

LAW ENFORCEMENT OFFICERS  
STANDARDS AND TRAINING COMMISSION  
Commission Conference  
Pierre, SD  
July 14, 2021

The South Dakota Law Enforcement Officers Standards and Training Commission meeting was called to order on July 14, 2021, in the Commission Conference Room at the George Mickelson Criminal Justice Center in Pierre, South Dakota.

Roll call was taken with the following members responding: Steve Allender, Rapid City Mayor; Matt Burns, Sioux Falls Chief of Police; Jim Eschenbaum, Hand County Commissioner; Gary Gaikowski, Sisseton-Wahpeton Chief of Police; Neil Fulton, USD Dean School of Law; Rick Miller, SD Highway Patrol Superintendent; Robert Perry, Special Agent, FBI; and Tom Wollman, Lincoln County State's Attorney. Others present included Chad Mosteller, Executive Secretary; Kim Knecht, Assistant Training Administrator, and Law Enforcement Training Staff. Commission Member Andy Howe, Clay County Sheriff, and Attorney General Jason Ravnsborg were absent.

With a quorum present, Chairman Natvig called the meeting to order at 8:30 a.m.

Following SDCL1-25(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.

Newly appointed Commission Member Jim Eschenbaum, Hand County Commissioner, was introduced. Eschenbaum replaces retired Lawrence County Commissioner Member Rosenau.

Members approved the updated agenda on a **motion** by Commission Member Allender, **second** by Commission Member Burns.

The previous meetings were approved on a **motion** by Commission Member Wollman, **second** by Commission Member Perry.

The commission considered the following basic eligibility reinstatement requests:

**Casey Montileaux**, Summerset Police Department. Chief of Police Don Allen and Montileaux are present via telephone conference requesting basic academy reinstatement. Montileaux was dismissed from the 178<sup>th</sup> basic session due to academic failure. Due to his cultural background, Montileaux was reluctant to reach out for assistance or know how to accept assistance when it was offered. Montileaux has been reassured that resources are available when needed and can and will help him in any way. Law Enforcement Training had zero issues with Montileaux while attending the academy and would support eligibility reinstatement to attend the basic training session. **Motion** by Commission Member Wollman to allow Casey Montileaux to reenter the basic academy, **second** by Commission Member Gaikowaski, motion **approved**. Montileaux can begin working for the Summerset Police Department.

**Jon Keefe**, Stanley County Sheriff's Office, along with Stanley County Sheriff Brad Rathbun and Chief Deputy Greg Swanson are requesting basic academy eligibility reinstatement. Keefe completed all necessary requirements of the 178<sup>th</sup> session but failed the basic final exam and retest. Keefe did struggle academically but had no other issues. The training office will work with the sheriff's office as the final exam may be a little different because there will a different set of objectives to test on. **Motion** by Commission Member Wollman to give the opportunity to retest and allow the executive secretary what review is necessary for Keefe, **second** by Commission Member Miller, motion **approved**. Keefe can return to work at the sheriff's office.

The next item for business is a request for another opportunity for handgun qualification to obtain certification eligibility as a South Dakota law enforcement.

**Tasha Vohlken** along with Asa Stiles, Law Enforcement Program Supervisor, Lake Area Technical College, are present requesting another opportunity to demonstrate proficiency in firearms before being removed as a candidate for reciprocity certification. Vohlken passed the written exam, EVOC, and Use of Force practical skills, but has not successfully demonstrated proficiency in firearms qualification or the subsequent requalification. Scores were 36; 35; and 34, 38 out of 50 is required for qualification. Per the articulation agreement, a graduate must demonstrate in the skills test the same level of skills in the areas of firearms and EVOC (emergency vehicle operations course) as are required in the Basic Certification Course. Stiles stated Vohlken did very well in the law enforcement program. Vohlken has been working with a South Dakota Highway Patrol firearms instructor and stated she passed all four attempts in the last week. Law Enforcement Training has no issue with the request and would recommend one singular opportunity, a one-time-only, to qualify. Should Vohlken fail the attempt to qualify, attendance in the basic training session would be required for officer certification.

**Motion** by Commission Member Perry to give one more qualification chance, **second** by Commission Member Eschenbaum, motion **approved**.

The following certification reinstatement requests were presented:

**Timothy McCartney**, Corson County Sheriff's Office, and Alan Dale, Corson County Sheriff, are before members requesting reinstatement of McCartney's law enforcement certification. McCartney completed the 132<sup>nd</sup> 520-hour basic officer certification session and received South Dakota law enforcement officer certification in March 2008. McCartney was employed with the Lemmon Police Department from 11/2007 until his termination in 1/2009. McCartney's certification lapsed in 2011. McCartney stated during his time of employment with the Lemmon Police Department he did not receive any training. The termination was a result of policy issues. Sheriff Dale advised McCartney would undergo an eight-week in-house training. The training will include seven weeks of field training and one week of classroom training. In addition to the hands-on in-house training, McCartney will also be enrolled in various online training courses through Police One. Sheriff Dale indicated this training program should bring McCartney up to speed.

**Motion** by Commission Member Allender to deny the reinstatement certification request, **second** by Commission Member Fulton, motion **approved**. Members felt McCartney worked for a short

period of time in law enforcement and the thirteen-week academy training would be a great benefit for him. Executive Mosteller will review the termination report.

**Raymond ‘Skip’ McWethy III**, Court Services, is requesting reinstatement of his South Dakota Law Enforcement Certification for employment opportunities. McWethy completed the 320-hour basic certification session and was certified in November 2000. McWethy was employed with the Huron Police Department from 1/2000 to 4/2002 and the Beadle County Sheriff’s Office from 4/2002 until 6/2015. McWethy’s certification lapsed in June 2017. McWethy has been employed with Court Services for six years. McWethy is looking at retiring from Court Service next year and would like to have the opportunity to pursue any possibilities in law enforcement that may arise.

**Motion** by Commission Member Perry to reinstate certification for Raymond McWethy contingent on being hired by a law enforcement agency, **second** by Commission Member Burns, Motion **approved**.

**Patrick Callahan**, Hughes County Sheriff, is requesting reinstatement as a South Dakota Law Enforcement Officer. Callahan completed the Six-Week Basic, 240-hour, officer certification course and received South Dakota officer certification in December 1990. Callahan was employed with the Pierre Police Department from January 1990 to June 1997. Callahan completed an abbreviated academy, 120-hour contingency training, at the Wisconsin State Police Academy between October 17 - November 14, 1997. This course met all training requirements set by the Law Enforcement Standards Board as a condition for law enforcement certification. Callahan was employed with the Algoma Wisconsin Police Department from July 1997 to February 1998. Callahan was employed part-time with the Stanley County Sheriff’s office as a fill-in DARE instructor from February 1998 to July 2003, he was not a sworn officer during this time frame. Callahan was employed part-time with the Sully County Sheriff’s office from July 1998 to January 2006. Callahan’s certification lapsed in January 2008. Callahan stated he has been active in the law enforcement and court community but cannot claim direct employment or sworn status. Callahan trained with Hughes County Sheriff Johnson for six weeks.

Members entered executive session on a **motion** by Commission Member Burns, **second** by Commission Member Perry to further discuss their consideration, motion **approved**.

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

**Motion** by Commission Member Burns to deny the reinstatement certification request for Callahan, attend the 13-Week course and any other training necessary, **second** by Commission Member Perry, motion **approved**.

Chairman Natvig called a brief recess and members returned to session with a quorum present.

The following reciprocity requests were presented:

Lake Area Technical College students were administered the reciprocity exam by Agent Corey on March 24, 2021. Nine students completed the Firearms, EVOC, and Use of Force skills requirements on May 11, 2021, and were issued a letter of eligibility for certification. The students will become certified upon being hired by an agency within two years of graduation. One student failed firearms and appeared before members requesting another opportunity to demonstrate proficiency in firearms. Two students are employed with law enforcement agencies.

**Motion** made by Commission Member Perry to approve the nine Lake Area Technical College students that successfully completed the skills requirements, **second** by Commission Member Miller, motion **approved**.

**Isnalawica Belt**, Fall River County Sheriff's Office, completed the 13.5 Week Indian Country Police Officer Training Program at FLETC in May 2019. Belt was employed by the Oglala Sioux Department of Public Safety from September 2018 to October 2020. Belt's background revealed no adverse information. Belt completed the reciprocity exam on April 12, 2021, and completed the reciprocity classroom and skills requirements on May 21, 2021. **Motion** by Commission Member Fulton to approve the reciprocity application for Isnalawica Belt, **second** by Commission Member Wollman, motion **approved**.

**Samual Funk**, Pennington County Sheriff's Office, completed the State of Oregon 16-week basic academy training program in January 2020 and completed the required Department of Public Safety Standards and Training Police Officer Field Training manual in June 2020. State of Oregon basic police officer certification was granted on June 25, 2020. Funk was employed by the Marion County Sheriff's Office from June 2019 to January 2021. Funk's background revealed no adverse information. Funk completed the reciprocity exam on April 12, 2021, and completed the reciprocity classroom and skills requirements on May 21, 2021. **Motion** by Commission Member Burns to approve the reciprocity application for Samual Funk, **second** by Commission Member Miller, motion **approved**.

**Jake Niedringhaus**, Division of Criminal Investigation, completed the Colorado Springs Police Department 996.50 hours recruit academy and received State of Colorado POST certification on May 22, 2019. Niedringhaus was employed by the Colorado Springs Police Department from November 2018 to March 2021. Niedringhaus's background revealed no adverse information. Niedringhaus completed the reciprocity exam on May 6, 2021, and completed the reciprocity classroom and skills requirements on May 21, 2021. **Motion** by Commission Member Burns to approve the reciprocity application for Jake Niedringhaus, **second** by Commission Member Perry, motion **approved**.

**Michelle Smith**, Sioux Falls Police Department, attended the Contra Costa Sheriffs intensive academy but did not complete the full course as required and attended 567 hours of the certified 1,020-hour course. Smith was dismissed from the academy for firearms failure in 2015. Dismissal from one academy does not automatically prevent an individual from entering another academy. The individual is not required to appear before a training commission. Smith attended and completed the 956-hour Sacramento County Sheriff's extended academy and received the State of

California certification in June 2016. The intensive academy is a full-time/40-hour week academy. The extended academy is a part-time academy for those that work during the day. Smith was employed with the West Sacramento Police Department from June 2016 to January 2020 and the Walnut Creek Police Department from February 2020 to June 2020. Smith's background revealed no adverse information. Smith completed the reciprocity exam on April 11, 2021, and completed the reciprocity classroom and skills requirements on May 21, 2021. **Motion** by Commission Member Miller to approved the reciprocity application for Michelle Smith, **second** simultaneously by Commission Members Fulton and Eschenbaum, motion **approved**.

- Canine Team **Jonathon Barthel and K9 Dax**, SD Highway Patrol, have met the requirements for Drug Dog Detection certification on April 15, 2021;
- Canine Team **Trent Heuertz and K9 Nala**, SD Highway Patrol, have met the requirements for Drug Dog Detection certification on April 15, 2021;
- Canine Team **Deanna Johnson and K9 Rava**, SD Highway Patrol, have met the requirements for Drug Dog Detection certification on April 15, 2021, and on June 17, 2021;
- Canine Team **Taylor Mohr and K9 Brio**, SD Highway Patrol, have met the requirements for Drug Dog Detection certification on April 8, 2021;
- Canine Team **Eric Peterson and K9 Drago**, SD Highway Patrol, have met the requirements for Drug Dog Detection certification on May 27, 2021;
- Canine Team **Brandon Neitzert and K9 Comrade**, Division of Criminal Investigation, have met the requirements for Accelerant Detection certification on April 20, 2021;
- Canine Team **William Moran and K9 Ontario**, BIA Division of Drug Enforcement, have met the requirements for Drug Dog Detection certification on April 8, 2021;
- Canine Team **Shannon Rojo and K9 Chena**, OST Department of Public Safety, have met the requirements for Drug Dog Detection certification on April 6, 2021;
- Canine Team **Nate Pepin and K9 Zane**, Mobridge Police Department, have met the requirements for Drug Dog Detection certification on May 17, 2021;
- Canine Team **Grant Van Voorst and K9 Hugo**, Sioux Falls Police Department, have met the requirements for Patrol Dog certification on May 27, 2021;
- Canine Team **Paul Smedsrud and K9 Tommy**, Sioux Falls Police Department, have met the requirements for Explosive Detection certification on June 17, 2021;
- Canine Team **Joshua Lee and K9 Hari**, Spink County Sheriff's Office, have met the requirements for Drug Dog Detection certification on June 17, 2021;

- Canine Team **Kory Kellen and K9 Heros**, Deuel County Sheriff's Office, have met the requirements for Drug Dog Detection certification on June 17, 2021;
- Canine Team **Jordan Anderson and K9 Demi**, SD Highway Patrol, have met the requirements for Drug Dog Detection certification on June 17, 2021; and
- Canine Team **Brandon Miller and K9 Murph**, SD Highway Patrol, have met the requirements for Drug Dog Detection certification on June 17, 2021.

**Motion** by Commission Member Burns to approve the canine certification listing as presented, **second** by Commission Member Gaikowski, motion **approved**.

Executive Secretary Mosteller presented the South Dakota Law Enforcement Officer Complaint Form for commission review and approval. The form will be available online on the Law Enforcement Training website and can be mailed out to complainants requesting a form. If the online form is not completed, the individual will not be able to submit the complaint. When the forms are completed and submitted they will go into a database in numerical order. Chad and Guy will be notified when the forms are submitted. Suggestions were to have an area for additional listing of witnesses and a notification that the complaint form has been received after submission of the form. **Motion** by Commission Member Wollman to approve the complaint form with the suggestions, **second** by Commission Member Miller.

Commission Member Allender will do the first six-month shift to review the complaints for the commission.

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

Executive Secretary Mosteller briefed members on the upcoming basic training session. Law Enforcement Training staff are still evaluating the results and deficiencies reference the online learning during the 13-week academy sessions. The August basic session will have a different format than the previous sessions, and Mosteller will update commission members regarding the adjustments made.

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