

**STATE OF SOUTH DAKOTA  
LAW ENFORCEMENT OFFICERS  
STANDARDS AND TRAINING COMMISSION**

**Wednesday, October 30, 2024  
8:45 AM CST / 7:45 AM MST  
Meeting Room #10 - Sioux Falls Convention Center**

NOTICE IS HEREBY GIVEN that the South Dakota Law Enforcement Officers Standards and Training Commission will hold a meeting on Wednesday October 30, 2024, at 8:45 AM Central Daylight Time / 7:45 AM Mountain Daylight Time.

The meeting location is being held in a physically accessible place. Persons who have special needs for which the Commission can make arrangements are asked to call (605) 773-4624 at least two (2) business days prior to the meeting.

**AGENDA**

- 1. Call to Order**
- 2. Roll Call**
- 3. Review Minutes**
  - a. September 18, 2024, meeting
- 4. Public Comment**
- 5. 9:30 am Hearing - Jacob Hoffmeister**
- 6. Grant Request**
- 7. Basic Eligibility Reinstatement Request**
- 8. Training Waiver Requests**
- 9. Canine Team Certification Requests**
- 10. Settlement Agreement - Samuel Ackerman**
- 11. Proposed Modification to Commission Suspension Order**
- 12. Consent Agenda**

*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.*

  - a. Reciprocity Certification Requests (*Outlined in Attachment A*)
- 13. Certification Reinstatement Requests**
- 14. Complaint Dispositions**
- 15. Commission Information**
- 16. Adjourn**

## 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 1/2002 to 10/2023;  
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
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**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

**ARSD 2:01:06:03. Reciprocity.** The Law Enforcement Officers Standards and Training Commission may waive any portion of the training program requirement of § 2:01:06:01, except firearms, emergency vehicle operations course, use of force, and the written reciprocity examination, upon formal application of a person requesting the waiver. The application must show that the person has completed a basic law enforcement certification course of equivalent content and quality in another jurisdiction no more than two years prior to the date of the appointment or has been employed within the prior two years as a fully empowered certified law enforcement officer in another jurisdiction and has completed a basic law enforcement certification course of equivalent content and quality. The commission's executive secretary shall administer to the applicant a written examination to determine the applicant's state of competence. Upon completion of the examination, the executive secretary or designee must notify the applicant of the training to be completed before the applicant may be certified. After the applicant successfully completes the required training and if the applicant meets the minimum standards for certification of § 2:01:02:01, the commission must issue the applicant a certificate as a certified law enforcement officer.

## ATTACHMENT B - 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
<b>Commission Member Name</b>	<b>Commission Member Signature</b>	<b>Date of Signature</b>

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 <b>no criminal or certification issues identified.</b>
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 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	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 Deputy involved in this incident has resigned his position.

		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.	
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. <b>There is no crime or certification issue.</b>
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 <b>there is no crime or certification issue.</b>
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 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. <b>There is no crime or certification issue.</b>
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. <b>There is no crime or certification issue.</b>
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	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

		treats people poorly during public encounters.	appropriate for the situation. <b>No crime or certification issue.</b>
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 <sup>th</sup> at 7:25pm.	Investigation revealed that the deputy had notified the judge on May 28 <sup>th</sup> at 5:59am about the arrest. His actions were lawful and appropriate and <b>there is no crime or certification issue.</b>
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. <b>There is no crime or certification issue.</b>



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PROFESSIONAL STANDARDS AND MISCONDUCT COMPLAINT PROGRAM  
REPORT OF INDEPENDENT COMMISSION MEMBER REVIEW & DISPOSITION**

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Steve Allender

<b>Commission Member Name</b>	<b>Commission Member Signature</b>	<b>Date of Signature</b>

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.

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## ATTACHMENT B - Complaints



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

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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

<b>Commission Member Name</b>	<b>Commission Member Signature</b>	<b>Date of Signature</b>

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.

**STATE OF SOUTH DAKOTA  
LAW ENFORCEMENT OFFICERS  
STANDARDS AND TRAINING COMMISSION**

**Wednesday, October 30, 2024  
8:45 AM CST / 7:45 AM MST  
Meeting Room #10 - Sioux Falls Convention Center**

NOTICE IS HEREBY GIVEN that the South Dakota Law Enforcement Officers Standards and Training Commission will hold a meeting on Wednesday October 30, 2024, at 8:45 AM Central Daylight Time / 7:45 AM Mountain Daylight Time.

The meeting location is being held in a physically accessible place. Persons who have special needs for which the Commission can make arrangements are asked to call (605) 773-4624 at least two (2) business days prior to the meeting.

**AGENDA**

- 1. Call to Order**
- 2. Roll Call**
- 3. Review Minutes**
  - a. September 18, 2024, meeting
- 4. Public Comment**
- 5. 9:30 am Hearing - Jacob Hoffmeister**
- 6. Grant Request**
- 7. Basic Eligibility Reinstatement Request**
- 8. Training Waiver Requests**
- 9. Canine Team Certification Requests**
- 10. Settlement Agreement - Samuel Ackerman**
- 11. Proposed Modification to Commission Suspension Order**
- 12. Consent Agenda**

*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.*

  - a. Reciprocity Certification Requests (*Outlined in Attachment A*)
- 13. Certification Reinstatement Requests**
- 14. Complaint Dispositions**
- 15. Commission Information**
- 16. Adjourn**

## 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 1/2002 to 10/2023;  
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

**ARSD 2:01:06:03. Reciprocity.** The Law Enforcement Officers Standards and Training Commission may waive any portion of the training program requirement of § 2:01:06:01, except firearms, emergency vehicle operations course, use of force, and the written reciprocity examination, upon formal application of a person requesting the waiver. The application must show that the person has completed a basic law enforcement certification course of equivalent content and quality in another jurisdiction no more than two years prior to the date of the appointment or has been employed within the prior two years as a fully empowered certified law enforcement officer in another jurisdiction and has completed a basic law enforcement certification course of equivalent content and quality. The commission's executive secretary shall administer to the applicant a written examination to determine the applicant's state of competence. Upon completion of the examination, the executive secretary or designee must notify the applicant of the training to be completed before the applicant may be certified. After the applicant successfully completes the required training and if the applicant meets the minimum standards for certification of § 2:01:02:01, the commission must issue the applicant a certificate as a certified law enforcement officer.

## ATTACHMENT B - 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
<b>Commission Member Name</b>	<b>Commission Member Signature</b>	<b>Date of Signature</b>

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 <b>no criminal or certification issues identified.</b>
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 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	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 Deputy involved in this incident has resigned his position.

		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.	
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. <b>There is no crime or certification issue.</b>
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 <b>there is no crime or certification issue.</b>
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 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. <b>There is no crime or certification issue.</b>
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. <b>There is no crime or certification issue.</b>
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	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

		treats people poorly during public encounters.	appropriate for the situation. <b>No crime or certification issue.</b>
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 <sup>th</sup> at 7:25pm.	Investigation revealed that the deputy had notified the judge on May 28 <sup>th</sup> at 5:59am about the arrest. His actions were lawful and appropriate and <b>there is no crime or certification issue.</b>
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. <b>There is no crime or certification issue.</b>





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