34. Chief Lucero indicated Standing Bear is a great asset for the community and his involvement in the community has been instrumental in the Police Department community relations. He is working with an NRA-certified instructor. The staff recommendation is to deny the request due to consistently low scores, the lack of integrity in employing the techniques, and feedback from the staff.

Motion by Commission Member Howe to enter into executive session, **second** by Commission Member Machione, motion **approved**.

Members moved out of executive session and back into regular session on a **motion** by Commission Member Howe, **second** by Commission Member Rasmussen, motion **approved**.

Motion by Commission Member Howe to give one final attempt to qualify under the supervision of LET staff and to be conducted at the Training Center within 15 days, **second** by Commission Member Wollman, motion **approved**.

Ryan Duch and Commander Monty Rothenberger, Yankton Police Department, are before members requesting reciprocity eligibility. Ryan completed the Southeast Technical College Law Enforcement program in May 2023. Ryan did not take the reciprocity exam in the final semester of the program as he worked a full-time job at night and attended the law enforcement program during the day.

Commander Rothenberger advised Ryan has completed four weeks of in-house training, completed Phase A of the PTO program, and has started Phase B of the PTO program.

The staff recommendation is, - to grant the waiver request, to complete the exam by August 2nd, attend the next available skills component in Pierre, and if he fails, attends the basic academy course. **Motion** by Commission Member VanDusen to approve the staff recommendation, **second** by Commission Member Rasmussen, motion **approved**.

Law Enforcement Training staff are in the process of updating the language in the Technical College agreements.

Shannon Steckelberg, and Union County Sheriff Jim Prouty are present requesting 911 telecommunicator reinstatement. Steckelberg was employed with the Union County Sheriff's Office in September 2017, completed the 56th 2-Week Basic Session, received certification in October 2017, and was employed as a dispatcher until February 2018. Her certification lapsed in February 2020. Sheriff Prouty advised Steckelberg has attended on-the-job training and is doing very well. Staff recommendation is to have Steckelberg attend the full 911 Basic Telecommunicator certification Course due to being employed for only four months as a certified telecommunicator. **Motion** by Commission Member Howe to agree with the staff recommendation for Shannon Steckelberg, **second** by Commission Member Machione, motion **approved**.

Megan Long, Lake Area Technical College. Long completed the Lake Area Technical College Law Enforcement Program in May 2024 and attended the May 2024 reciprocity skills training. Long did not successfully demonstrate proficiency in firearms. Long completed the reciprocity firearms skill requirement in June 2024. Staff recommendation, grant Long certification upon reaching 21 years of age, and hired by a law enforcement agency within two years of graduation.

Motion by Commission Member Quigley to accept staff recommendation, **second** by Commission Member Gaikowski, motion **approved**.

Consent Agenda: Canine Team 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.

Motion by Commission Member Wolman to accept the staff recommendations for canine team certification and recertification as listed in Attachment A (page 5 of minutes) of the consent agenda, **second** simultaneously by Commission Members Rasmussen and Peterson, motion **approved**.

Attachment B, complaints, of the consent agenda is a trial illustration of a different way to report/streamline the process of the disposition of complaints back to the commission without reading each complaint. Commission Members Allender and VanDusen concurred with the complaints as listed in Attachment B. No action is required by members at this time.

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

Wesley Bowsher has completed all remedial training requirements including the summary of what he learned in the remedial training as outlined in the Agreed Settlement of Contested Case approved at the October 25, 2023, commission meeting. This is a follow-up to close out the case and does not require any action by the Commission.

The following individuals have met all the South Dakota PSD standards for the process to become new PSD Judges and PSD instructors:

Austin Schmitz and Michael Dale, SD Highway Patrol, have met all the South Dakota PSD standard requirements for the process to become new PSD Judges. Schmitz met the requirements for narcotic and explosive detector judge, Dale met the requirements for patrol, narcotic and explosive detector judge.

Cody Jansen and Eric Peterson, SD Highway Patrol, have met all the South Dakota PSD standard requirements for the process to become new PSD instructors for patrol, narcotic and explosive detector instructor.

Michael Varilek, Corson County Sheriff's Office, and Seth Bonnema, Brookings Police Department, have met all the South Dakota PSD standard requirements for the process to become new PSD instructors for narcotic and explosive detector instructors.

Law Enforcement Training has had positive comments from Jonni Joyce, Western Dakota Technical College coordinator and criminal justice instructor. They are on the right track in revamping the Criminal Justice Program. Western Dakota plans to provide a presentation on the reconstructed program for commission review at the August meeting.

Dave Keith, Professional Standards Unit Investigator, has taken a position in the private sector. Agents are assisting in the review of complaints.

There being no further business to come before the meeting body, the meeting was adjourned on a **motion** by Commission Member Howe, **second** by Commission Member Machione, **motion approved**.

ATTACHMENT A
Canine team certification requests

<i>NAME</i>	<i>DEPARTMENT</i>	Certification Date	Certification	Renewal New Team
Cody Jansen / Jak	SD Highway Patrol	6-6-2024	Patrol Dog	Renewal
Paperwork received 6-12-24	Completion date 6-6-24			
Brandon Thompson / Hoonigan	Rapid City PD	6-12-2024	Patrol Dog	Renewal
Paperwork received 6-21-24	Completion date 6-12-24			
Garrett Harmon / Igor	Chamberlain PD	6-18-2024	Drug Detection	Renewal
Paperwork received 6-24-24	Completion date 6-18-24			
Damon Griffith / Oakley	Wagner PD	6-18-2024	Drug Detection	Renewal
Paperwork received 6-24-24	Completion date 6-18-24			
Dennis Maude / Poli	Huron PD	6-18-2024	Drug Detection	Renewal
Paperwork received 6-24-24	Completion date 6-18-2024			
Jordan Anderson / Demi	SD Highway Patrol	6-18-2024	Drug Detection	Renewal
Paperwork received 6-28-24	Completion date 6-18-2024			
Deanna Johnson / Raya	SD Highway Patrol	6-18-2024	Drug Detection	Renewal
Paperwork received 6-28-24	Completion date 6-18-2024			
Brandon Miller / Murph	SD Highway Patrol	6-18-2024	Drug Detection	Renewal
Paperwork received 6-28-24	Completion date 6-18-2024			
Taylor Mohr / Brio	SD Highway Patrol	6-18-2024	Drug Detection	Renewal
Paperwork received 6-28-24	Completion date 6-18-2024			
Nathan Monger / Dax	SD Highway Patrol	6-18-2024	Drug Detection	Renewal
Paperwork received 6-28-24	Completion date 6-18-2024			
Jarrold Zaurba / Dex	Aberdeen PD	6-18-2024	Drug Detection	Renewal
Paperwork received 6-28-24	Completion date 6-18-2024			
John Badker / Jacky	Mitchell PD	6-18-2024	Drug Detection	Renewal
Paperwork received 6-28-24	Completion date 6-18-2024			
Timothy Schneider / Nash	Dept. of Corrections	5-14-2024	Corrections Service Dog	New
Paperwork received 6-25-24	Completion date 5-14-2024			
Grant Van Voorst / Hugo	Sioux Falls PD	7-3-2024	Patrol Dog	Renewal
Paperwork received 6-25-24	Completion date 5-14-2024			

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

ATTACHMENT B

Complaints

Complaint Number	Description of Complaint	
230029	Police Department officer arrested for domestic assault - intimidation	Charges dismissed
230067	alleged officer misconduct by an officer	Unfounded
230068	alleged crimes, unreasonable force, and conduct unbecoming by a Police Department officer	Unfounded
230069	alleged crimes, unreasonable force, and conduct unbecoming by members of a County Sheriff's Office	No crime was committed, unfounded
230073	alleged conduct unbecoming of a LEO by a certified but unemployed law enforcement officer	Not a crime or cert issue
230083	complaint was made against a Court Services Officer, not a LEO	No action taken
230085 230099 240023	multiple complaints against members of a Police Department by the same complainant	No crime or cert issue
230088	Dispatcher arrested for simple assault - domestic. Charges dismissed	No further action
230089	alleged crimes, use of force, and conduct unbecoming by a Police Department officer	Not a crime or cert issue
230110	alleged false arrest by a Police Department officer	Unfounded
240006	alleged cruelty to animals by a Police Department officer	Unfounded.
240015	alleged conduct unbecoming by a Police Department officer	Not a crime or cert issue
240016	alleged crime and conduct unbecoming by a Police Department officer	Unfounded
240019	alleged conduct unbecoming by a Police Department officer	Not a crime or cert issue
240021	alleged unreasonable force by a law enforcement officer. Did not warrant a DCI investigation	Turned over to the agency
240027	alleged conduct unbecoming by a County Sheriff's Office deputy	Not a crime or cert issue
240041	alleged use of force and conduct unbecoming by a Police Department officer	Unfounded
240042	alleged unreasonable force and conduct unbecoming by a county deputy	Not a crime or cert issue
240046	alleged conduct unbecoming by a Police Department officer	Not a crime or cert issue
240051	alleged crimes and conduct unbecoming of a Police Department officer	Unfounded
240064	alleged conduct unbecoming by a county sheriff	Not a crime or cert issue
240030	alleged conduct unbecoming of a LEO by deceased County Sheriff	Unfounded
240031	alleged crimes and conduct unbecoming of a LEO by Police Department Officers	Unfounded
240033	alleged conduct unbecoming of a LEO by Police Department Officer	Unfounded
240034	alleged conduct unbecoming of a LEO by Police Department Officer	Unfounded
240035	alleged crimes committed by a Police Department	Unfounded
240037	alleged crimes and conduct unbecoming of a LEO by a County Deputy	Unfounded
240038	alleged conduct unbecoming of a LEO by a County Deputy	Unfounded
240039	alleged use of unreasonable force by Police Department Officer(s)	Unfounded
240043	alleged crimes, use of unreasonable force and conduct unbecoming of a LEO by an officer	Unfounded
240044	alleged conduct unbecoming of a LEO by a Police Department Officer	Not a certification issue
240045	alleged conduct unbecoming of a LEO by a Police Department Officer	Unfounded
240050	alleged conduct unbecoming of a LEO by a Police Department	Unfounded
240052	alleged conduct unbecoming of a LEO by a County Sheriff's Office	Unfounded
240053	alleged conduct unbecoming of a LEO by a County Sheriff's Office	Unfounded
240054	alleged conduct unbecoming of a LEO by a County Sheriff's Office	Unfounded
240055	alleged crimes and conduct unbecoming of a LEO by a County Sheriff's Office	Unfounded
240056	alleged conduct unbecoming of a LEO by a Sheriff's Office	Unfounded
240058	alleged crimes committed by a County Deputy	Unfounded
240061	alleged conduct unbecoming of a LEO by a Police officer	Unfounded
240062	alleged conduct unbecoming of a LEO by a Police officer	Unfounded
240063	alleged conduct unbecoming of a LEO by a County Deputy	Unfounded
240065	alleged crimes and conduct unbecoming of a LEO by a County Deputy	No crime or cert issue, referred to Sheriff for administrative action

These complaints have been investigated and either unfounded, unsubstantiated, referred back to their agencies, reviewed by a SAO and declined, or no further action was taken after being reviewed.

Several complaints were reviewed by Commission Members Allender and Van Dusen. Executive Secretary Prim initially determined the complaints did not warrant presentation to the full Commission. Commission Members VanDusen and Allender concurred with the Executive Secretary's decision. **Recommendation is to accept the complaint dispositions as reported.**

