

LAW ENFORCEMENT OFFICERS
STANDARDS AND TRAINING COMMISSION
MICKELSON CRIMINAL JUSTICE CENTER
PIERRE, SD
Conference Call
May 21, 2020

The South Dakota Law Enforcement Officers Standards and Training Commission conference call was called to order by Chairman Natvig on May 21, 2020, at the hour of 10 a.m. in the Commission Conference Room of the George Mickelson Criminal Justice Center in Pierre, South Dakota.

Roll call was taken with the following members responding: Jason Ravnsborg, Attorney General; Tom Wollman, Lincoln County State's Attorney; Matt Burns, Sioux Falls Chief of Police; Rick Miller, SD Highway Patrol Superintendent; Steve Allender, Rapid City Mayor; Andy Howe, Clay County Sheriff; Gary Gaikowski, Sisseton-Wahpeton Chief of Police; Robert Perry, FBI Special Agent; and Randall Rosenau, Lawrence County Commissioner. Others present included David Natvig, Chairman, Chad Mosteller, Executive Secretary, and LET Staff. Jo Vitek, Lake Area Technical Institute, was absent.

In accordance with SDCL 1-25(1), official meetings open to the public, time was allowed by Chairman Natvig for public comments. The floor was open for public comments of which there were none.

Chairman Natvig declared a quorum present and started the order of business with the approval of the revised agenda on a **motion** by Commission Member Ravnsborg, **second** by Commission Member Burns, motion **approved**.

The first item of business is a request submitted by Kevin Karley, Pennington County ESCC Director, for the commission to review Tracey Gonzalez's credentials and reinstate her eligibility to attend the Basic 911 Telecommunicator's Certification training. Ms. Gonzalez was dismissed from the 63rd 911 session for academic failure. Ms. Gonzalez failed the week one exam and the retest exam. Director Karley and Tracey Gonzalez are present via telephone conference.

Executive Secretary reviewed ARSD **2:01:02:08. Discontinuance of employment of law enforcement officer.**

..... Applicants who have been dismissed from the basic law enforcement training program may, after one year, reapply to the commission for certification provided the reasons for rejection have been eliminated and a new application is submitted. The commission upon application by the original appointing authority may, when it determines there is good cause, allow one new application reapplying for certification prior to the expiration of one year.

Ms. Gonzalez was employed in October 2019, successfully completed ESCC's four-week classroom training and the 200-hour FTO training. Karley had no concerns with Gonzalez completing the Two-week 911 training. Karley advised there were no indications Gonzalez had struggles with the 911 training session. Executive Secretary Mosteller indicated there were no

discipline issues during the training and would support the eligibility reinstatement. [Note for the record – Commission Members Wollman and Perry entered the conference call during Karley’s request and are comfortable with the eligibility request.] **Motion** by Commission Member Wollman to approve the eligible reinstatement request, **second** by Commission Member Miller, motion **approved** by verbal response in the affirmative by members. **Action 8-0 Aye** (Ravnsborg, Wollman, Burns, Miller, Allender, Howe, Gaikowski, and Perry).

The June 911 Telecommunicators session has been cancelled due to the COVID-19 pandemic. That session has not been rescheduled. May possibly be rescheduled in the July or August time frame.

Letters of eligibility request to complete the 520 Hour Basic Certification course were submitted by Jeremy Brandis and Chief Trent Sinclair, Winner Police Department. Brandis was dismissed from the 173rd Basic Session due to academic failure. Brandis failed the Radar exam and the retest exam. Chief Sinclair is present via telephone conference. Brandis is not present.

The 173rd session was at the academy for one week when the officers were sent back to their agencies due to COVID-19. On-line training was converted for the students, and they had to do work on their own without instructors. Brandis struggled with the on-line format; it was not conducive with him. There were no issues with Brandis during the week at the academy. Chief Sinclair advised he wasn’t in support of Jeremy coming back to the training session, and Jeremy did not show up for the teleconference. Brandis will have to sit out for one year if he does not have agency support. **Motion** by Commission Member Ravnsborg to dismiss at this time with the understanding can reapply in one year and understanding Chief Sinclair does not support, **second** by Commission Member Wollman, motion **approved** by verbal response in the affirmative by members. **Action 9-0 Aye** (Ravnsborg, Wollman, Burns, Miller, Allender, Howe, Gaikowski, Perry, and Rosenau).

The following canine teams have requested an extension for certification/recertification dates. The certification/recertification training has been postponed due to COVID-19. Emergency rule 2:01:13:20.01. Certification expiration extension allows the commission to extend the certification expiration dates in § 2:01:13:04, 2:01:13:07, and 2:01:13:09 upon formal application of a canine team requesting the extension and a showing that good cause exists for an extension.

- Michael Varilek and K9 Taz, Corson Co Sheriff’s Office
- Thomas Barstad and K9 Neko, Aberdeen Police Department
- Kathleen Adams and K9 Kelly, Spink Co Sheriff’s Office
- John Badker and K9 Shadow, Mitchell Police Department
- Nate Pepin and K9 Zane, Mobridge Police Department
- Michael Jenkins and K9 Bree, Kingsbury Co Sheriff’s Office

Executive Mosteller suggested the 180-day extension be included in the motion for the canine team certification/recertification. The emergency rules are in effect for 90 days.

Motion by Commission Member Ravnsborg to extend by 180 days for all six requests, **second** simultaneously by Commission Members Howe and Rosenau, motion **approved** by verbal

response in the affirmative by members. **Action 9-0 Aye** (Ravnsborg, Wollman, Burns, Miller, Allender, Howe, Gaikowski, Perry, and Rosenau).

The following items are for commission information and do not require any action.

Several probationary period extensions have been received by agencies for officers and 911 telecommunicators.

The Sioux Falls Police Department submitted a proposal to Law Enforcement Training to hold a Sioux Falls Basic Academy. The purpose and justification for holding an academy is the shortage of officers and falling behind to return to full strength. The police department asked for Law Enforcement Trainings partnership for a pilot trial. The police department averages eight officers per class, sometimes less and sometimes more. Law Enforcement Training has had several meetings with the Sioux Falls Police Department and the Attorney General. The academy will be administered and governed by Law Enforcement Training and will remain a singular state academy. South Dakota is one of the few states that still maintain a singular state academy, and we do not want to lose it. Administrative Rules 2:01:06:07 and 2:01:06:08 indicate when and where an academy course can be conducted. The rules permit the Law Enforcement Training Executive Secretary to hold a course remotely. The academy would be hosted by the Sioux Falls Police Department but will be under the administration of Law Enforcement Training. The curriculum and instruction will be approved by Law Enforcement Training. Testing of the students will be administered and overseen by Law Enforcement Training. The tests will be proctored by Law Enforcement Training. Law Enforcement Training will provide instruction and online courses during an academy class in Sioux Falls. The schedule to be used will be the 174th August schedule. Because Law Enforcement Training has several instructors from various agencies instruct during an academy class, and rather than Law Enforcement Training finding instructors across the state to instruct various courses, the Sioux Falls Police Department will be expected to instruct in several areas. Additional spots in this academy may be opened to other agencies depending upon resources available to host. A joint proposal with Law Enforcement Training and Chief Burns will be presented to the Commission for final approval.

An online/in-person academy will roll out for the August 16th session. Students will be at the academy for a few days of orientation then back to home stations for 40 hour per week online training. Students will report back to the training center for seven to eight weeks for skills and critical classroom training. This type of academy training is the direction Law Enforcement Training is going and attempting.

Status update on the 173rd training session.

The students will report back to the training center on May 31st. Classes will begin June 1st and plan to graduate students on July 1st. Graduation will be live streamed and will not be in the traditional graduation form. A closed campus will be implemented. Students will not be going home on the weekends due to COVID-19. Personal protective equipment (PPE) will be in place to keep all safe.

Attorney General Ravnsborg informed members Marshall County Sheriff Dale Elsen passed away.

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