

**SPECIAL MEETING MINUTES OF THE  
PEACE OFFICER STANDARDS  
AND TRAINING BOARD**

**LAW ENFORCEMENT TRAINING ACADEMY (LETA)  
BISMARCK, NORTH DAKOTA**

**March 30, 2022**

**Members Present**

Jason Ziegler  
Laurie Spitzer  
Dan Haugen  
Joe Cianni  
Erik Dietrich  
Lyn James  
Steve Armstrong  
Tom Falk

**Members Absent**

Jesse Jahner

**Guests**

John Maritato  
Denis Otterness  
Corben House  
Tim Sul  
Jesse Walstad  
Shannon Reichenberg  
Justin Vinge  
Gary Kuhn  
Dessie Calihou

**Legal Counsel**

Mike Mahoney

**Administrative Staff**

Duane Stanley

Chairman Dan Haugen called the meeting to order at 10:00 a.m. Duane Stanley took the roll. All members were present except Jesse Jahner. It should be noted that Tom Falck joined the meeting online at 10:06 AM and Lyn James joined online at 10:31 AM. There were numerous other individuals that were present online either through call in or the Teams platform.

**POST Board Hearing – Timothy R. Sul (21-0002 10:01 a.m.)**

Chairman Haugen provided an overview of the case and explained the hearing process. Chairman Haugen also swore in the individuals who were going to testify.

Timothy Sul was arrested on October 31, 2021 for APC in West Fargo, ND. At the time, Sul was employed as a deputy with the Dunn County Sheriff's Office. Sul subsequently pled guilty in Cass County District Court in case number 09-2021-CR-05065 to the Class B Misdemeanor. Sul advised Dunn County Sheriff Gary Kuhn of the arrest October 31, 2021. Sul and Sheriff Kuhn met on November 1, 2021 and briefly discussed the circumstances surrounding Sul's arrest. Sheriff Kuhn read the police report on Sul's arrest after that discussion, believed Sul had misrepresented what had occurred when Sul was arrested and notified the P.O.S.T. Board of that. Sul notified the P.O.S.T. Board on or about November 9<sup>th</sup>, 2021 of his arrest. The Dunn County Director of Human Resources, Dessie Calihou, Sheriff Kuhn and Sul all testified at the P.O.S.T. Board hearing. Sul's legal counsel Jesse Walstad also addressed the Board and questions witnesses.

**Motion**

Dan Haugen made a motion that Timothy Sul did violate the Peace officer Conduct specifically 109-02-05-01(4c) and that Sul's conduct has a direct bearing on his ability to perform peace officer duties. Steve Armstrong seconded the motion. All in favor, motion carried.

**Motion**

Joe Cianni made a motion to start adverse action in accordance with NDCC 12-63-12. Erik Dietrich seconded the motion. All in favor, motion carried.

Chairman Haugen presented to members the other possible violation to consider regarding 109-02-05-01(4e).

There was discussion by board members regarding this.

**Motion**

Jason Ziegler made a motion that Sul did not violate 109-02-05-01(4e). Steve Armstrong seconded the motion. All in favor, motion carried.

There was discussion by board members regarding a possible sanction of Sul's peace officer license regarding the (4c) violation. Board members discussed suspension and probation.

**Motion**

Jason Ziegler made a motion for a two-week suspension effective today and that Sul be placed on probation until December 10, 2022 with the condition Sul commit no further rule violations or administrative rule violations during the probationary period. Lyn James seconded the motion. All in favor, motion carried.

Chairman Haugen called for a short recess.

## **POST Board Hearing – Shannon S. Reichenberg (21-001) 11:20 a.m.**

Chairman Haugen provided an overview of the case and explained the hearing process. Chairman Haugen also swore in the individuals who were going to testify.

Reichenberg was arrested on August 26, 2021 for DUI in Bismarck, ND Reichenberg was an officer with the Mandan Police Department at the time of his arrest. The Mandan Police Department suspended Reichenberg without pay from September 29, 2021 until October 29, 2021. Reichenberg subsequently pled guilty on January 12, 2022 to Reckless Driving, a Class B Misdemeanor in District Court case number 08-2021-CR-02969. Attorney Justin Vinge addressed the Board as well as Reichenberg during the hearing process.

### **Motion**

Dan Haugen made a motion that Shannon S. Reichenberg did violate the Peace officer Conduct specifically 109-02-05-01(4c) and that Reichenberg's conduct has a direct bearing on his ability to perform peace officer duties. Steve Armstrong seconded the motion. All in favor, motion carried.

### **Motion**

Erik Dietrich made a motion to start adverse action in accordance with NDCC 12-63-12. Laurie Spitzer seconded the motion. All in favor, motion carried.

There was discussion by Board members as to a sanction. Members discussed the 30-day suspension without pay that had already been imposed by the employing agency.

### **Motion**

Erik Dietrich made a motion to place Reichenberg on probation concurrent with the criminal case until January 7, 2023, and that Reichenberg commit no further rule violations or administrative rule violations during the probationary period. Tom Falck voted no; all others voted yes. Motion carried.

## **Police Academy Basic Training (West Fargo PD)**

Chairman Haugen addressed the Board explaining the fact that the Lake Region Police Academy was going to be partnering with the West Fargo Police Department and planning on conducting a police basic academy session in the very near future. Lake Region had provided the POST Board Office with supporting documentation that addressed the course curriculum to be taught along with instructor bio information. John Maritato, Lake Region Academy Director, addressed the Board and answered questions. West Fargo Police Chief Denis Otterness had provided the Board with a short power point explaining the facilities to be utilized and addressed the Board answering questions as well.

## **Motion**

Jason Ziegler made a motion to approve the Lake Region Police Basic that will be taught at the West Fargo Police Department starting May 17. Lyn James seconded the motion. All in favor, motion carried.

## **Police Basic Waiver (Showing of Good Cause)**

Dunseith Police Chief Corben House was present and addressed the Board requesting a basic academy waiver for their recent hire Joshua Rau. There was lengthy discussion by board members regarding the work history and numerous limited licenses Mr. Rau had been issued along with the fact Mr. Rau had not completed a basic training academy in some time.

## **Motion**

Joe Cianni made a motion to deny the extension of the police basic academy. Jason Ziegler seconded. All in favor, motion carried.

Chairman Haugen adjourned the meeting at 12:01 p.m.