

**MINUTES OF THE
PEACE OFFICER STANDARDS
AND TRAINING BOARD
QUALITY INN
BISMARCK, NORTH DAKOTA
FEBRUARY 19, 2020**

MEMBERS PRESENT

Jesse Jahner
Lyn James
Jason Ziegler
Sarah Warner
John Klug
Paul Lies
Tom Falck
Erik Dietrich
Dan Haugen

MEMBERS ABSENT

GUESTS

Cameron McClenahan
Cathy Peterson
Lyle Sinclair
John Maritato
Ron Jurgens
Randall Baker
Nick Pynnonen
Scott Warzecha
Mark Nickel
Travis Holding Eagle
Travis Stefonowicz
Mike Sanden

LEGAL COUNSEL

Mike Mahoney

ADMINISTRATIVE STAFF

Duane Stanley
Monica Sebastian

Chairman John Klug called the meeting to order at 1:00 p.m. Duane Stanley took the roll. All members were present. It should be noted that Tom Falck was present through conference call.

POST Board Hearing – Cameron McClenahan (20-001) 1:01 p.m.

On October 31, 2019, the ND POST Board received a termination form and supporting documentation from the Burleigh County Sheriff's Office regarding Cameron McClenahan.

On the termination report it stated that McClenahan's termination was based upon her history of disruptive behavior in the workplace and public. An accompanying letter also stated that on September 21, 2019, while in a liquor establishment in Morton County, McClenahan engaged in a physical altercation with a member of the public where she pulled on a male subject's shirt and pulled him to the floor. It also stated that McClenahan exposed her breast and attempted to solicit money for further exposure of her breasts.

As a result of the actions in the bar in Morton County, McClenahan was charged with Disorderly Conduct and subsequently pled guilty to Disorderly Conduct, a Class B Misdemeanor in Morton County Case Number 30-2019-CR-01197.

McClenahan was present, sworn in and came in front of the members of the Board to testify. She stated that her recollection was not the same as what the reports stated. McClenahan stated that the subject in the bar was the one asking her to expose her breast and she stated she did not expose her breast. McClenahan stated that the male subject berated her and asked why she did not work as a patrol deputy anymore and why she was just a jailer. During questioning, McClenahan invoked the 5th Amendment stating she did not want to incriminate herself. McClenahan stated she blew up and grabbed the subject and stated because her mother committed suicide and then she stated that she took him to the floor.

Motion

Dan Haugen made a motion that Cameron McClenahan did violate the Peace Officer Code of Conduct specifically 109-02-05-01(4c) and that Ms. McClenahan's conduct has a direct bearing on her ability to perform peace officer duties. Paul Lies seconded the motion. Motion carried.

Motion

Dan Haugen made a motion to start adverse action in accordance with NDCC 12-63-12. Paul Lies seconded the motion. All in favor, motion carried.

There was discussion by board members regarding a possible sanction of Ms. McClenahan's peace officer license. Board members discussed two weeks suspension followed by a period of probation. It was during this time that McClenahan requested to address the Board. McClenahan stated she was just not a number and went on to discuss her family history and issues with her past employer.

Motion

Paul Lies made a motion to suspend Ms. McClenahan's Peace Officer License for two weeks starting February 19, 2020 followed by 12 months probation and that there be no other criminal violations or violations of the Peace Officer Code of Conduct during that time. Jason Ziegler seconded the motion. All in favor, motion carried.

POST Board Hearing – Jason Meyers (20-002) 1:23 p.m.

Jason Meyers, NDSCS, did not qualify with his weapon for 2019. Mr. Meyers contacted office staff just prior to the hearing date and relayed that he had qualified February 10, 2020, for 2019. Mr. Meyers went on to ask what he could do to make the hearing go more smoothly since he was not going to be there.. Mr. Meyers was told he should provide the office with a copy of the qualification shoot he stated he recently completed. It should be noted that the POST Board Office has yet received that qualification or the \$100 late qualification fee.

Motion

Dan Haugen made a motion to suspend Jason Meyers' license indefinitely and that he meet all qualification requirements and make a personal appearance in front of the Board as a condition of reinstatement. Paul Lies seconded the motion. All in favor, motion carried.

Meeting Minutes

Minutes were reviewed from the December 11, 2019, regular meeting.

Motion

Paul Lies made a motion to approve the minutes from the December 11, 2019, regular meeting. Sarah Warner seconded the motion. All in favor, motion carried.

Financial Report

Duane Stanley provided documentation and details of the financial report from January 1, 2020, to February 18, 2020.

Motion

Paul Lies made a motion to approve the financial report from January 1, 2020, through February 18, 2020. Sarah Warner seconded the motion. All in favor, motion carried.

Old Business

Adverse Action Update - Brandon Lawson

POST Board Legal Counsel gave an overview to the Board about the issues surrounding hearing notification and the adverse action that was taken at the December 11, 2019 regarding the peace officer license of Brandon Lawson. Through phone conversation and email with Mr. Lawson, it was relayed that Mr. Lawson was supposedly joining the military and going to begin training at Ft. Leonard Wood, Missouri. Since Mr. Lawson was in the military and on active duty, it was recommended the Board hold off on the adverse action process until Mr. Lawson can be served board documents properly.

Motion

Paul Lies made a motion to table Brandon Lawson's disciplinary action until the next POST Board meeting. Jesse Jahner seconded the motion. All in favor, motion carried.

Adverse Action Update – Doug Langhoff Jr

Duane Stanley relayed to Board members that a letter, Complaint, Consent to Issuance of Order, and a Proposed Order were sent to Mr. Langhoff certified mail on 1-6-2020 and Mr. Langhoff took delivery 1-10-2020. Office staff had not heard from Mr. Langhoff at this time.

Funding Request Forms

The Board had requested that if an agency is requesting funding from the POST Board that there be someone present at the meeting in case the Board has questions. The Board was shown the updated form that reflects the board's wishes to have a representative present at the meeting.

Training Provider Subcommittee

Executive Secretary Duane Stanley reminded the Board that the training provider subcommittee needs to schedule a meeting and start working on the requirements regarding training providers.

Reserve Officer Subcommittee

Executive Secretary Duane Stanley reminded the Board that the reserve officer subcommittee needs to schedule a meeting to start work on proposed guidelines/requirements for reserve officers.

IADLEST Conference

Executive Secretary Duane Stanley informed the Board that the annual IADLEST Conference is going to be held in Dallas/Fort Worth Texas June 7-10, 2020. Sarah Warner, John Klug, Mike Mahoney, Duane Stanley and Monica Sebastian are attending. Paul Lies and Erik Dietrich are tentatively scheduled.

Recording Continuing Education Hours

There have been training rosters come in to the office where the individual does not attend the entire training and they list hours less than what the course is approved for. For example, a defensive driving course is a four-hour course and someone only attends two hours of the training. Executive Secretary Duane Stanley and Monica Sebastian wanted clarification on how, or even if they should record any of the training hours. The Board stated that it is up to the discretion of Duane Stanley and Monica Sebastian if the individual should receive any hours for a course that is partially attended.

ND Administrative Support Conference

Duane Stanley gave an overview to board members regarding a conference that has been scheduled for October 14-15, 2020 specifically for administrative staff. The conference will be held in Bowman, ND. This conference has been organized by Melinda Padilla-Lynch who is the office administrator with the Bowman Police Department. The conference will cover topics of conflict management, boundaries, non-verbal communication, personal mental health and more.

Funding Request

The Mandan Police Department is asking for \$5,300 for a training titled “Managing Today’s Canine Unit.” The training will be held September 14-18, 2020.

Motion

Paul Lies made a motion to approve “Managing Today’s Canine Unit” for \$5,300. Dan Haugen seconded the motion. All in favor, motion carried.

Funding Request

The Bismarck Police Department is asking for \$3,600 for a training titled “Canine Cover Officer Search Options.” The course will be held in May 5-7, of 2020.

Motion

Paul Lies made a motion to approve the “Canine Cover Officer Search Options” for \$3,600. Dan Haugen seconded the motion. All in favor, motion carried.

Funding Request

The North Dakota Bureau of Criminal Investigation is asking for \$16,500 for training titled “CTT – Solutions LLC Instructor Development.” The course date has not been set yet.

Motion

Paul Lies made a motion to approve the “CTT – Solutions LLC Instructor Development training for \$16,500. Dan Haugen seconded the motion. All in favor, motion carried.

General License (Criminal History) – Randall Baker (Walsh County SO)

The Walsh County Sheriff’s Office sent in paperwork to request a general license for Randall Baker. Mr. Baker’s criminal history background check indicated he had a Minor in Possession in June of 2017. Due to the criminal history guidelines, this issue needed to be heard in front of the Board. Mr. Baker along with Sheriff Jurgens were present but the board members had no questions relating to the incident in question.

Motion

Dan Haugen made a motion to grant a general license for Randall Baker. Paul Lies seconded the motion. All in favor, motion carried.

POST Board Review – Les Lokken

A termination report and supporting documentation from the Highway Patrol were sent into the POST Board Office regarding Les Lokken's resignation from the Highway Patrol. The Board had the opportunity to review the documentation that was sent in prior to the meeting. There was lengthy discussion by board members regarding whether Mr. Lokken violated the Peace Officer Code of Conduct. There was agreement by board members that Mr. Lokken may have lied to a supervisor but that based on the specific facts in this case, it did not rise to the level to proceed with adverse license action. The Board was in agreement to drop the issue and it be left to the agency to handle.

Member Roundtable

Chairman Klug asked individual members if they had any issues to bring up.

Lt. Haugen brought up concerns regarding the new criminal justice application process for licensing and renewals and the time it took to get these applications processed. It was discussed how it was a new process and that it would take some getting used to. There was discussion about areas where it was an improvement over the old system but other areas that appeared to create more work for office staff.

Paul Lies brought up the issue of carrying over a certain amount of training hours to a subsequent licensing period. After discussing the current administrative rules and the logistics of actually trying to accommodate this, the subject was dropped.

Motion

At 2:42 p.m., Paul Lies made motion to adjourn. Sarah Warner seconded the motion. All in favor, meeting adjourned.

It should be noted that due to technical difficulties, the audio recording of this meeting was lost during the download to computer.