

Open Session Minutes

**IOWA LAW ENFORCEMENT ACADEMY COUNCIL MEETING**

October 5, 2023, at 9:00am  
ILEA, Room 201  
Camp Dodge  
7105 NW 70<sup>th</sup> 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: Diane Venenga, Vice Chair and Chief, North Liberty Police Department  
Ricardo Martinez II, Public Safety Director, 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  
Gene Beinke, Citizen  
Sadie Weekley, Lieutenant, Marshalltown Police Department  
Jim Steinkuehler, Sheriff, Crawford County Sheriff's Office  
Kevin Schneider, Sheriff, Polk County Sheriff's Office  
Ryan Ridout, DOT Director, Bureau of Investigation and Identity Protection  
Eric Gjerde, State Representative

Members Absent: 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: Chris Call      Katie Taylor      Mark Hedberg  
Janet Twigg      Doug Twigg      Todd Folkerts  
Jeff Jirak      Ned Hyduke      Kurt Spomer  
Lisa DuFour      Jeremy Jensen      Ben Scholl

Guests Present:                    Joe Kennedy    J Phillips      Rich Schmitz  
                                         Jon Thomas    Geoff Huff     Mark Rohloff  
                                         Ben Gray      Jim Lester     Nicholas Chambers  
                                         Josh O'Dell   Keith Kimball   Dana Wingert  
                                         Robert Millin   Keith Brothers   Andrew O'Connor  
                                         Zeth Baum

Diane Venenga called the meeting to order.

Diane Venenga 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.

Diane Venenga began with the welcome and introductions of the Academy Council, ILEA staff and guests.

Diane Venenga 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. There were none.

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 Diane Venenga for Vice Chair of the Academy Council. Gene Beinke made a motion to nominate Ric Martinez as Chair of the Academy Council. Jim Steinkuehler seconded the motions. **An individual voice vote was taken. Vicky Long-Hill-Aye; Nathan Fulk-Aye; Elizabeth Quinn-Aye; Diane Venenga-Aye; Ryan Ridout-Aye; Melissa Henderson-Aye; Ric Martinez-Aye; Gene Beinke-Aye; Kevin Schneider-Aye; Sadie Weekley-Aye and Jim Steinkuehler-Aye. All Aye- 11-0. Motions carried.**

The third item (#3\*) on the agenda was the approval of the August 3, 2023 Open Session Council minutes.

Diane Venenga entertained a motion to approve the August 3, 2023 Open Session Council minutes. Jim Steinkuehler made a motion to approve the August 3, 2023 Open Session Council minutes. Gene Beinke seconded the motion. **A group voice vote was taken. 11-0 Aye. Motion carried.**

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

Diane Venenga entertained a motion. Jim Steinkuehler made a motion to approve the Consent Agenda as presented. Sadie Weekley seconded the motion. **A group voice vote was taken. 11-0-Aye. Motion carried.**

The fifth item (#5\*) on the agenda was public comment.  
No comments were made.

The sixth item (#6\*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-3.8(4)(a) for Chris Call on behalf of the Boone County Conservation Department.

Reason for Waiver: Call is a certified officer in North Dakota. He initially secured a bachelor's degree in Natural Resources Law Enforcement in Minnesota. He then attended Minnesota's Law Enforcement Skills Program, which was 360 hours. He was certification eligible when he earned reciprocity in North Dakota and became certified there after completing 76 hours in criminal and traffic law. He has served as a certified officer for North Dakota Parks & Recreation for 1 year. He would like to acquire Iowa certification through the CTE program.

Rule Citation: 501-3.8(7)

**Diane Venenga entertained a motion. Nathan Fulk made a motion to approve the Petition for Waiver of Iowa Administrative Code Rule 501-3.8(4)(a) for Chris Call on behalf of the Boone County Conservation Department. Jim Steinkuehler seconded the motion. An individual voice vote was taken. Melissa Henderson-Nay; Jim Steinkuehler-Aye; Elizabeth Quinn-Aye; Gene Beinke-Aye; Ryan Ridout-Aye; Kevin Schneider-Aye; Vicky Long-Hill-Aye; Nathan Fulk-Aye; Sadie Weekley-Aye; Ric Martinez-Nay; Diane Venenga-Aye. 9-Aye, 2-Nay. Motion carried.**

The seventh item (#7\*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-3.8(7) for Ned Hyduke on behalf of the Hawarden Police Department.

Reason for Waiver: Hyduke is a certified officer in California. He attended their 600- hour academy, and later obtained his intermediate, advanced, supervisory and management certificates during his 30 years of law enforcement experience. He also has a MA in criminal justice and taught criminal justice courses at a junior college. Hyduke retired from CA law enforcement on April 7, 2011. He has not been employed in law enforcement for about 12 ½ years. He would like to acquire Iowa certification through the CTE program.

Rule Citation: 501-3.8(7)

**Diane Venenga entertained a motion. Gene Beinke made a motion to deny the Petition for Waiver of Iowa Administrative Code Rule 501-3.8(7) for Ned Hyduke on behalf of the Hawarden Police Department. Melissa Henderson seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Jim Steinkuehler-Aye; Elizabeth Quinn-Aye; Gene Beinke-Aye; Ryan Ridout-Aye; Kevin Schneider-Aye; Vicky Long-Hill-Aye; Nathan Fulk-Aye; Sadie Weekley-Aye; Ric Martinez-Aye; Diane Venenga-Aye. 11-Aye. Motion carried.**



The eighth item (#8\*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(80B) for Kurt Spomer on behalf of the Fourth Judicial District.

Reason for Waiver: Officer Spomer lives in Blair, Nebraska with his wife and children. He serves as a High Risk Unit for the Fourth Judicial Iowa Department of Corrections. Two other DOC employees also live in Nebraska due to the high number of arrests the Unit makes with individuals on probation/parole in the Council Bluffs community. If he cannot reside in Nebraska, he would be unable to remain in his position.

Rule Citation: 501-2.1(1)

**Diane Venenga entertained a motion. Sadie Weekley made a motion to approve the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(80B) for Kurt Spomer on behalf of the Fourth Judicial District. Jim Steinkuehler seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Jim Steinkuehler-Aye; Elizabeth Quinn-Aye; Gene Beinke-Aye; Ryan Ridout-Aye; Kevin Schneider-Aye; Vicky Long-Hill-Aye; Nathan Fulk-Aye; Sadie Weekley-Aye; Ric Martinez-Aye; Diane Venenga-Aye. 11-Aye. Motion carried.**

The ninth item (#9\*) on the agenda was the Review of the Screening Committee Consent Agenda.

**Diane Venenga entertained a motion. Melissa Henderson made a motion to approve the Screening Committee Consent Agenda. Jim Steinkuehler seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Jim Steinkuehler-Aye; Elizabeth Quinn-Aye; Gene Beinke-Aye; Ryan Ridout-Aye; Kevin Schneider-Recused; Vicky Long-Hill-Aye; Nathan Fulk-Recused; Sadie Weekley-Aye; Ric Martinez-Aye; Diane Venenga-Aye. 9-Aye; 2-Recusals. Motion carried.**

The tenth item (#10\*) on the agenda was the Review of the updated FY2024 Fee Schedule.

The fee schedule was changed to reflect the following:  
(Basic Academy: Rolling Roadblocks: Optional training \$100)  
(Charging Manual: FREE-electronic)

**Diane Venenga entertained a motion. Melissa Henderson made a motion to approve the updated FY2024 Fee Schedule. Jim Steinkuehler seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Jim Steinkuehler-Aye; Elizabeth Quinn-Aye; Gene Beinke-Aye; Ryan Ridout-Aye; Kevin Schneider-Aye; Vicky Long-Hill-Aye; Nathan Fulk-Aye; Sadie Weekley-Aye; Ric Martinez-Aye; Diane Venenga-Aye. 11-Aye. Motion carried.**

The eleventh item (#11\*) on the agenda was ILEA Reports:

- a) Update on the 311 and 312 Basic Classes  
Director Carney advised that ILEA currently has 78 recruits and they are doing well.
- b) Update on Regional Academies  
Donna advised that all five academies are in session at this time. Donna and AD Poole will be meeting with Indian Hills next week to discuss curriculum for their new Level II Regional Academy that will start in 2024.
- c) Update on Specialty Schools  
Katy Fukuda updated the Council on upcoming specialty schools and a look ahead to what is coming in the future. ILEA will continue to offer several classes across the state.



The twelfth item (#12\*) on the agenda was oral arguments for Case Appeal (22-037)

Attorney Mark Hedberg introduced himself and gave the Council a brief summary of his experience. Doug Twigg, current Chief of Police for the Woodward Police Department, introduced himself and gave a brief background of his law enforcement experience.

Mr. Hedberg and Doug Twigg were given ten minutes to present their oral arguments. Mr. Hedberg advised the Council that the ALJ in this case did not think a full decertification was warranted, rather, a six-month suspension would be sufficient. Mr. Hedberg is requesting a 3-4 day suspension. Mr. Hedberg voiced his concerns with Mr. Twigg's due process in this matter and argues the fact that Mr. Twigg was not given the chance to present his case initially. Mr. Hedberg stated that Mr. Twigg's false statement under oath was a mistake and was not intentional. When Mr. Twigg was in the hiring process for the Chief of Police position for Woodward, he was totally honest and upfront with the Mayor regarding his case. The Mayor spoke to the Council and stated that Mr. Twigg has been an asset to his city and he has had zero problems since Mr. Twigg has been Chief.

Assistant Attorney General, Kristi Traynor, advised the Council that she is representing the State of Iowa in this case. AAG Traynor was advised that she had ten minutes to present her oral arguments. Mr. Dirth, AAG, is present to represent the Academy Council. AAG Traynor explained for the Council that both parties appealed the sanction, however, the state has also appealed two other aspects of the proposed decision. The first aspect is: The ALJ found that the State did not meet its burden of proof with respect to the charge for an allegation of moral turpitude. The State argues that the statement made cannot be "material" for one count, but not for the other and is asking the Council to overturn that decision. The second aspect is: the State believes that the language used on page 24, first paragraph, last sentence of the proposed decision, is inappropriate. This refers to the statement of "shoot you in the face". The ALJ stated these comments were "understandable in the high pressure, stressful situation". The State is asking the Council to remove the condoning language of significant behaviors contrary to the standards and teaching in the law enforcement field. The third request from the State is that the sanction proposed by the ALJ be overturned and a full decertification be given. AAG Traynor found it problematic that Chief Twigg has not been forthcoming with the Dallas County Attorney's Office regarding the Brady-Giglio issues and has not accepted responsibility for his actions which is a continuing harm to the public. She advised that the purpose of a sanction is not to punish the officer, however, it is to protect the public.

The thirteenth item (#13\*) on the agenda was to move into Closed Session.

Diane Venenga 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). Gene Beinke seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

The fourteenth item (#14\*) on the agenda was to vote on items discussed in the Closed Session.

**Approval of August 3, 2023 Closed Session Council Minutes**

Diane Venenga entertained a motion. Melissa Henderson made a motion to approve the August 3, 2023 Closed Session Minutes. Jim Steinkuehler seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

Administratively Closed Files

**23-024**

Diane Venenga entertained a motion. Gene Beinke made a motion that the Council accept the recommendation to administratively close case number 23-024. Nathan Fulk seconded the motion. **A group voice vote was taken. 10-Aye, 1-Recuse (Weekley) motion carried.**

**23-035**

Diane Venenga entertained a motion. Melissa Henderson made a motion that the Council accept the recommendation to administratively close case number 23-035. Jim Steinkuehler seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

**23-037**

Diane Venenga entertained a motion. Sadie Weekley made a motion that the Council accept the recommendation to administratively close case number 23-037. Elizabeth Quinn seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

Voluntary Surrenders

**22-040**

Diane Venenga entertained a motion. Nathan Fulk made a motion that the 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. Melissa Henderson seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

Settlement Agreements

**22-013**

Diane Venenga entertained a motion. Gene Beinke made a motion that the Council accept the agreement submitted by the parties, and that the Council issue an order incorporating the agreement of the parties and imposing the agreed upon sanction. Kevin Schneider seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

**22-015**

Diane Venenga entertained a motion. Melissa Henderson made a motion that the 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. 11-Aye, motion carried.**

**22-018**

Diane Venenga entertained a motion. Sadie Weekley made a motion that the Council accept the agreement submitted by the parties, and that the Council issue an order incorporating the agreement of the parties and imposing the agreed upon sanction. Melissa Henderson seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

**22-032**

Diane Venenga entertained a motion. Gene Beinke made a motion that the Council accept the agreement submitted by the parties, and that the Council issue an order permanently revoking the certification with no possibility of reinstatement. Kevin Schneider seconded the motion. **A group voice vote was taken. 10-Aye, 1-Recuse (Steinkuehler), motion carried.**

**23-023**

Diane Venenga entertained a motion. Ryan Ridout made a motion that the 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. 11-Aye, motion carried.**

### **Decertification Files**

#### **22-011**

Diane Venenga entertained a motion. Nathan Fulk 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. Gene Beinke seconded the motion. **A group voice vote was taken. 10-Aye, 1-Recuse (Weekley), motion carried.**

#### **22-034**

Diane Venenga 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)(f), (2)(b), (2)(e)(1), (2)(e)(2), and (2)(e)(4) , and order this case set for hearing. Jim Steinkuehler seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

#### **23-021**

Diane Venenga 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)(e)(4), and order this case set for hearing. Jim Steinkuehler seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

#### **23-027**

Diane Venenga entertained a motion. Elizabeth Quinn made a motion that the Council find that, although the documents gathered in the course of the investigation may constitute a technical violation of the Council's statute or administrative rules; the evidence before the Council indicates that adequate steps have been taken to remedy the violation and to ensure that incidents of a similar nature do not occur in the future. The Council will not pursue formal disciplinary action in this matter. Gene Beinke seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

#### **23-028**

Diane Venenga entertained a motion. Melissa Henderson made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(2)(b), (2)(c), and (2)(e)(4) and order this case set for hearing. Ryan Ridout seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

#### **23-043**

Diane Venenga entertained a motion. Melissa Henderson made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(2)(b), (2)(c), and (2)(e)(4) and order this case set for hearing. Jim Steinkuehler seconded the motion. **A group voice vote was taken. 11-Aye, motion carried.**

#### **22-037 Case Appeal:**

Diane Venenga entertained a motion. Sadie Weekley made a motion that the Academy Council have conflict counsel draft the Council's decision which was discussed in closed session. Melissa Henderson seconded the motion. **A group voice vote was taken. 10-Aye, 1-Recuse (Quinn) motion carried.**


The fifteenth item (#15\*) on the agenda was to discuss future agenda items.

Council agreed that it would be a good idea to have AAG Traynor give a brief overview of what is expected of the Academy Council members per Iowa Code at its next meeting.

The sixteenth item (#16\*) on the agenda was future Council meetings.

- a) December 7, 2023 at 9:00am  
Iowa Law Enforcement Academy

Diane Venenga entertained a motion to adjourn. Jim Steinkuehler made the motion to adjourn at 12:30 pm.

  
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Ricardo Martinez II, Chair  
Iowa Law Enforcement Academy Council

  
Date