

LAW ENFORCEMENT OFFICERS
STANDARDS AND TRAINING COMMISSION
MICKELSON CRIMINAL JUSTICE CENTER
Pierre, SD
August 23, 2017

The South Dakota Law Enforcement Officers Standards and Training Commission meeting was called to order by Chairman Gortmaker at the hour of 9:00 a.m. CDT on August 23, 2017, in the Commission Conference Room of the George S. Mickelson Criminal Justice Center, Pierre, South Dakota.

Members present: Matt Burns, Sioux Falls Chief of Police; Mike Leidholt, Hughes County Sheriff; Tom Wollman, Lincoln County State's Attorney; Steve Allender, Rapid City Mayor; David Lawrence, Chief of Police, Standing Rock Sioux Tribe; Craig Price, Superintendent, SD Highway Patrol; Marty Jackley, Attorney General; Bryan Gortmaker, Chairman; Chad Mosteller, Executive Secretary; Kim Knecht, Assistant Training Administrator; and Lesley Farnen, Basic Coordinator. Commission Members Randall Rosenau, Lawrence County Commissioner; Robert Perry, Special Agent, FBI; and Jo Vitek, Lake Area Technical Institute were absent.

Others present included SA Jeff Metzinger and Assistant Directors Scott Rechtenbaugh and Brian Zeeb.

Chairman Gortmaker declared a quorum present and started the order of business with review of the previous meeting's minutes.

- April 19, 2017, minutes of the South Dakota Law Enforcement Officers Standards and Training Commission were approved on a **motion** by Commission Member Wollman, **second** by Commission Member Price.
- June 28, 2017, teleconference minutes of the South Dakota Law Enforcement Officers Standards and Training Commission were approved on a **motion** by Commission Member Burns, **second** by Commission Member Price.
- August 3, 2017, teleconference minutes of the South Dakota Law Enforcement Officers Standards and Training Commission were approved on a **motion** by Commission Member Leidholt, **second** by Commission Member Jackley.

The commission proceeded with the scheduled hearing of Michael Lentsch. Chairman Gortmaker turned the proceedings over to Hearing Officer Paul Bachand. It was stated for the record this is the time and place for the hearing to determine whether grounds exist for the revocation or suspension of certification as a South Dakota law enforcement officer. The complainant charged Lentsch engaged in conduct unbecoming of a law enforcement officer in violation of § 23-3-35(3) and ARS 2:01:11:01. Lentsch admitted to complaint.

Hearing Officer Bachand advised Lentsch of the hearing procedure and due process. Lentsch is present without counsel. Kelly Marnette, Assistant Attorney General, is acting legal counsel for the State. The record will reflect a stenographic transcription of the hearing will be made and copies of the transcription will be available upon request and tender of the cost thereof.

Commission members heard the opening and closing statements, witness testimony and considered the evidence.

Upon conclusion of testimony, statements by both parties, review of records, questions and discussion, the evidentiary portion of the hearing was concluded at 10:02 am. Members entered into executive session on a **motion** by Commission Member Allender, **second** by Commission Member Burns to further discuss their consideration, motion **approved**.

Members moved out of executive session and back into regular session on a **motion** by Commission Member Wollman, **second** by Commission Member Allender. Proceedings resumed before the commission. **Motion** made by Commission Member Burns to revoke the certification of Michael Lentsch as a South Dakota law enforcement officer, motion includes approval of Chairman to sign Findings of Facts, Conclusions, and Order for the commission. Motion **approved** by verbal response in the affirmative by all members. **Action: 7-0 Aye** (Allender, Leidholt, Wollman, Lawrence, Burns, Jackley, and Price). The hearing proceedings were concluded at 10:26 p.m.

Assistant Attorney General Marnette will prepare the Findings of Fact and Conclusions of Law. The Chair was returned to Gortmaker for the conclusion of the meeting's business.

Grant requests were the next items of business:

Lt. Chris Misselt, **Box Elder Police Department**, submitted a request to host a *K9 Down: Combat Casualty Care for the Working K9*. Funding is requested in an amount not to exceed \$8,500.00 to provide public safety working dog handlers with training that will enable them to provide basic lifesaving medical treatment to their canine partners in the event of injury to the animal. The one-day, eight-hour class has a maximum number of 24 attendees and a minimum number of 12 attendees. Instructors for the course are Dr. Susan Sczypanski, DVM [veterinarian] and Todd Burke, NREMT-P [National Registry of Emergency Medical Technicians – Paramedic]. Interest in the canine specific trauma training of this type was nearly unanimous. Upon successful completion of the training, students will receive the canine trauma kit funded through Homeland Security grant award. **Motion** by Commission Member Wollman to approve the Box Elder Police Department grant, **second** by Commission Member Price, motion **approved**.

Three grant requests were submitted by the **Davison County Sheriff's Office**:

- Requesting \$5,900.00 to host a one-day, eight-hour Calibre Press, Cell Block Survival; the Tactical Edge for Corrections in December 2017. The course is designed to train State, Local and Federal law enforcement personnel to include correctional personnel, jail personnel, and courthouse security staff. The minimum attendance limit is 25-30 attendees and the maximum attending limit is 65 attendees. **Motion** by Commission Member Leidholt to approve the one-day Cell Block Survival grant request with a minimum of 30 attendees, **second** by Commission Member Burns, motion **approved**.
- Requesting \$5,900.00 to host a one-day, eight-hour Calibre Press, Survival Tactics for Court and Correctional Officers in December 2017. The course examines the specific responsibilities of courthouse and correctional officers and will give detailed insight into the potential for courthouse and correctional facility violence and cover important life-saving information. The course is geared towards agencies and staff that work more full-time in court security. **Motion** by Commission Member Leidholt to approve the one-day Survival Tactics for Court and Correctional Officers with a minimum of 30 attendees, **second** by Commission Member Lawrence, motion **approved**.

➤ Requesting \$5,900.00 to host a one-day, eight-hour Calibre Press, Tactics for Courthouse Violence in December 2017. The course examines the specific responsibilities of courthouse law enforcement and security officers and explores the true potential for violence. **Motion** by Commission Member Leidholt to approve the Survival Tactics for Court and Correctional Officers with a minimum of 30 attendees, **second** by Commission Member Wollman, motion **approved**.

Business continued with the appearance of Chief Deputy Tom Schmitt and **Michael Hill**, Brown County Sheriff's Office. Brown County Sheriff's Office has recently hired Hill whose law enforcement certification expired in August 2016, and is seeking reinstatement of his certification. Hill has been an active TSA officer since 2016 and has just completed the Basic Officer Candidate Training with the South Dakota National Guard. Staff recommendation is to complete Domestic Violence, Mental Health, the State firearms qualification course and to submit documentation of completion. Schmitt advised Hill has completed the firearms qualification. **Motion** by Commission Member Leidholt to reinstate Michael Hill's certification upon successful completion of DV, Mental Health, and provide documentation of completion, **second** by Commission Member Price, motion **approved**.

Letters were received from Jo Vitek, Supervisor of Law Enforcement, Lake Area Tech and Jaici Schlosser, Lake Area Tech, requesting another opportunity to demonstrate proficiency in firearms before being removed as a candidate for reciprocity certification. Schlosser successfully passed the reciprocity exam, successfully demonstrated proficiency in EVOC, but did not successfully demonstrate proficiency in firearms during the April skills testing. Schlosser failed the final firearms qualification on April 18th with a score of 27. 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. Law Enforcement Training will make accommodations for remedial training upon request by Lake Area Tech. **Motion** by Commission Member Leidholt to allow one more retake opportunity to demonstrate firearms proficiency, **second** by Commission Member Burns, motion **approved**.

The following canine teams have met the requirements of certification or recertification:

- Canine Team **Marcos Glass and K9 Jackson**, Rapid City Police Department, have met the requirements for Patrol Dog Detection certification on March 29, 2017, and Drug Dog Detection certification on July 21, 2017.
- Canine Team **John Badker and K9 Shadow**, Mitchell Police Department, have met the requirements for Drug Dog Detection certification on May 9, 2017.
- Canine Team **Andrew Steen and K9 Thor**, SD Highway Patrol, have met the requirements for Drug Dog Detection certification on June 22, 2017.
- Canine Team **Mark Kannenberg and K9 Sadie**, SD Department of Corrections, have met the requirements for Corrections Service Dog certification on August 1, 2017.
- Canine Team **Matthew Geppert and K9 Sadie**, SD Department of Corrections, have met the requirements for Corrections Service Dog certification on August 1, 2017.
- Canine Team **Chris Happe and K9 Toby**, SD Department of Corrections, have met the requirements for Corrections Service Dog certification on August 1, 2017.

- Canine Team **Sean Doyle and K9 Stryker**, Rapid City Police Department, have met the requirements for Drug Dog Detection certification on July 21, 2017.
- Canine Team **Shannon Irish and K9 Rio**, Sioux Falls Police Department, have met the requirements for Drug Dog Detection certification on July 19, 2017.
- Canine Team **Chad Westrum and K9 Robi**, Sioux Falls Police Department, have met the requirements for Drug Dog Detection certification on July 19, 2017.
- Canine Team **Grant Van Voorst and K9 Max**, Sioux Falls Police Department, have met the requirements for Drug Dog Detection certification on July 19, 2017.

Motion by Commission Member Price to approve the Canine Team certification listing as presented by the Executive Secretary, **second** by Commission Member Wollman, motion **approved**.

Executive Secretary Mosteller presented the following reciprocity requests:

Cody Norman, Cheyenne River Sioux Tribe, completed a 576-hour Basic Training Academy and is a CLEET certified peace officer in the State of Oklahoma. There has been no action taken against Norman's peace officer certification and he is currently in good standing. Norman's background check revealed no adverse information. Norman completed the reciprocity exam on May 1, 2017, and is scheduled to attend the September reciprocity training week. **Motion** by Commission Member Price to approve Norman's application for reciprocity contingent upon the successful completion of the reciprocity training week, **second** by Commission Member Allender, motion **approved**.

Eric Lee, Brookings Police Department, completed the requirements of 643 hours of classroom and practical training in Basic Peace Officer Course at the Killeen Texas Police Department Academy Training Center in December 2014. Lee's background check revealed no adverse information. Lee completed the reciprocity exam May 31, 2017, and is scheduled to attend the September reciprocity training week. **Motion** by Commission Member Wollman to approve the reciprocity request contingent upon the successful completion of the reciprocity training week, **second** by Commission Member Lawrence, motion **approved**.

Adam Aus, Sisseton Police Department, completed the Law Enforcement Technology Program at Southeast Technical Institute in 2016. His background check revealed no adverse information. Aus successfully passed the reciprocity exam on July 6, 2017, and is scheduled to attend the Use of Force and skills training (Firearms and EVOC) in September. Because of the articulation agreement between the SD Law Enforcement Officers Standards and Training Commission and Southeast Technical Institute, Aus is only required to demonstrate his proficiency in EVOC and Firearms skills testing and complete the Use of Force requirement. He must demonstrate the same level of skills in EVOC and Firearms as required in the Basic Certification Course. **Motion** by Commission Member Leidholt to approve the reciprocity request contingent upon the successful completion of the skills and Use of Force requirements, **second** by Commission Member Burns, motion **approved**.

Derek Uebel, Rapid City Police Department, completed a 408-hour Basic Training Course and is a certified officer in the State of Georgia and in good standing. Review of classes covered showed no evidence of accident investigation training or building search tactics. Staff recommends attending these portions of the 13-Week Basic Training Session. Uebel's background revealed no adverse information. Uebel successfully passed the reciprocity exam on July 1, 2017, and is scheduled to attend the September

reciprocity training week. **Motion** by Commission Member Wollman to approve the reciprocity request pending successful completion of accident investigation and building search tactics as well as the reciprocity training week, **second** by Commission Member Allender, motion **approved**.

Joshua Gallagher, Belle Fourche Police Department, has completed Nebraska's certification requirements in December 2008. Gallagher is active with the Ogallala Police Department where he has been continuously employed since his hire and certification in 2008. There is no pending action regarding Gallagher's license. Gallagher's background check revealed no adverse information. Gallagher successfully passed the reciprocity exam on July 27, 2017, and is scheduled to attend the September reciprocity training week. **Motion** by Commission Member Price to approve the reciprocity request based on the Executive Secretary's recommendation to successfully complete the reciprocity training week, **second** by Commission Member Burns, motion **approved**.

There being no further business to come before the meeting body, the meeting was adjourned on a **motion** by Commission Member Burns, **second** by Commission Member Wollman, motion **carried**. The next meeting is set for November 8, 2017, at the Sioux Falls Ramkota.