

LAW ENFORCEMENT OFFICERS
STANDARDS AND TRAINING COMMISSION
MICKELSON CRIMINAL JUSTICE CENTER
Pierre, SD
March 9, 2016

The South Dakota Law Enforcement Officers Standards and Training Commission teleconference meeting was called to order at the hour of 1:40 PM on March 9, 2016, in the Commission Conference Room located at the Criminal Justice Training Center in Pierre, South Dakota.

Chairman Gortmaker asked for the roll call. The following Commissioners were present and responded to roll call: Mike Leidholt, Hughes County Sheriff; Tom Wollman, Lincoln County State's Attorney; John Long, SSA BIA OJS; Matt Burns, Sioux Falls Chief of Police; Steve Allender, City of Rapid City Mayor; Marty Jackley, Attorney General; Bryan Gortmaker, Chairman; Scott Rechtenbaugh, Executive Secretary; Kim Knecht, Assistant Training Administrator; and Greg Williams, Basic Coordinator. Commission Members, Randall Rosenau, Lawrence County Commissioner; Jeff Holcomb, Southeast Technical Institute President; Robert Perry; Special Agent, FBI; and Craig Price, Superintendent, SD Highway Patrol were absent.

Chairman Gortmaker declared a quorum present and started the order of business with requests from three agencies to allow officers dismissed from the 160th basic course another opportunity at handgun qualification to obtain certification as a South Dakota law enforcement officer.

Matthew Kindsvogel, Faith Police Department, failed the course of fire and failed to qualify on the retest resulting in dismissal from the 160th basic certification session. Kindsvogel scored 31, 33, 33, and 35 on the final attempt to qualify. He attended remedial training during the basic session and put forth the effort to get better. The mental part of shooting appears to cause him issues during scored exercises and qualification. He did well in the other segments of the training session. Faith Police Department Chief of Police Arlen 'Hoss' Frankfurth and Officer Matthew Kindsvogel are present via telephone. Chief Frankfurth advised he has worked with him at the range and Ron White, Sturgis PD firearms instructor, is also working with Officer Kindsvogel. They will continue to work with Kindsvogel to help him overcome shooting issues. LET staff recommended Kindsvogel come for remedial training during the week of March 21st and attempt to qualify at the end of the remedial training. Kindsvogel will be given the required opportunities to qualify. Failure to qualify will result in dismissal from the training program. He would have to wait one year before he could apply for certification. LET will work out a schedule with firearms instructor Art Aplan and Officer Kindsvogel for the remedial training. **Motion** by Commission Member Leidholt to allow Kindsvogel reinstatement based on the staff recommendation of remedial training and the four opportunities to qualify. The motion also includes Officer Kindsvogel would not be allowed to perform the duties of a law enforcement officer until successfully qualifying, **second** by Commission Member Long, motion **approved** by verbal response in the affirmative by all members. **Action: 6-0 Aye** (Leidholt, Burns, Long, Allender, Jackley, and Wollman).


Brandy Ryan, Mellette County Sheriff's Office, failed to qualify the course of fire during the basic training session and failed to qualify on the retest resulting in dismissal from the 160th training session. Ryan scored 30, 27, 32, and 35 on the final attempt to qualify. She attended remedial training during the basic session and completed all other basic requirements. She struggled with shooting during the basic and was released from her original agency (Deadwood PD) prior to her third attempt to qualify. She had

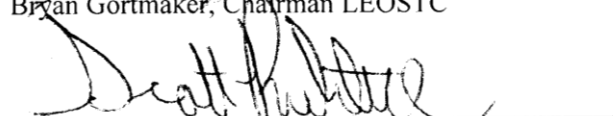
to purchase a new firearm and had only one week to become familiar with the firearm. Her third attempt was with the new firearm. Mellette County Sheriff Mike Blom is present via telephone. Sheriff Blom advised Ryan had changed from a .40 to a 9mm and has been practicing with the new firearm. Blom believes, with practice, Ryan won't have a problem qualifying. Staff recommended working out a schedule for remedial training with firearms instructor Aplan during the week of March 21st and attempt to qualify at the end of the training. Ryan would be given the required opportunities to qualify; failure to qualify would result in dismissal from the training program. Ryan has also failed the EVOC skills and will need to return for the week of EVOC training. **Motion** by Commission Member Leidholt to reinstate and give the opportunity for remedial training and firearms qualification, if passes firearms qualification, go on to the EVOC requirement, and until Ryan qualifies with firearm, she cannot perform the duties of a law enforcement officer, **second** by Commission Member Burns, motion **approved** by verbal response in the affirmative by all members. **Action: 6-0 Aye** (Leidholt, Burns, Long, Allender, Jackley, and Wollman).

Aaron Vogel, Walworth County Sheriff's Office, failed to qualify the course of fire during the basic training session and failed to qualify on the retest resulting in dismissal from the 160th training session. Vogel scored 31, 37, 36, and 35 on the final attempt to qualify. Executive Secretary advised members there was an issue on the final qualification attempt. Vogel's holster retention strap was removed and he was not forth coming on why it was removed. He did not report the malfunction to the instructors. It was lack of poor judgement on his part. Walworth County Sheriff Josh Boll and Deputy Vogel are present via telephone. Sheriff Boll is asking for reinstatement to finish the firearms portion of the certification process and Vogel needs to explain his actions to the commission. Vogel was having problems with his holster and tried to fix the issue by himself by removing the safety mechanism prior to qualification. He made a serious mistake and apologized to all instructors and staff. LET staff recommendation is to setup time for remedial training with firearms instructor Aplan during the week of March 21st and attempt to qualify at the end of the training. Vogel will be given the required opportunities to qualify. Failure to qualify will result in dismissal from the training program. **Motion** by Commission Member Leidholt to reinstate Deputy Vogel, allow to take remedial training, allow another attempt to qualify and Vogel cannot perform the duties of a law enforcement officer until qualified with firearm, **second** by Commission Member Burns, motion **approved** by verbal response in the affirmative by all members. **Action: 6-0 Aye** (Leidholt, Burns, Long, Allender, Jackley, and Wollman).

The meeting was adjourned at 2:08 PM.

Approved April 20, 2016
Date


Bryan Gortmaker, Chairman LEOSTC


Scott Rechtenbaugh, Executive Secretary LEOSTC


Submitted By Recording Secretary