

Open Session Minutes

IOWA LAW ENFORCEMENT ACADEMY COUNCIL MEETING

June 1, 2023, at 9:00am
ILEA, Room 201
Camp Dodge
7105 NW 70th Avenue
Johnston, Iowa 50131

A meeting of the Iowa Law Enforcement Academy Council was held as a hybrid of in-person and online attendance.

Members Present: Tim Carmody, Chair and Chief, Council Bluffs Police
Department
Diane Venenga, Vice Chair and Chief, North Liberty Police Department
Ricardo Martinez II, Public Safety Director, Chief, Nevada Police
Department
Melissa Henderson, Officer, Cedar Rapids Police Department
Nathan Fulk, Colonel, Iowa State Patrol
Elizabeth Quinn, Sergeant, Story County Sheriff's Office
Vicky Long Hill, Citizen
Sadie Weekley, Lieutenant, Marshalltown Police Department
Jim Steinkuehler, Sheriff, Crawford County Sheriff's Office
Kevin Schneider, Sheriff, Polk County Sheriff's Office
Eric Gjerde, State Representative

Members Absent: Gene Beinke, Citizen
David Lorenzen, Iowa DOT Motor Vehicle Enforcement
Matthew Roberts, Group Supervisor, United States Drug Enforcement
Administration
Robert M. DeWitt, Senior Supervisory Resident Agent, Federal Bureau
of Investigation
Chris Cournoyer, Iowa Senator
Nate Boulton, Iowa Senator
Steven Holt, State Representative

Legal Counsel Present: Kristi Traynor, Assistant Iowa Attorney General
Eric Dirth, Assistant Iowa Attorney General

Staff Present: Brady Carney, Director, ILEA
Sherry Poole, Assistant Director, ILEA
Jack Heuton, ILEA
Donna Hallstrom, ILEA
Nicole Stevens, ILEA
Jennifer Rico, ILEA
Katy Fukuda, ILEA

Guests Present: David Beshey
Wyatt Heyvaert
Regina Wolfe
Kevin Kernan

Reagan Kingrey
Kristan Decker
Kristopher Hudson
Dawson Stoll
Darius Sykes
Dakota West
Randi Holst
Brock Barnhart
Alex Delaney
Alex Lott
Andrew Batcheller
Justin Clarke
Nicholas Njus
Andrew Markham
Anthony Aronov
Bill Greenwalt
Matt Owens
Seth Gray
Dan Schaffer
Stacey Weber
Matt Aswegan
Jeff Hembera
Rich Schmitz
Brent Streck
Mark Rohloff
Keith Brothers
Eric Vaughn
Emily Andersen
Benjamin Scholl
William Conlee
David Porter
Shelli Tedrow
Carrie Folkerts
Cory McGarvey
Ryan Shawler

Tim Carmody called the meeting to order.

Tim Carmody stated the proceedings are being recorded and reminded Council members that they are to abstain from participating in and/or voting on any action items involving a potential conflict of interest.

Tim Carmody began with the welcome and introductions of the Academy Council, ILEA staff and guests.

Tim Carmody determined there was a quorum.

The first item (#1*) on the agenda was the disclosure of potential conflicts of interest on the Open Session agenda.

Melissa Henderson advised that she has a conflict with Action Items 16 and 17 and will be recusing herself from that discussion. Tim Carmody stated that he would need to recuse himself from Action Item #6.

The second item (#2*) on the agenda was the election of the Chair and Vice Chair of the Academy Council.

Melissa Henderson made a motion to nominate Tim Carmody for Chair and Diane Venenga for Vice Chair of the Academy Council. Nathan Fulk seconded the motion. An individual voice vote was taken. Vicky Long-Hill-Aye; Nathan Fulk-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye; Tim Carmody-Aye; Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye and Jim Steinkuehler-Aye. All Aye- 10-0. Motion carried.

The third item (#3*) on the agenda was the approval of the June 1, 2023 Open Session Council Minutes

Tim Carmody entertained a motion to approve the minutes from the June 1, 2023 Council Meeting. Jim Steinkuehler made a motion to approve the June 1, 2023 Open Session minutes. Ric Martinez seconded the motion. An individual voice vote was taken. Nathan Fulk-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye; Tim Carmody-Aye; Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye and Vicky Long-Hill-Aye. All Aye- 10-0. Motion carried.

The fourth item (#4*) on the agenda was the approval of the Consent Agenda as presented.

Diane Venenga advised that she had a conflict with the Salvage Vehicle Theft Examiners on the Consent Agenda and would be recusing herself from that item. Nathan Fulk stated that he would be recusing himself from Items #1 and #2 on the Consent Agenda.

Tim Carmody entertained a motion. Jim Steinkuehler made a motion to approve the Consent Agenda as presented. Melissa Henderson seconded the motion. An individual voice vote was taken. Elizabeth Quinn-Aye; Diane Venenga-Recuse; Tim Carmody-Aye; Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Vicky Long-Hill-Aye; Nathan Fulk-Aye. 8-Aye; 2-Recusal (Venenga) (Fulk). Motion carried.

The fifth item (#5*) on the agenda was public comment. (Comments will be no more than three minutes)

There was none.

The sixth item (#6*) on the agenda was the reinstatement decision for David Beshey.

Kristi summarized for the Council the legal standard that Beshey has the burden of providing sufficient evidence that:

1. the basis for his suspension no longer exists; and
2. it is in the public interest to reinstate his certification.

The Council asked Mr. Beshey to explain how the basis of his suspension no longer exists. Mr. Beshey advised that in the past ten years, he has lived a law abiding life and is a good member of his community along with serving as an officer with the Colfax Police Department. The Council asked Mr. Beshey how his behavior has changed since the previous incident happened ten years ago. Mr. Beshey advised that his behavior has not changed and he disputes many of the allegations from ten years ago. He stated that he has always been a law abiding citizen. The Council asked Mr. Beshey why they should reinstate him. Mr. Beshey answered that he provided several letters from other officers he has worked with over the years regarding his conduct and professionalism while on duty. He stated that he does not commit crimes and that this is hard to describe. He has proven himself as a good law enforcement officer. Mr. Beshey was asked about accountability for his actions ten years ago and if his behavior has not changed, why should this Council reinstate him? Mr. Beshey stated that it was difficult to describe. He stated that he is responsible and accountable for what occurred ten years ago. He stated that he made some decisions that

set into motion a chain of events that resulted in what occurred ten years ago. He doesn't agree with many of the items that he was accused of. He stated that was not common behavior for him back then. Mr. Beshey stated again that it was difficult to explain. The Council agreed that they did not have sufficient information and facts of the incident from ten years ago to make an informed decision. Mr. Beshey did not provide any documents from ten years ago for the Council to review other than letters from co-workers and supervisors. The Council advised that they needed more information before considering reinstatement for Mr. Beshey. Mr. Beshey stated that this is a complex situation.

Mr. Beshey made a request to table this discussion and move his case to the August 3, 2023 Council Meeting so he has time to gather any additional documents to provide to the Academy Council at that time.

The seventh item (#7*) on the agenda was the waiver rehearing for Wyatt Heyvaert.

Present with Mr. Heyvaert was Mayor Kevin Kernan and City Council Member Gina Wolfe. Kristi stated that this was a rehearing requested by Mr. Heyvaert. It is Mr. Heyvaert's burden of proof to prove that the Council's previous decision was incorrect. This is Mr. Heyvaert's opportunity to provide any new information to the Council in order for them to change their decision. Mr. Heyvaert stated that he has been in law enforcement for nearly twenty-years. Mr. Heyvaert provided his law enforcement background. Mr. Heyvaert stated that he worked a twelve-hour shift and then drove to Davenport, IA and played in a four-hour show. He stated that he had drunk a couple of beers but was not intoxicated at the time of the crash. He stated that on the way home after the show, he fell asleep at the wheel and hit a parked vehicle. He stated that he recognized the car he hit. He stated that the car belonged to someone that he had arrested several times. He stated that he walked down the road and called his wife to come pick him up. He stated that he had his wife drive him home and then had her return to the scene as a registered vehicle owner. Mr. Heyvaert stated that he did not tell his wife to tell officers that she was driving. Mr. Heyvaert stated that he thought the Whiteside County Sheriff's Office would follow up with him later. Mr. Heyvaert stated that deputies never came to his house that night. Mr. Heyvaert stated that he drove to the Whiteside County Sheriff's Department the following Monday to meet with the Deputy who handled the crash. He stated that he owned it and received the citation. Mr. Heyvaert stated that he takes full responsibility for leaving the scene and that he regrets that decision. Mr. Heyvaert advised that he decided to get out of law enforcement for about a year after this incident occurred. He advised that his certification is still valid in Illinois. He stated that he was approached by a couple of Iowa officers about the City of Princeton Chief job. He applied and during his interview, he stated that he fully disclosed the information regarding the traffic incident. He stated that he did not understand the CTE process in Iowa and was not aware that he had to disclose this information to ILEA on the Report of Hire. Mr. Heyvaert stated that he thought ILEA received the application from Princeton which had that information on it. Gina Wolfe stated that she conducted the background check on Mr. Heyvaert and that he was totally forthcoming with all of this information when they interviewed him. She stated that he has done an amazing job since being hired with them. She stated that they only had three applicants for the Chief's position and Mr. Heyvaert was the "lesser" of the three evils. The Council asked Mr. Heyvaert if the two times that he called the dispatch center while his wife was at the crash scene, did he ever tell them that he was driving the car and that his wife was just there to provide the insurance? Mr. Heyvaert stated "No, I did not". Mr. Heyvaert asked the Council about empathy and what is the time frame to show empathy to someone for the mistakes they have made. The Council looks at the time of incident, severity, and what has changed since. Mr. Heyvaert was asked what he would have done differently if he could go back to that night. He stated that he would have stayed on scene and called 911. He stated he wouldn't do an off duty job after working a 12-hour shift. The hardship for the city of Princeton would be that they would lose their Chief and all of the money they have invested in him. They would have to start from the beginning with the hiring process which would be very hard.

Tim Carmody entertained a motion. Sadie Weekley made a motion to affirm the Council's prior decision to deny the waiver for Wyatt Heyvaert and further move that the Chair be authorized to issue a written decision consistent with the Council's discussion. Elizabeth Quinn seconded the motion. An individual voice vote was taken. Diane Venenga-Aye; Vicky Long-Hill-Nay; Nathan Fulk-Aye; Elizabeth Quinn-Aye; Tim Carmody-Aye; Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye and Jim Steinkuehler-Aye. 9-Aye; 1-Nay (Long-Hill). Motion carried.

The eighth item (#8*) on the agenda was the Petition for Extension of Iowa Administrative Code Rule 501-10.3(4) for Dawson Stoll and Darius Sykes on behalf of the Clinton County Sheriff's Office.

Reason for Waiver:

Reserve officers Stoll & Sykes need to complete Module F and the Final Exam. They were both hired on 8/21 so their time to become certified expired on 2/23. There was turnover in the Clinton County Sheriff's Office resulting in the requirement being missed.

Rule Citation:

10.3(4) Should a person appointed as a reserve peace officer fail to achieve certification within the time period or under any extension allowed by this rule, that person shall not be eligible for appointment as a reserve peace officer and shall not serve as a reserve peace officer in the state of Iowa for a period of not less than one year from the date the time period in which to achieve certification expired, or from the date that the person was last appointed as a reserve peace officer in the state of Iowa, whichever comes first. Waiver Criteria: The administrative rule that sets forth the criteria you must consider in deciding whether to grant a petition for waiver is as follows:

501—16.3(17A,80B) Criteria for waiver. . . . [T]he Iowa law enforcement academy council may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the council finds, based upon clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Sheriff Greenwalt and Sergeant Owens from the Clinton County Sheriff's Office were present on behalf of Darius Sykes and Dawson Stoll. Sheriff Greenwalt advised the Council that the agency has had some turnover in the past couple of years and the training of these Reserves fell through the cracks. Sheriff Greenwalt took full responsibility for their incomplete training. He stated that it has been hard finding DT Instructors and Precision Driving Instructors and that he failed to get these two Reserves trained in the appropriate time frame. He stated that Sykes and Stoll have completed every module except for the DT/Driving portions of Module F. This was confirmed by ILEA staff. Sheriff Greenwalt advised that he does have training set up for them if the Council grants the extension.

Tim Carmody entertained a motion. Jim Steinkuehler made a motion to approve the 180-day extension starting from the time they expired (new expiration date Sykes 8/13/2023 and Stoll 8/18/2023). Vicky Long-Hill seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Vicky Long-Hill-Aye; Nathan Fulk-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 10-Aye. Motion carried.

The ninth item (#9*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-10.1(5) for Dakota West on behalf of the Centerville Police Department.

Reason for Waiver: Theft 4th Conviction.

West wishes to be a Reserve Peace Officer. In 1999, West was 19 and took possession of two mini bikes, one semi stack, and four tires from a body shop. He was originally charged with Theft 2nd and Burglary 3rd. In a plea agreement, the burglary charge was dismissed and the Theft charge lowered to 4th. West completed 1 year of unsupervised probation and paid all fines/fees. He is now 32; holds a full time job, and has had no additional contact with law enforcement except for a traffic violation.

Rule Citation: 501—10.1(5) Is of good moral character as determined by a thorough background investigation...and has not been convicted or adjudicated of any offense listed in 501—2.1(5)"a."
2.1(5)"a" The following nonexclusive list of acts has been held by the courts to involve moral turpitude:
(9) Theft/burglary

Waiver Criteria:

The administrative rule that sets forth the criteria you must consider in deciding whether to grant a petition for waiver is as follows:

501—16.3(17A,80B) Criteria for waiver. . . . [T]he Iowa law enforcement academy council may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the council finds, based upon clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Seth Gray and Dakota West from the Centerville Police Department were present. West explained the circumstances of his charges. His roommate told him at the time that he bought some tires off of Craigslist and asked to store them in Dakota's garage. Dakota stated that two days after the tires were placed in his garage, the police raided his house. Dakota stated that he found out that the tires were stolen property. Dakota stated that he pled guilty to Theft 4th-possession of stolen property. Dakota stated that he did not know the tires were stolen at the time he gave his friend permission to store them in his garage. Seth Gray advised the Council that they have seven officers at their agency and the hardship if the waiver was not granted would be trying to find quality applicants to fill positions. Dakota would be an asset to the department. Dakota stated that since that incident, he has chosen better friends. Dakota stated that he wants to give back to his community.

Tim Carmody entertained a motion. Melissa Henderson made a motion to approve the waiver for Dakota West. Nathan Fulk seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 10-Aye. Motion carried.

The tenth item (#10*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(5) for Randi Holst on behalf of the Lake City Police Department.

Reason for Waiver:

Holst was charged with felony vandalism and pled guilty to criminal mischief, a serious misdemeanor for being present and encouraging a line to be scratched along the length of a classmate's vehicle along with the word "slut," a swastika, and other curved lines. She received a deferred judgment, was placed on unsupervised probation for 1 year, and charged fees/fine. She was 18 and in high school when the offense occurred. Since that time, Holst has married, has a family, and is a correctional officer in a county jail. She has had no further incidents since this conviction.

Rule Requested to be Waived:

501—2.1(80B) General requirements for law enforcement officers.

2.1(5) Is of good moral character as determined by a thorough background investigation...and has not been convicted of a felony or a crime involving moral turpitude. Moral turpitude is defined as an act of baseness, vileness, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between person and person. It is conduct that is contrary to justice, honesty or good morals.

a. The following nonexclusive list of acts has been held by the courts to involve moral turpitude:

(6) Any offense in which a weapon was used in the commission.

Waiver Criteria:

The administrative rule that sets forth the criteria you must consider in deciding whether to grant a petition for waiver is as follows:

501—16.3(17A,80B) Criteria for waiver. . . . [T]he Iowa law enforcement academy council may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the council finds, based upon clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Chief Dan Schaffer and Randi Holst with the Lake City Police Department were present and addressed the Council. Randi Holst stated that she had a relationship with a Carroll Police Officer when she was 16-18yrs old. The relationship ended when Randi found that the officer had been cheating on her. Randi and some friends were driving around one night, and one of Randi's friends decided to "key" the car belonging to the other girl. Chief Schaffer advised that Randi has done a lot of growing up since then. She has gotten married and started a family. Randi is a correctional officer for Webster County. Randi has had no other involvement with law enforcement since then. The hardship is finding good officers.

Tim Carmody entertained a motion. Diane Venenga made a motion to approve the waiver for Randi Holst. Melissa Henderson seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Nay; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 9-Aye; 1-Nay. Motion carried.

The eleventh item (#11*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(5) for Brock Barnhart on behalf of the Jesup Police Department.

Reason for Waiver:

Barnhart was charged with OWI 1st and carrying weapons in 2018. He pled guilty to the OWI and the weapons charge was dismissed. He received a deferred judgment, was placed on unsupervised probation for 1 year, and charged fees/fine. He has had no further incidents since this conviction.

Rule Requested to be Waived: 501—2.1(80B) General requirements for law enforcement officers.

2.1(5) Is of good moral character as determined by a thorough background investigation...and has not been convicted of a felony or a crime involving moral turpitude. Moral turpitude is defined as an act of baseness, vileness, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between person and person. It is conduct that is contrary to justice, honesty or good morals.

Waiver Criteria:

The administrative rule that sets forth the criteria you must consider in deciding whether to grant a petition for waiver is as follows:

501—16.3(17A,80B) Criteria for waiver. . . . [T]he Iowa law enforcement academy council may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the council finds, based upon clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Chief Josh Evans and Brock Barnhart of the Jesup Police Department were present and addressed the Council. Brock Barnhart stated that back in 2017, on opening day of hunting, he went hunting and then went out afterwards to the bar. Brock stated that he had too much to drink and drove home. He was pulled over by police and failed a field sobriety test. There was a large knife that he uses for drill. He stated that he doesn't go out to the bars any longer. He has not had any other contact with law enforcement except a couple of speed warnings. He is currently going back to school and has a passion to serve his community. The hardship for the department is that they are short officers and it is very hard finding good applicants. The OWI charge was back in 2018.

Tim Carmody entertained a motion. Sadie Weekley made a motion to approve the waiver for Brock Barnhart. Jim Steinkuehler seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 10-Aye. Motion carried.

The twelfth item (#12*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-4.2(1)(a) for Alex Delaney on behalf of the Polk City Police Department.

Reason for Waiver:

Seeks to attend the August Firearms Instructor School but will be 3 weeks shy of 3 years of experience as a certified peace officer. The Department needs another firearms certified instructor. He has shown the ability and motivation to train new and experienced officers. He was selected to be a field training officer and has trained 4 new officers since taking that role. No information on his experience was provided.

Rule Citation: 501-4.2(1)(a)

A minimum of three years' certified experience (peace officer, jailer or public safety telecommunicator) with a majority portion of this experience in the subject area to be instructed.

Waiver Criteria:

The administrative rule that sets forth the criteria you must consider in deciding whether to grant a petition for waiver is as follows:

501—16.3(17A,80B) Criteria for waiver. . . . [T]he Iowa law enforcement academy council may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the council finds, based upon clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Lt. Aswegan and Officer Delaney from the Polk City Police Department were present online. Lt. Aswegan is very confident that Officer Delaney would make a very good Firearms Instructor. Officer Delaney is an FTO and is the top shooter in their department. The hardship for the department is that there are only two Firearms Instructors, the Chief and Lt. Aswegan. The Chief and Lt. are extremely busy with other tasks. Officer Delaney stated that the hardship would be that he is very determined to keep moving forward in his career and if not granted, he would not be able to serve his department as an instructor.

Tim Carmody entertained a motion. Melissa Henderson made a motion to approve the waiver for Alex Delaney and that he will have a mentor present until he has three years certified experience. Diane Venenga seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 10-Aye. Motion carried.

The thirteenth item (#13*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-4.2(1)(a) for Alex Lott on behalf of the Perry Police Department.

Reason for Waiver:

Seeks to attend the August Firearms Instructor School but will be 4 months shy of 3 years of experience as a certified peace officer. The Department has not had a certified firearms instructor for two years and has struggled to retain veteran officers. He has shown the qualities, desire and leadership to train new and experienced officers. He has 9 years of experience, having worked as a probation and parole officer prior to becoming certified.

Rule Citation: 501-4.2(1)(a)

A minimum of three years' certified experience (peace officer, jailer or public safety telecommunicator) with a majority portion of this experience in the subject area to be instructed.

Waiver Criteria:

The administrative rule that sets forth the criteria you must consider in deciding whether to grant a petition for waiver is as follows:

501—16.3(17A,80B) Criteria for waiver. . . . [T]he Iowa law enforcement academy council may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the council finds, based upon clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Chief Eric Vaughn and Sgt. Alex Lott from the Perry Police Department were present online. Chief Vaughn stated that his department is short officers and only has four officers that have more than three years certified experience in order to become instructors. Sgt. Lott has a passion for instructing and would make an excellent Firearms Instructor. Sgt. Lott stated that the hardship for him would be that he could not assist his agency with certifying their officers.

Tim Carmody entertained a motion. Diane Venenga made a motion to approve the waiver for Alex Lott and that he will have a mentor present until he has three years certified experience. Melissa Henderson seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 10-Aye. Motion carried.

The fourteenth item (#14*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-3.1(1) for Andrew Batcheller on behalf of the Belle Plaine Police Department.

Reason for Extension: Officer Batcheller is seeking additional time to attend Basic Academy in Fall 2023. Per the petition, Officer Batcheller failed the PT test to attend the May Basic Academy. Prior test results from ILEA include:

12/12/22: Failed sit-ups and run
12/20/22: Failed sit-ups
04/10/23: Failed run
04/24/23: Failed run

The Department has invested time/money in the officer, he is well liked by peers and the community. The Department also has difficulty getting quality applicants. Officer Batcheller's one year anniversary date is July 11, 2023.

Extension Criteria: The administrative rule that sets forth the criteria you must consider in deciding whether to grant the request for an extension is as follows:

3.1(3) The academy council may, at the council's discretion, extend the one-year time period in which an officer must become certified for up to 180 days after a showing of "undue hardship" by the officer or the officer's hiring agency. To be considered for an extension of the one-year certification period, the person or agency requesting the extension must initiate the request in writing, not less than 10 days prior to the council meeting at which it is to be discussed, and then make a presentation to the council at the next regularly scheduled meeting of the council. Extensions shall not be liberally granted and shall only be granted after showing that all other alternatives to an extension have been considered and rejected.

Chief Christopher Hudson and Officer Andrew Batcheller from the Belle Plaine Police Department were present. Chief Hudson stated that when they hired Batcheller, he had a passing physical agility score but when they sent him to the PT testing in December 2022, he did not pass the test to get into the Academy. Chief Hudson stated the hardship for his agency is that it has been difficult finding good applicants and he also has two other officers that need to attend the academy. The Chief stated that Batcheller was "off" his run by 40-seconds. Officer Batcheller stated that he lost focus in keeping up with his agility. He stated that he has changed his diet and work out routine. The Council asked if Andrew had been utilizing a personal trainer to assist him. He stated that he had not. The hardship for Andrew is that he would be missing out on something he loves.

Tim Carmody entertained a motion. Nathan Fulk made a motion to approve the extension for Andrew Batcheller for 180-days (expiration date would be 1/7/2024). Sadie Weekley seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Nay; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Nay; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 8-Aye; 2-Nay. Motion carried.

The fifteenth item (#15*) on the agenda was the Petition for Extension of Iowa Administrative Code Rule 501-13.2(1) for Reagan Kingrey on behalf of the Warren County Sheriff's Office.

Reason for Extension:

Kingrey was scheduled to attend the May Telecommunicator course, but had a death in the family the Saturday before class started. Kingrey's one year anniversary date is June 9, 2023.

Rule Requested to be Waived: 501-13.2(1)

501-13.2(1) All persons employed primarily as public safety telecommunicators after July 1, 1998, shall successfully complete an approved basic training course within one year of employment.

Waiver Criteria:

The administrative rule that sets forth the criteria you must consider in deciding whether to grant a petition for waiver is as follows:

501—16.3(17A,80B) Criteria for waiver. . . . [T]he Iowa law enforcement academy council may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the council finds, based upon clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Senior Dispatcher Kristen Decker and Reagan Kingrey from the Warren County Sheriff's Office were present. Kristen stated that she was scheduled and ready to attend the 40-hour Telecommunicator training but her grandfather passed away the Saturday before the class started and was unable to attend. The hardship for her is that she would not be employed any longer. The hardship for the agency is that she is a very good dispatcher and is an asset to the agency. It is hard to find qualified applicants. They have had staffing issues with newly hired dispatchers quitting after weeks of training.

Tim Carmody entertained a motion. Melissa Henderson made a motion to approve the extension for Reagan Kingrey for 180-days. Diane Venenga seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 10-Aye. Motion carried.

The sixteenth item (#16*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(5) for Justin Clarke on behalf of the Cedar Rapids Police Department.

Reason for Waiver:

Clarke was charged with public intoxication twice his freshman year in college (2017 & 2018); on the second occasion he was also charged with using a fake ID. Clarke was vetted by the Department by their 4 polygraph examiners, an interview with Civil Service, a polygraph and a thorough background check. He has had no further incidents since these events, has worked as a Sheriff's Office Correctional Center and is engaged to be married. Cedar Rapids is expecting 20 vacancies by the end of 2023 – 10% of its officers.

Rule Requested to be Waived:

501—2.1(80B) General requirements for law enforcement officers.

2.1(5) Is of good moral character as determined by a thorough background investigation...and has not been convicted of a felony or a crime involving moral turpitude. Moral turpitude is defined as an act of baseness, vileness, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between person and person. It is conduct that is contrary to justice, honesty or good morals.

Waiver Criteria:

The administrative rule that sets forth the criteria you must consider in deciding whether to grant a petition for waiver is as follows:

501—16.3(17A,80B) Criteria for waiver. . . . [T]he Iowa law enforcement academy council may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the council finds, based upon clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Captain Jeff Hembera and Justin Clarke from the Cedar Rapids Police Department were present. Captain Hembera stated that their agency is short staffed and is diligent when hiring good applicants. They have conducted a thorough background investigation and believe that Justin Clarke would make an excellent officer for their agency. Justin summarized the incidents. He was arrested twice for public intoxication his freshman year in college. He was fully cooperative in both situations. He was 18/19 at the time. Hardship for Justin would be losing his job and financial responsibility for his family.

Tim Carmody entertained a motion. Jim Steinkuehler made a motion to approve the waiver for Justin Clarke. Nathan Fulk seconded the motion. An individual voice vote was taken. Melissa Henderson-Recuse; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 9-Aye; 1-Recuse. Motion carried.

The seventeenth item (#17*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(5) for Nicholas Njus on behalf of the Cedar Rapids Police Department.

Reason for Waiver:

Njus was charged with carrying a weapon while intoxicated on 2/6/22. He pled guilty to public intoxication. Njus is currently employed and served as a Marine. Njus was vetted by the Department by their 4 polygraph examiners, an interview with Civil Service, a polygraph and a thorough background check. He has had no further incidents since these events. Cedar Rapids is expecting 20 vacancies by the end of 2023 – 10% of its officers.

Rule Requested to be Waived:

501—2.1(80B) General requirements for law enforcement officers.

2.1(5) Is of good moral character as determined by a thorough background investigation...and has not been convicted of a felony or a crime involving moral turpitude. Moral turpitude is defined as an act of baseness, vileness, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between person and person. It is conduct that is contrary to justice, honesty or good morals.

Waiver Criteria:

The administrative rule that sets forth the criteria you must consider in deciding whether to grant a petition for waiver is as follows:

501—16.3(17A,80B) Criteria for waiver. . . . [T]he Iowa law enforcement academy council may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the council finds, based upon clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Captain Jeff Hembera and Nicholas Njus from the Cedar Rapids Police Department were present. Captain Hembera stated that their agency is short staffed and is diligent when hiring good applicants. They have conducted a thorough background investigation and believe that Nicholas Njus would make an excellent officer for their agency. Nicholas summarized the incident. He was arrested for public intoxication and carrying a weapon. He was fully cooperative with law enforcement. He called his roommate for a ride. His roommate used Nicholas's car to pick him up. Nicholas stated that he had a firearm in his car at the time. His roommate put the car in the ditch and left the scene. Nicholas walked to a neighboring house and waited for a ride. Law enforcement came to the scene and charged Nicholas. Nicholas stated the hardship would be a financial burden and he would be unable to serve the community.

Tim Carmody entertained a motion. Nathan Fulk made a motion to approve the waiver for Nicholas Njus. Diane Venenga seconded the motion. An individual voice vote was taken. Melissa Henderson-Recuse; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 9-Aye; 1-Recuse. Motion carried.

The eighteenth item (#18*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(5) and 501-10.1 for Andrew Markham on behalf of the Lee County Sheriff's Office.

Reason for Waiver:

Markham was charged with Harassment of a Public Official and Disorderly Conduct on 1/12/08 when he was shooting off fireworks and one accidentally struck a patrol vehicle. Markham previously served as a reserve officer and officer for Belle Plaine. His conviction was not disclosed on the report of hire filed by Belle Plaine. Markham disclosed the conviction to Lee County Sheriff's office during the hiring process.

Rule Requested to be Waived: 501—2.1(80B) General requirements for law enforcement officers. 2.1(5) Is of good moral character as determined by a thorough background investigation...and has not been convicted of a felony or a crime involving moral turpitude. Moral turpitude is defined as an act of baseness, vileness, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between person and person. It is conduct that is contrary to justice, honesty or good morals.

Waiver Criteria:

The administrative rule that sets forth the criteria you must consider in deciding whether to grant a petition for waiver is as follows:

501—16.3(17A,80B) Criteria for waiver. . . . [T]he Iowa law enforcement academy council may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the council finds, based upon clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Sheriff Weber, Chief Deputy Conlee and Deputy Markham from the Lee County Sheriff's Office were all present online. Markham explained the incident that happened when he was 17-years old. He and some friends were shooting off fireworks and accidentally hit a police car. He was charged with Harassment and Disorderly Conduct. He stated that he was young and stupid and should not have put himself in that situation. He wrote an apology letter to the city of Belle Plaine. He has never been in trouble since. The hardship for him is that he loves serving his community and has a passion for serving others. He has become a better person. Another hardship is providing for his family. Sheriff Weber stated the hardship would be that his agency does not get a lot of applicants and they have already paid Belle Plaine \$9,000 dollars for his training.

Tim Carmody entertained a motion. Nathan Fulk made a motion to approve the waiver for Andrew Markham. Jim Steinkuehler seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 10-Aye. Motion carried.

The nineteenth item (#19*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(5) for Anthony Aronov on behalf of the Mapleton Police Department.

Reason for Waiver:

Aronov was charged with Possession of an Assault Weapon, Possession of a Bullet with Explosive Agent, Possession of a Billy, Blackjack; and Carrying a Loaded Firearm on One's Person in March 2017 while in California. All of the charges but the Possession of a Billy Blackjack were dismissed in a plea bargain with the Billy/Blackjack charge being reduced from a felony to a misdemeanor. He served 2 days in jail, 1 year of probation, and paid a fine. Sentence was suspended. Aronov indicates he's grown and changed since this event.

Rule Requested to be Waived: 501—2.1(80B) General requirements for law enforcement officers.

2.1(5) Is of good moral character as determined by a thorough background investigation...and has not been convicted of a felony or a crime involving moral turpitude. Moral turpitude is defined as an act of baseness, vileness, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between person and person. It is conduct that is contrary to justice, honesty or good morals.

a. The following nonexclusive list of acts has been held by the courts to involve moral turpitude:

Any felony...

(6) Any offense in which a weapon was used in the commission

Waiver Criteria:

The administrative rule that sets forth the criteria you must consider in deciding whether to grant a petition for waiver is as follows:

501—16.3(17A,80B) Criteria for waiver. . . . [T]he Iowa law enforcement academy council may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the council finds, based upon clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Mayor/Interim Chief Brent Streck of Mapleton Police Department and Anthony Aronov were present online. Anthony explained that back in 2017, he and a neighbor got into a verbal dispute. The neighbor called police and told police that Anthony had waved a rifle at him. When police entered Anthony's home, they found other weapons that were not California compliant. He was arrested for being in possession of those illegal weapons. Anthony stated that the hardship would be he would have to find a new line of work. Mayor Streck stated that it has been very hard finding qualified applicants.

Tim Carmody entertained a motion. Diane Venenga made a motion to approve the waiver for Andrew Markham. Ric Martinez seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 10-Aye. Motion carried.

The twentieth item (#20*) on the agenda was the discussion of the Council Screening Committee.

There have been some questions regarding finding more efficient ways to run the Council meeting. One of the ways is to form a Screening Committee which would review specific cases before the Council meeting that pertain to:

Preliminary CTE Applications

Instructor Waivers

Extension requests for Law Enforcement Officers/Reserve Officers/Telecommunicators

Moral Turpitude Waivers (based on recency/severity)(5 or more years, serious or below)

All moral turpitude cases that are 2-years or less will come before the entire Council as a whole and will not go before the Screening Committee.

The Committee's recommendations would come before the Council on a "Screening Committee Consent Agenda" and the Council would vote as a whole on those cases. These cases would not have to appear before the Council in-person which would free up agencies from traveling to ILEA.

The Council had consensus to approve a Screening Committee. The Council agreed that the Screening Committee should be made up of four members consisting of one city, one county, one state and one citizen. The following members were voted as Screening Committee Members: Sadie Weekley, Nathan Fulk, Jim Steinkuehler and Gene Beinke.

This committee will meet via online three weeks before each Council meeting.

Tim Carmody entertained a motion. Elizabeth Quinn made a motion to approve a Screening Committee that will review specific cases before the scheduled Council meeting. Melissa Henderson seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 10-Aye. Motion carried.

The twenty-first item (#21*) on the agenda was the ILEA Reports.

Director's Reports: Director Carney advised that Class 309 and 310 are doing well. This is week five. ILEA has restructured its PT program utilizing a private gym/instructor to come in and instruct PT. The instructor has designed a sixteen week program for the basic recruits. They have also built individual programs for each recruit. Director Carney advised that more online training and in-service classes have been made available. Sherry Poole was named Assistant Director. Sherry will continue to evaluate curriculum content.

Legislative Update: Senate File 183: Maximum age limit for Police Officers is 65-years. There is no age limit for Reserve Officers.

Legislative Update: House File 727: This involves an Academy Interim Study Committee. This study will be made up of 10 members of the general assembly and others. This Study Committee must come up with a report that is due on December 15, 2023.

Update on Regional Academies: Donna Hallstrom stated that since the last Council meeting, WITCC graduated 10 officers and Hawkeye graduated 11. Des Moines has a graduation on June 30, 2023. Cedar Rapids began their academy this week.

POST Test Discussion: Donna Hallstrom spoke about the POST test and presented a powerpoint for the Council's review. Council members agreed that the POST test is outdated with its content and they would like Stanard & Associates to come up with an updated version and allow it to be taken online. At this time, Standard & Associates does not have any plans to change the POST test or offer it online. The Council stated that they will need to continue to look at the impact and entry standards in the future. The Council also agreed that they do not want to lower standards in the process.

Update on Specialty Schools: Katy Fukuda advised that ILEA has a Firearms Instructor School coming up at the end of August and an OC Instructor School happening at the beginning of August. ILEA has about 500 people taking their online courses on a monthly basis. ILEA is hosting an SRO School in September. There will be a Firearms/Rifle Recert class happening in Council Bluffs and Black Hawk County in October.

The twenty-second item (#22*) on the agenda was to move into Closed Session.

Tim Carmody entertained a motion. Sadie Weekley made a motion that the Council go into closed session for the purpose of discussing closed session minutes, whether to initiate licensee disciplinary investigations or proceedings, to discuss the decisions to be rendered in a contested case conducted according to the provisions of chapter 17A, pursuant to Iowa Code sections 21.5(1)(a), (d), and (f). Diane Venenga seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Ric Martinez-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye; Jim Steinkuehler-Aye; Nathan Fulk-Aye; Vicky Long Hill-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye and Tim Carmody-Aye. 10-Aye. Motion carried.

The twenty-third item (#23*) on the agenda was to vote on items discussed in the Closed Session.

Approval of April 6, 2023 Closed Session Minutes

Tim Carmody entertained a motion. Melissa Henderson made a motion to approve the April 6, 2023 Closed Session Council minutes. Ric Martinez seconded the motion. A group voice vote was taken. All Aye 10-0. Motion carried.

Council Review of Appeal

21-002:

Tim Carmody entertained a motion. Sadie Weekley made a motion that the Council affirm the proposed decision issued by the ALJ on February 9, 2023, DIA Docket number 23ILEA0010/21-002 in its entirety and permanently revoke certification. Elizabeth Quinn seconded the motion. A group voice vote was taken. 9-Aye; 1-Recusal (Fulk) Motion carried.

Administratively Closed Files

22-030:

Tim Carmody entertained a motion. Diane Venenga made a motion that Council accept the recommendation to administratively close this case. Melissa Henderson seconded the motion. A group voice vote was taken. 8-Aye; 2-Recusal (Fulk & Weekley) Motion carried

23-004:

Tim Carmody entertained a motion. Melissa Henderson made a motion that Council accept the recommendation to administratively close this case. Elizabeth Quinn seconded the motion. A group voice vote was taken. 8-Aye, 1-Nay (Hill); 1-Recusal (Fulk) Motion carried

23-013:

Tim Carmody entertained a motion. Ric Martinez made a motion that the Council find probable cause to establish a violation of 501 IAC Rule 6.2(2)(a), (2)(c), and (2)(e)(4) and order this case set for hearing. Jim Steinkuehler seconded the motion. A group voice vote was taken. 8-Aye; 1-Nay (Weekley); 1-Recusal (Fulk) Motion carried

Voluntary Surrenders

22-002:

Tim Carmody entertained a motion. Melissa Henderson made a motion that Council accept the Respondent's waiver of hearing and voluntary surrender, and that the Council issue an order permanently revoking the certification with no possibility of reinstatement. Diane Venenga seconded the motion. A group voice vote was taken. 9-Aye; 1-Recusal (Fulk) Motion carried

22-033: Tim Carmody entertained a motion. Diane Venenga made a motion that Council accept the Respondent's waiver of hearing and voluntary surrender, and that the Council issue an order permanently revoking the certification with no possibility of reinstatement. Vicky Long-Hill seconded the motion. A group voice vote was taken. 9-Aye; 1-Recusal (Fulk) Motion carried

Settlement Agreements

19-014:

Tim Carmody entertained a motion. Sadie Weekley made a motion that Council accept the agreement submitted by the parties, and that the Council issue an order permanently revoking the certification with no possibility of reinstatement. Elizabeth Quinn seconded the motion. A group voice vote was taken. 9-Aye; 1-Recusal (Fulk) Motion carried

20-020:

Tim Carmody entertained a motion. Jim Steinkuehler made a motion that Council accept the agreement submitted by the parties, and that the Council issue an order incorporating the agreement of the parties and impose the agreed upon sanction. Diane Venenga seconded the motion. A group voice vote was taken. 9-Aye; 1-Recusal (Fulk) Motion carried.

21-007:

Tim Carmody entertained a motion. Diane Venenga made a motion that Council accept the agreement submitted by the parties, and that the Council issue an order permanently revoking the certification with no possibility of reinstatement. Melissa Henderson seconded the motion. A group voice vote was taken. 9-Aye; 1-Recusal (Fulk) Motion carried

22-012:

Tim Carmody entertained a motion. Melissa Henderson made a motion that Council accept the agreement submitted by the parties, and that the Council issue an order incorporating the agreement of the parties and impose the agreed upon sanction. Jim Steinkuehler seconded the motion. A group voice vote was taken. 8-Aye; 2-Recusals (Fulk & Weekley) Motion carried.

Decertification Files

23-001:

Tim Carmody entertained a motion. Sadie Weekley made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(2)(b) and (2)(c), and order this case set for hearing. Melissa Henderson seconded the motion. A group voice vote was taken. 9-Aye; 1-Recusal (Fulk) Motion carried.

23-002:

Tim Carmody entertained a motion. Elizabeth Quinn made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(2)(a); (2)(c), and (2)(e)(4) and order this case set for hearing. Diane Venenga seconded the motion. A group voice vote was taken. 8-Aye; 2-Recusals (Fulk & Hill) Motion carried.

23-006:

Tim Carmody entertained a motion. Diane Venenga made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(2)(a); (2)(c), and (2)(e)(4) and order this case set for hearing. Melissa Henderson seconded the motion. A group voice vote was taken. 8-Aye; 2-Recusals (Fulk & Hill) Motion carried.

23-009:

Tim Carmody entertained a motion. Ric Martinez made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(2)(a) and (2)(c), and order this case set for hearing. Diane Venenga seconded the motion. A group voice vote was taken. 9-Aye; 1-Recusal (Fulk) Motion carried

23-010:

Tim Carmody entertained a motion. Sadie Weekley made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(2)(e)(1), (2)(e)(2), and (2)(e)(4) and order this case set for hearing. Melissa Henderson seconded the motion. A group voice vote was taken. 9-Aye; 1-Recusal (Fulk) Motion carried.

23-011:

Tim Carmody entertained a motion. Elizabeth Quinn made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(2)(a); (2)(c), and (2)(e)(4) and order this case set for hearing. Diane Venenga seconded the motion. A group voice vote was taken. 9-Aye; 1-Recusal (Schneider) Motion carried

23-012:

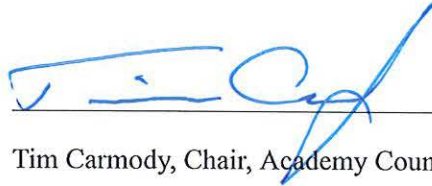
Tim Carmody entertained a motion. Melissa Henderson made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(1)(c), (2)(a), and (2)(e)(4) and order this case set for hearing. Sadie Weekley seconded the motion. A group voice vote was taken. All Aye, 10-0. Motion carried.

The twenty-fourth item (#24*) on the agenda was to discuss future agenda items. There were none.

The twenty-fifth item (#25*) on the agenda was future Council meetings.

- a) August 3, 2023 at 9:00am
Iowa Law Enforcement Academy

Tim Carmody entertained a motion to adjourn. Jim Steinkuehler made the motion to adjourn at 2:50pm.



Tim Carmody, Chair, Academy Council

8/3/2023

Date