

LAW ENFORCEMENT OFFICERS
STANDARDS AND TRAINING COMMISSION
MICKELSON CRIMINAL JUSTICE CENTER
Pierre, SD
September 25, 2018
Conference Call

The South Dakota Law Enforcement Officers Standards and Training Commission teleconference meeting was called to order at the hour of 9:00 a.m. CDT on September 25, 2018, in the DCI Conference Room located at the Criminal Justice Training Center in Pierre, South Dakota.

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

In accordance with SDCL1-25(1), official meetings open to the public, time was allowed by Chairman Gortmaker for public comments on the agenda items. No public comments were heard or received reference the agenda items.

Chairman Gortmaker declared a quorum and started the order of business with the proposed amendment to polygraph administrative rule 2:01:10:02. Additional licensing requirements.

Executive Secretary Mosteller outlined the information leading to the proposed change. The current administrative polygraph rule only indicated certification by the American Polygraph Association (APA). An additional body of certification needs to be added to broaden the body, the American Association of Police Polygraphists (AAPP). DCI is a member of both. Texas is the primary polygraph training center that is accredited by the APA and recognized by AAPP. **Motion** by Commission Member Leidholt to proceed with the rule process, **second** by Commission Member Jackley. Motion **approved** by verbal response in the affirmative by all members. **Action: 9-0 Aye** (Allender, Jackley, Perry, Burns, Vitek, Lawrence, Leidholt, Rosenau, and Price).

Trueblood, Director of Security for the Oglala Lakota County School District, is present before the board regarding sentinel certification of completion pending. Review of Trueblood's application and background history revealed a 2017 arrest he did not disclose. A warrant of arrest was issued by Custer County for insufficient funds check. When Trueblood learned of the warrant, he contacted the Custer County Sheriff's Office and voluntarily presented himself for service of the warrant. Trueblood was cooperative by providing all requested information and maintained contact until further investigation resulted in a dismissal of all charges. Trueblood thought the matter had been taken care of through his spouse's attorney. Because the matter had

been dismissed, Trueblood didn't think he should list it on the application. He made a big mistake for not answering the arrest section on the application correctly and was very apologetic. Since the sentinel training is only offered during the summer, LET was comfortable with Trueblood continuing with the training. Trueblood did an excellent job. Superintendent Dr. Anthony Fairbanks advised Trueblood has had 192 hours of training, 48 hours of firearms training, in addition to the 80 hours of the Sentinel Training. Dr. Fairbanks advised Trueblood's character is trustworthy, and he holds himself to a high level of expectation and professionalism. Commission Member Perry indicated Trueblood was very forthcoming and very helpful as a witness in an FBI case. **Motion** by Commission Member Leidholt to approve the sentinel application and certification, **second** by Commission Member Jackley. Motion **approved** by verbal response in the affirmative by all members. **Action: 9-0 Aye** (Allender, Jackley, Perry, Burns, Vitek, Lawrence, Leidholt, Rosenau, and Price).

John Harris, Yankton Police Department. Harris is applying for reciprocity certification, but has been out of law enforcement more than two years. Harris attended and completed a 280-hour Arizona academy in 1974. Harris was appointed as a peace officer with the Tucson Police Department until 1993. At that time, his certification moved to inactive and expired three years after that date. Harris returned to law enforcement when hired by the Sahuarita Police Department in April 2006. Harris was required to go through the waiver testing to become certified. Harris successfully completed the waiver process in June 2006. Harris' certification has expired. Harris was in good standing. If he were to go back into law enforcement in Arizona, he would be required to meet minimum standards and take the waiver again. Harris was a full-time peace officer in the State of Wyoming and held peace officer certification until April 2008. Harris was in good standing with no sanctions listed. Harris completed the challenge process which included 75 hours of Wyoming criminal law and procedures, challenge test, proficiency in firearms, and CPR in 2004. Harris is not a current certified officer in the State of Wyoming. **Motion** by Commission member Burns to accept Harris' application for reciprocity, **second** by Commission Member Vitek. Motion **approved** by verbal response in the affirmative by all members. **Action: 9-0 Aye** (Allender, Jackley, Perry, Burns, Vitek, Lawrence, Leidholt, Rosenau, and Price).

Josh Stoltenberg, Lead Police Department, along with Chief of Police John Wainman, Jr., are present requesting certification reinstatement. Josh completed the 145th 520-hour Basic Certification Session and was certified in 2011. Josh's certification expired in January 2015. Josh was previously employed by the Day County Sheriff's Office and the McCook County Sheriff's Office. He was hired by the Lead Police Department in July 2018. Josh has completed firearms qualification, domestic violence, and departmental training. **Motion** by Commission Member Perry to reinstate Stoltenberg's officer certification contingent upon the two-hour mental health training requirement, **second** by Commission Member Rosenau. Motion **approved** by verbal response in the affirmative by all members. **Action: 9-0 Aye** (Allender, Jackley, Perry, Burns, Vitek, Lawrence, Leidholt, Rosenau, and Price).

Executive Secretary Mosteller presented the following reciprocity requests:

Jodi Glasgow, Pennington County Sheriff's Office, completed a 770-hour basic law enforcement recruit training in June 2009, at St. Johns River College Community College, St Augustine, FL.,

and passed the Law Enforcement State Officer Certification Examination. Glasgow was issued a basic recruit certificate of compliance in December 2009. Glasgow was employed by the Flagler County Sheriff's Office from October 2009 - October 2017. Glasgow's background revealed no adverse information. Glasgow successfully completed the reciprocity exam in August 2018 and has completed reciprocity training. **Motion** by Commission Member Leidholt to approve the reciprocity request, **second** by Commission Member Vitek. Motion **approved** by verbal response in the affirmative by all members. **Action: 9-0 Aye** (Allender, Jackley, Perry, Burns, Vitek, Lawrence, Leidholt, Rosenau, and Price).

Jose Romero, Rapid City Police Department. Romero attended and successfully completed a 26-week, 1015-hour, basic recruit training program with the Chicago Police Department in 2005. Romero is certified by the State of Illinois Law Enforcement Standards Board and the City of Chicago as a Law Enforcement Officer in May 2005. Romero was employed with the Chicago Police Department from 2004 - 2018. Romero's background revealed no adverse information. Romero successfully passed the reciprocity exam in September 2018. Romero is currently attending the reciprocity training week. **Motion** by Commission Member Perry to approve the reciprocity request contingent upon the completion of the reciprocity training week, **second** by Commission Member Burns. Motion **approved** by verbal response in the affirmative by all members. **Action: 9-0 Aye** (Allender, Jackley, Perry, Burns, Vitek, Lawrence, Leidholt, Rosenau, and Price).

Eric Richardson, Butte County Sheriff's Office, completed the Law Enforcement Technology Program at Western Dakota Technical Institute in 2018. His background check revealed no adverse information. Richardson successfully passed the reciprocity exam in September 2018, and has completed the EVOC skills practical (9/24/2018). He is currently attending the Use of Force and Firearms skills training, 9/25/2018. Because of the articulation agreement between the SD Law Enforcement Officers Standards and Training Commission and Western Dakota Technical Institute, Richardson 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 Vitek to approve the reciprocity request contingent upon the successful completion of the 9/25 requirements, **second** by Commission Member Rosenau. Motion **approved** by verbal response in the affirmative by all members. **Action: 9-0 Aye** (Allender, Jackley, Perry, Burns, Vitek, Lawrence, Leidholt, Rosenau, and Price).

Nathan Cronin, Box Elder Police Department, completed the Law Enforcement Program requirements at Western Dakota Technical Institute in 2018. Cronin successfully passed the reciprocity exam in September 2018 and has completed the EVOC skills practical (9/24/2018). He is currently attending the Use of Force and Firearms skills training (9/25/2018). Because of the articulation agreement between the SD Law Enforcement Officers Standards and Training Commission and Western Dakota Technical Institute, Richardson 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.

As a teenager, Cronin allegedly sexually assaulted a young child. Cronin was never charged, there was not enough physical evidence. DCI was the investigating agency and submitted information to the State's Attorney. Box Elder Police Department thoroughly reviewed the report and was comfortable with going forward with employment. The Police Department did not visit with victim's family.

Members are not in agreement to go forward with the reciprocity request. Options are to table, ask for testimony, could approve, or could deny. There isn't enough to deny his application. Chairman Gortmaker tabled the request at this time. More information and facts are needed to approve or deny the reciprocity request.

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

- Canine Team **Mark Kannenberg and K9 Sadie**, SD Department of Corrections have met the requirements for Correction Dog certification on August 20, 2018.
- Canine Team **Mathew Geppert and K9 Sadie**, SD Department of Corrections have met the requirements for Correction Dog certification on August 20, 2018.
- Canine Team **Chris Happe and K9 Toby**, SD Department of Corrections, have met the requirements for Correction Dog certification on August 20, 2018.
- Canine Team **Steve Pederson and K9 Maverick**, SD Department of Corrections, have met the requirements for Correction Dog certification on August 20, 2018.
- Canine Team **Nylda Stevens and K9 Abby**, SD Department of Corrections, have met the requirements for Correction Dog certification on August 20, 2018.

Motion by Commission Member Leidholt to approve the Canine Team certification listing as presented by the Executive Secretary, **second** by Commission Member Vitek. **Action: 9-0 Aye** (Allender, Jackley, Perry, Burns, Vitek, Lawrence, Leidholt, Rosenau, and Price).

The following items were for information only and did not require any action:

Consent of decertification received from Jesse McLaughlin, former Charles Mix County Deputy. He had seized evidence and pawned items.

The Canine handbook will soon be published. The handbook sets the standards for handlers, instructors, and judges.

Director Gortmaker will retire as DCI Director on October 8, 2018. Gortmaker thanked all for service to the commission. Brian Zeeb is the interim director and will chair the November meeting.

There being no further business to come before the meeting body, the meeting was adjourned on a **motion** by Commission Member Leidholt, **second** simultaneously by Commission Members Burns and Rosenau, motion **approved**. The next meeting is scheduled for November 7, 2018 in conjunction with LECC at the Ramkota in Sioux Falls, SD.

