

**MINUTES OF THE
PEACE OFFICER STANDARDS
AND TRAINING BOARD
LETA
BISMARCK, NORTH DAKOTA
November 13, 2024**

MEMBERS PRESENT

Adrian Martinez
Joe Cianni
Roger Hutchinson
Travis Stefonowicz
Dave Stromberg
Frank Eberle
Lyn James
Steve Armstrong

MEMBERS ABSENT

Matt Odermann

LEGAL COUNSEL

Lori Mickelson

ADMINISTRATIVE STAFF

Pat Helfrich	Executive Secretary
Jessica Linder	Administrative Officer

GUESTS

Nathan McLeish	Burleigh County SO
Tracy Nelson	Burleigh County SO
Jason Kraft	Ward County SO
Cody Beilke	West Fargo PD
Kyle Johnson	West Fargo PD
Jenna Clawson-Huibregtse	ND Highway Patrol
Adam Stieha	
Alyssa McCulley	
Troy Hannig	Fargo PD (via Teams)
Caitlin Stromberg	Via Teams

MEETING CALLED TO ORDER

Chairman Joe Cianni called the meeting to order at 11:07 a.m. Secretary Helfrich took the roll. Member Odermann absent. All other members present.

Chairman Cianni introduced the new POST board members,
Chief Deputy Dave Stromberg, from the Grand Forks County SO
Sheriff Frank Eberle from the Bowman County SO

OLD BUSINESS

Kenneth Finlayson completed the required DUI seminar

Dr. Knowlton sent an email declining to obtain ND licensing with the Psychology Board in ND and withdrew her request to be a POST approved provider.

TPO committee was postponed until current meeting due to new members and the retirement of members Jahner and Dietrich. TPO committee created with members Martinez, Stefonowicz, and Stromberg being selected.

Administrative Rule Committee recommended rule changes to board as follows:

Tentative UPDATES: 109-02-01-04. Other license requirements.

2. A salaried peace officer who has a limited license must attend the basic full-time peace officer training course at the law enforcement training center. The peace officer's employing agency shall submit a verified statement to the board that the peace officer is a full-time peace officer of the agency in connection with the peace officer's application to attend the law enforcement training center for the basic full-time peace officer training course and that the peace officer is receiving a salary while attending the law enforcement training center.

i. Changes

- **Removed "only."**
 - **Added "must attend."**
3. A sponsored North Dakota college student may attend the basic full-time peace officer training course at the North Dakota Law Enforcement Training Academy. The student must be enrolled in a school within the North Dakota University System. The sponsoring university or college must submit a verified statement to the board confirming that the student is sponsored by the institution in connection with the student's application to attend the North Dakota Law Enforcement Training Academy for the basic full-time peace officer training course. The sponsoring university or college shall submit on a form provided by the board verification of completion of the criminal history background investigation, medical examination, and psychological examination. The sponsored college student becomes eligible for a North Dakota Peace Officer license upon

successful completion of the basic full-time officer training course at the North Dakota Law Enforcement Training Academy.

i. Changes

- **This is a new section.**

4. Only an individual hired to be a full-time peace officer may apply for a limited license or a peace officer license, apply for renewal of a license, except for renewal of an inactive license, or apply for reinstatement of a license. The peace officer's employing agency shall submit a verified statement to the board that the peace officer is a full-time peace officer of the agency in connection with the peace officer's application for a limited license or an application for renewal or reinstatement of a license.

i. Changes

- **This is the old #3. It would then become #4 moving forward.**

Tentative UPDATES: 109-02-02-04. Limited peace officer license.

4. The board may authorize an individual to attend a subsequent basic full-time peace officer training course upon a showing of good cause by the agency or individual as outlined in 109-02-01-07. If granted the waiver, the peace officer's employing agency shall submit a verified statement to the board affirming that the peace officer is a full-time peace officer of the agency, is receiving a salary while attending the required full-time peace officer training course, and that the agency will cover the associated training costs. The board may renew the limited license once if the individual failed the licensing examination. An individual with a limited license may retake the licensing examination two times within thirty days after the first examination and upon payment of the examination fee. If an individual with a limited license fails the licensing examination a third time, the individual shall successfully complete a basic full-time peace officer training course before the individual may retake the licensing examination. A salaried peace officer shall obtain a limited license if the individual will attend the basic full-time peace officer training course at the law enforcement training center.

i. Changes

- **For clarity, added as outlined in 109-02-01-07.**
- **Added: If granted the waiver, the peace officer's employing agency shall submit a verified statement to the board affirming that the peace officer is a full-time peace officer of the agency, is receiving a salary while attending the required full-time peace officer training course, and that the agency will cover the associated training costs.**
- **Added: Give officers a 3rd attempt at the exam before requiring the full Basic again.**
- **Changed "An individual to "A salaried peace officer shall obtain..."**

Tentative UPDATES: 109-02-02-05. Waiver of required training - Reciprocity.

2. If the board grants an applicant a partial waiver, the applicant may choose one of two options for their first licensing examination attempt:

- a. **Challenge Option:** The applicant may opt to challenge the licensing examination without additional training. If the applicant does not obtain a passing score on this challenge attempt, they must attend the next available two-week reciprocity course at the North Dakota Law Enforcement Training Academy before retaking the examination.
- b. **Two-Week Reciprocity Course:** Alternatively, the applicant may attend the two-week reciprocity course at the North Dakota Law Enforcement Training Academy prior to taking the licensing examination. If the applicant does not achieve a passing score after the reciprocity course, they are allowed a second attempt within thirty days of the first examination. Applicants who failed the challenge, will only get one attempt to achieve a passing score after attending the two-week reciprocity course.
- c. If a passing score is not obtained after both attempts (whether by the challenge or through the two-week reciprocity course), the applicant is required to complete the entire basic full-time peace officer training course before any further attempts at the licensing examination.

i. Changes

- **Added a challenge option for those who qualify for a partial Basic waiver.**

Tentative UPDATES: 109-02-02-06. Licensing examinations.

1. **Examination requirements.** An individual is eligible to take the licensing examination upon completion of or during the basic full-time peace officer training course. A minimum score of seventy percent is necessary for successful completion of the licensing examination. The individual shall pay the examination fee established by the board prior to taking the examination. The examination must be personally proctored by the board or the board's designee.

i. Changes

- **Changed administered to personally proctored.**

2. **Retaking examinations.** An individual who fails the first examination may retake the examination two times upon furnishing to the board the required examination fee. After the third unsuccessful attempt, the individual shall successfully complete the entire basic full-time peace officer training course before the individual may retake the examination a fourth time. A salaried peace officer must obtain a limited license if the individual will attend the basic full-time peace officer training course at the law enforcement training center.

i. Changes

- **Added a third attempt for full-time basic students before requiring the full academy.**
- **Changed “An individual to “A salaried peace officer shall obtain...”**

Tentative UPDATES: 109-02-02-14. Inactive status.

An individual who does not perform duties as a licensed peace officer or is no longer employed by an agency may request the board place the individual on inactive status. The individual shall make the request for inactive status in writing on a form provided by the board. The individual may remain on inactive status indefinitely if the individual meets the same requirements for a peace officer on active status, including continuing education requirements and renews the license in accordance with the rules of the board. When hired by an agency, the individual must immediately complete the POST use of force examination and annual sidearm qualification. An individual who has been hired by an agency but who has been on inactive status for three or more years when the individual was hired by the agency shall attend the first available criminal and traffic law portions of the full-time peace officer basic course, and successfully complete the licensing examination before the board may restore the individual's license to active status. Reserve peace officers may not maintain a license in inactive status.

i. Changes

- **Removed the annual qualification requirement.**
- **Added: When hired by an agency, the individual must immediately complete the POST use of force examination and annual sidearm qualification.**

Tentative UPDATES: 102-02-02-15. Continuing education requirements.

1. In order for an officer to remain licensed, the officer shall comply with all license requirements. Peace officers shall receive a minimum of sixty hours of certified training every three years. Training sessions must be scheduled in half-hour increments, with a minimum duration of 30 minutes. If an officer has received more than sixty hours in a three-year period, the surplus in training hours may not be carried forward into the next three-year period.

i. Changes

- **Removed the online training hours restriction.**
- **Changed training hours to, "Training sessions must be scheduled in half-hour increments, with a minimum duration of 30 minutes."**

5. Reserve peace officers shall receive a minimum of thirty hours of certified training every three years. If a reserve peace officer received more than thirty hours in a three-year period, the surplus in training hours may not be carried forward into the next three-year period.

i. Changes

- **Removed the online training hours restriction.**

Tentative UPDATES: 109-02-04-09. Application for course certification

4. Course certification will not be granted unless the course meets the following criteria:
 - a. Meets a law enforcement educational need;
 - b. Is law enforcement or law enforcement administrative function related;
 - c. Is based on knowledge, skills, or abilities needed to be an officer; and
 - d. Is at least a half-hour in length and is offered in increments of a half-hour.

i. Changes

- **Changed the training hour requirement to half-hour instead of 1 hour.**

Added New definitions:

Sponsored College Student: A student enrolled in a North Dakota University System institution who has received formal endorsement from their college or university to attend the basic peace officer training at the North Dakota Law Enforcement Training Academy.

Enrolled: Officially registered as an active student within a North Dakota University System (NDUS) institution, either as a primary student of the institution or as a student from another university taking coursework at the NDUS institution, with status maintained according to the institution's academic policies.

Sponsoring University or College: An accredited institution, either within the North Dakota University System (NDUS) or in partnership with an NDUS school, that formally endorses a student's application to attend the North Dakota Law Enforcement Training Academy. The sponsoring institution verifies the student's eligibility and supports their commitment to meet required training standards.

Challenge: An option available to applicants granted a partial waiver of the basic full-time peace officer training, allowing them to attempt the licensing examination without additional preparatory training.

109-02-01-04.1(3) reserve officers

Propose to change 40 hours in 30 days to no more than 480 hours per year.

109-02-02-11 fees

Propose changes to the following:

Change examination fee from \$25 to \$50

Change initial license fee from \$45 to \$100

Change license renewal fee from \$45 to \$100

Change late license renewal fee up to 30 days from \$100 to \$250

Change late license renewal fee 31 days to 365 from \$250 to \$500

Change reinstatement fee for sidearm suspension/revocation from \$250 to \$500

Want to add a fee for suspension of a license \$250

109-02-02-14 inactive status

Remove annual sidearm qualification and have a use of force test and sidearm qualification mandatory if hired by agency.

Want to change training hour requirement to be online or in person for all 60 hours POST approved instead of the 20 hour online current limit.

60 hour to be discussed at later meeting.

109-02-02-15 continuing education

Change to 60 hours online or in person POST approved courses instead of the 20 online current limit.

Board to discuss this again at later meeting.

109-02-03-04 sidearm qualification

Want to change that 1 duty weapon and 1 off duty weapon count towards POST sidearm qualification.

109-02-02-06(2) licensing examinations

Want to add a third attempt at the licensing examination. Currently POST allows 3 attempts on the use of force test and the sidearm qualification. Want to be consistent. Want to allow individuals to challenge the POST exams if they qualify for Basic Waiver. This will allow agencies to start utilizing these officers in a full capacity instead of waiting for a reciprocity course.

Board to discuss this again at later meeting.

109-02-04-09 (4)(d) course certification

Want to change training minimum from 1-hour increments to 30-minute increments. This will allow podcasts and shorter courses to be approved so training can be easier to obtain even while on duty.

NEW BUSINESS

Caitlin Stromberg requesting waiver for expiration of license

Caitlin Stromberg appeared via Teams. Caitlin went on inactive status on 8/2/2022. Caitlin did not file for renewal in the appropriate time required by POST rule 109-02-02-16(4).

MOTION

Member James made a motion to deny the waiver. Motion seconded by member Hutchinson. Member Dave Stromberg abstained from voting. All other members in favor of denial, motion passed.

Robert Mahoney-Ward County SO waiver

Jason Kraft from Ward County SO appeared in front of the board requesting a waiver for Robert Mahoney. Robert is currently deployed with the military. Mahoney's current peace officer license will expire December 31, 2024. Mahoney will not have the minimum training

hours or the sidearm qualification necessary. Mahoney's MOI and firearms instructor certifications will also expire.

MOTION

Member Armstrong made a motion to waive the 29 hours of training needed, to submit a PFN10b sidearm waiver, late fee waiver, and upon Mahoney's return must take the MOI and Firearm instructor refreshers within 90 days. Motion seconded by Martinez. All in favor, motion passed.

Funding Requests

LPO in Fargo

Troy Hannig-Fargo PD appeared via Teams, requests \$25,000 for LPO to be taught in Fargo.

Motion

Member Martinez made a motion to approve \$25,000 for LPO. Motion seconded by Member Hutchinson. All in favor motion passed

Staff & Command Online version

Cody Beilke and Kyle Johnson-West Fargo PD appeared to request \$58,000. They did receive \$25,000 funding from NDIRF and are seeking the rest from the POST board. Chairman Cianni read a dissenting email from Lt. Nelson from Burleigh County SO about the online course. Member Martinez advised that LETA is looking at possibly bringing in the course. Executive Secretary Helfrich advised them to contact their local gaming charities for funding. Executive Secretary Helfrich provided them with SA Sanderson's contact information to explore that option.

Motion

Member Martinez made a motion to approve \$25,000. No second motion. Motion dies.

Motion

Member James made a motion to deny funding request. Motion seconded by member Eberle. All in favor, motion passed.

Caliber Press Tactical Leadership

Nathan McLeish and Tracy Nelson-Burleigh County SO appeared to request \$12,000 for the leadership class to be held in Bismarck.

Motion

Member Armstrong made a motion to approve \$6,000 and suggested to reach out to NDIRF for the remaining funds. Motion seconded by member Hutchinson. All in favor, motion passed.

K9 Defense Bite Building

Cody Bielke and Kyle Johnson-West Fargo PD appeared to request funding for \$8500 for a K-9 course to be held in West Fargo.

Motion

Member James made a motion to approve \$8500 and seconded by member Eberle. All in favor, motion passed.

Balancing the Bridge and Fight after the Fight

Jenna Clawson-Huibregtse-NDHP appeared to request \$13660 for 2 trainings for a seminar.

Motion

Member James made a motion to approve \$13660 for both trainings and seconded by member Hutchinson. All in favor, motion passed.

Adverse License Action on Garrett Harding 24-009

Executive Helfrich provided documentation of the case to board members prior to the hearing. Chairman Cianni opened the hearing on Garrett Harding. Garrett Harding emailed Executive Secretary about not attending the hearing, which he read to the members of the board. Chairman Cianni read the complaint and judgements against Garrett Harding for the members of the board.

Motion

Member Hutchinson made a motion that Garrett Harding violated the code of conduct 109-02-05-01, subsection 4c and that the conduct has a direct bearing on his ability to perform peace officers' duties, seconded by member Stefonowicz. All in favor motion passed.

Member Martinez made a motion to begin adverse action against Garrett Harding's peace officers license in accordance with NDCC 12-63-12, seconded by member Armstrong. All in favor, motion passed.

Member Hutchinson made a motion to revoke Garrett Harding's peace officers license effective immediately, seconded by member Martinez. All in favor, motion passed.

Adverse License Action-Adam Stieha 24-007

Executive Secretary Helfrich provided documentation of the case to board members prior to the hearing. Chairman Cianni opened the hearing on Adam Stieha who was present without counsel. Adam Stieha plead guilty in SD for Fraud to obtain game license. Adam Stieha answered questions from POST legal counsel Lori Mickelson and members of the board.

Motion

Member Hutchinson made a motion that Stieha violated the code of conduct 109-02-05-01(4c) and that Stieha's conduct has a direct bearing on his ability to perform peace officer duties, seconded by member Stromberg. All in favor motion passed.

Member Hutchinson made a motion to begin adverse action on Finlayson's peace officer license in accordance with NDCC 12-63-12, and motion seconded by member Stromberg. All in favor motion passed.

Member Martinez made a motion that Stieha's license be suspended for 30 days his license then be on probation until his gaming rights have been reinstated and restitution made which should be done by 8/13/2025, motion seconded by member Eberle. All in favor motion passed.

Adverse License Action-Alyssa McCulley 24-010

Executive Secretary Helfrich provided documentation of the case to board members prior to the hearing. Chairman Cianni opened the hearing on Alyssa McCulley who was present without counsel. Alyssa McCulley was terminated for violating the zero-drug policy. Alyssa was randomly selected for a drug screening and failed. Alyssa admitted to using Marijuana in Montana while visiting family. Alyssa answered questions from POST legal counsel Lori Mickelson and members of the board.

Motion

Member Armstrong made a motion that McCulley violated the code of conduct 109-02-05-01(4b) and that McCulley's conduct has a direct bearing on her ability to perform peace officer duties, motion seconded by member Hutchinson. Members Stefonowicz and Stromberg voted no, all other members voted yes, motion passed.

Member Armstrong made a motion to begin adverse action on McCulley's peace officer license in accordance with NDCC 12-63-12, and motion seconded by member Hutchinson. All in favor motion passed.

Member James made a motion that McCulley's license be on probation for 6 months from 11-13-24, and motion seconded by member Martinez. All in favor motion passed.

Meeting Minutes

Minutes were reviewed from the August 21 meeting. No discussion or concerns were made chairman Cianni stated minutes stand approved as distributed.

Board Approval for Ratification of Licenses

Executive Secretary Pat Helfrich advised the board of the limited licenses and reserve licenses issued from August 15 to November 5. 66 initial and reserve licenses

MOTION

Member James made motion to ratify the licenses, seconded by member Armstrong. All in favor motion passed.

Financial Report

Executive Secretary Helfrich previously sent the financial statements to board members prior to the meeting and the proposed 2025 Budget. Chairman Cianni asked for any discussion. Member James requested a breakdown of operating expenses on the budget.

MOTION

Member Armstrong made a motion to accept the financial reports. Motion seconded by member Martinez. All in favor motion passed.

2025 Meeting dates

All meeting times start 11:00 AM Central time.

February 12, 2025

May 14, 2025

August 20, 2025

November 12, 2025

Items from Members

Member Stefonowicz brought up the cost for a plaque for past members of the POST board. Members agreed up to \$200 per plaque.

MEETING ADJOURNMENT

Chairman Cianni adjourned meeting at 4:25 PM.