

Open Session Minutes

IOWA LAW ENFORCEMENT ACADEMY COUNCIL MEETING

June 6, 2024 9:00am

ILEA Building, Room 201

7105 NW 70th Avenue

4640 Burma Road

Johnston, IA 50131

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

Members Present:	Ricardo Martinez II, Academy Council Chair Elizabeth Quinn, Sergeant, Story County Sheriff's Office Vicky Long Hill, Citizen of Iowa Ryan Ridout, DOT Director, Bureau of Investigation and Identity Protection Jim Steinkuehler, Sheriff, Crawford County Sheriff's Office Kevin Schneider, Sheriff, Polk County Sheriff's Office Melissa Henderson, Officer, Cedar Rapids Police Department Daniel Jansen, Captain, West Des Moines Police Department Sadie Weekley, Lieutenant, Marshalltown Police Department Jana Abens, Citizen of Iowa		
Members Absent:	Diane Venenga, Vice Chair and Chief, North Liberty Police Department Nathan Fulk, Colonel, Iowa State Patrol Aaron McClelland, Captain, Waterloo Police Department Eric Gjerde, State Representative Nate Boulton, Iowa Senator Chris Cournoyer, Iowa Senator Steven Holt, State Representative Matthew Roberts, Group Supervisor, United States Drug Enforcement Administration Robert M. DeWitt, Senior Supervisory Resident Agent, Federal Bureau of Investigation		
Legal Counsel Present:	Kristi Traynor, 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		
Guests Present:	Andrew Olson Derek Holmes	Robyn Hoppman Calvin Kinney	Jerry Foxhoven Michael Logan
Guests Online:	Josh Koedam	Mary Ohnmacht	Brent Shatto

Ric Martinez called the meeting to order.

Ric Martinez 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.

Ric Martinez began with the welcome and introductions of the Academy Council, ILEA staff and guests.

Ric Martinez 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 approval of the April 4, 2024 Open Session Council minutes.

Ric Martinez entertained a motion. Melissa Henderson made a motion to approve the April 4, 2024 Council minutes. Jim Steinkuehler seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

The third item (#3*) on the agenda was the approval of the Consent Agenda as presented.

Ric Martinez entertained a motion. Jim Steinkuehler made a motion to approve the Consent Agenda as presented. Ryan Ridout seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

The fourth item (#4*) on the agenda was the approval of the Jail Instructor Application as amended for Keith Hoskins.

Ric Martinez entertained a motion. Elizabeth Quinn made a motion to approve the Jail Instructor Application for Keith Hoskins as amended. Melissa Henderson seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

The fifth item (#5*) on the agenda was public comment. There was none.

The sixth item (#6*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(5) and review of CTE Application for Michael Logan on behalf of the Essex Police Department.

Michael Logan requested that his case be heard in Closed Session.

Ric Martinez entertained a motion. Sadie Weekley made a motion that the Council go into Closed Session for the purpose of discussing records that are required or authorized by state law to be kept confidential and to evaluate the professional competency of an individual's appointment to prevent irreparable injury to his or her reputation as they request a closed session pursuant to Iowa Code section 21.5(1)(a)(i). Melissa Henderson seconded the motion. An individual voice vote was taken. Ryan Ridout-Aye; Jana Abens-Aye; Kevin Schneider-Aye; Elizabeth Quinn-Aye; Ric Martinez-Aye; Melissa Henderson-Aye; Vicky Long-Hill-Aye; Dan Jansen-Aye; Sadie Weekley-Aye and Jim Steinkuehler-Aye. 10-Aye, motion carried.

The Council went into Closed Session at 9:10am.

The Council resumed Open Session at 10:04am.

Ric Martinez entertained a motion. Jim Steinkuehler made a motion to deny the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(5) for Michael Logan. Sadie Weekley seconded the motion. An individual voice vote was taken. Ryan Ridout-Aye; Jana Abens-Aye; Kevin Schneider-Aye; Elizabeth Quinn-Aye; Ric Martinez-Aye; Melissa Henderson-Aye; Vicky Long-Hill-Aye; Dan Jansen-Aye; Sadie Weekley-Aye and Jim Steinkuehler-Aye. 10-Aye, motion carried.

The Council took a break at 10:05am.

The Council resumed Open Session at 10:15am.

The seventh item (#7*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-3.8(7) and review of CTE Application for Andrew Olson.

Kristi summarized the reason for the waiver. Olson is a certified officer in Missouri with six months of certified law enforcement experience, ending his employment in Missouri on 5/27/20. Olson moved to Chicago for his then-wife's pharmacy residency. She was not supportive of his career in law enforcement, so he worked in hospital security. They were subsequently divorced and he returned to Iowa. He has been employed at Broadlawns Public Safety Department since 2/27/23. He would like to acquire Iowa certification through the CTE program. The Council has an issue granting this waiver on account Mr. Olson only worked as an officer for six months and has been out of the profession for almost four years. The Council members voiced that they would be doing Mr. Olson a disservice by allowing him to go through the CTE program and not the proper training he needs.

Mr. Olson stated the hardship for him would be the cost to attend the full Academy.

Ric Martinez entertained a motion. Sadie Weekley made a motion to deny the Petition for Waiver of Iowa Administrative Code Rule 501-3.8(7) and review of CTE Application for Andrew Olson. Kevin Schneider seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

The eighth item (#8*) on the agenda was the Reinstatement Discussion for Robyn Hoppman.

Ric Martinez advised that due to the nature of the information that will be discussed, it is recommended that the Council go into Closed Session to discuss this case.

Ric Martinez entertained a motion. Sadie Weekley made a motion that the Council go into Closed Session for the purpose of discussing records that are required or authorized by state law to be kept confidential pursuant to Iowa Code section 21.5(1)(a). Jim Steinkuehler seconded the motion. An individual voice vote was taken. Ryan Ridout-Aye; Jana Abens-Aye; Kevin Schneider-Aye; Elizabeth Quinn-Aye; Ric Martinez-Aye; Melissa Henderson-Aye; Vicky Long-Hill-Aye; Dan Jansen-Aye; Sadie Weekley-Aye and Jim Steinkuehler-Aye. 10-Aye, motion carried.

The Council went into Closed Session at 10:24am.

The Council resumed Open Session at 10:47am.

Ric Martinez entertained a motion. Jim Steinkuehler made a motion that the Council grant the request to reinstate the law enforcement certification for Robyn Hoppman as the reason for the suspension no longer exists and it is in the public interest to reinstate the certification and further move that the Council authorize the Chair to sign the reinstatement order consistent with the Council's discussion. Dan Jansen seconded the motion. An individual voice vote was taken. Ryan Ridout-Aye; Jana Abens-Aye; Kevin Schneider-Aye; Elizabeth Quinn-Aye; Ric Martinez-Nay; Melissa Henderson-Aye; Vicky Long-Hill-Aye; Dan Jansen-Aye; Sadie Weekley-Aye and Jim Steinkuehler-Aye. 9-Aye, 1-Nay, motion carried.

The ninth item (#9*) on the agenda was the Reinstatement Discussion for Derek Holmes.

Kristi summarized the circumstances of the reinstatement. Holmes resigned from the West Branch Police Department after operating an emergency vehicle with emergency lights while en route to a training exercise, failing to utilize the dash camera during the emergency light activation, and falsifying a firearms qualification card. Holmes was charged with resigning in lieu of discharge for good cause and making a materially false statement in a document prescribed by the academy. He agreed to a 1-year suspension, with all but 30 days deferred; completed training on mandatory arrests and ethics; and qualified on firearms at ILEA. Holmes now seeks reinstatement. Holmes, on his own, came and spoke to the ILEA recruits about what he did wrong and how important integrity and honesty is in this profession.

Ric Martinez entertained a motion. Dan Jansen made a motion that the Council grant the request to fully reinstate the law enforcement certification for Derek Holmes as the reason for the deferred suspension no longer exists and it is in the public interest to reinstate the certification and further move that the Council authorize the Chair to sign the reinstatement order consistent with the Council's discussion. Vicky Long-Hill seconded the motion. A group voice vote was taken. 7-Aye; 3-Nay (Steinkuehler, Quinn and Schneider). Motion carried.

The tenth item (#10*) on the agenda was the Review of the Screening Committee Consent Agenda.

Ric Martinez entertained a motion. Sadie Weekley made a motion to approve the Screening Committee Consent Agenda. Melissa Henderson seconded the motion. An individual voice vote was taken. 10-Aye, motion carried.

The eleventh item (#11*) on the agenda was the approval of the ILEA FY2025 Fee Schedule.

Tuition has been changed so that two-thirds of the costs are covered by the State starting July 1, 2024 thru June 30, 2025.

Ric Martinez entertained a motion. Dan Jansen made a motion to approve the FY2025 ILEA Fee Schedule. Kevin Schneider seconded the motion. An individual voice vote was taken. 10-Aye, motion carried.

The twelfth item (#12*) on the agenda was the review of the 2025 Council Meeting dates. The calendar was set with the 2025 Council meeting dates.

The Council took a break at 11:23am.

The Council resumed Open Session at 11:35am.

The thirteenth item (#13*) on the agenda was ILEA Reports.

The Director updated the Council on recent changes and updates at ILEA. The Basic Academy is in week six. There are sixty-nine recruits at this time. Acadis was pushed out and is up and running. The vast majority of what ILEA does will go through Acadis. David Gonzalez is ILEA's new Human Trafficking Instructor. He will work remotely and travel across the state for training. He has over 25-years in law enforcement experience. Instructor Ben VanVleet is leaving ILEA to take a teaching position with DSM Public Schools. There are two General Instructor positions that will be filled in the upcoming weeks. ILEA's Firearms In-Service "course" will begin July 1st. Instructor Thayer has made some necessary updates and put several officers through the new course. ILEA has pushed out a LEOSA (Law Enforcement Officers Safety Act) course of fire for retired officers. This course of fire mirrors the course of fire for active law enforcement officers. Instructor Thayer has been working on a Low-Light course of fire as well. Director Carney attended the IADLEST Conference in June. All Academy Directors, POST Directors and Academy staff were in attendance to discuss standardized training, practical applications, hands-on training, scenario-based training and getting officers on the move. There was a lot of discussion on curriculum, officers hopping agencies, reciprocity issues. The biggest topic of the conference was standards and what impact they have on a state. Standards with hiring and structure, FTO programs, promotions and mindsets.

Donna Hallstrom stated that there is one Regional Academy currently in session and that is Cedar Rapids with 16 enrolled. DMPD Regional will start in June. DPS will begin their Regional in July. Hawkeye will start their Regional in August. WIT has a pending application for September.

Katy Fukuda explained that the ILEA website has changed per the Governor's mandate and ILEA is now under OCIO. Most of ILEA's forms are now on Acadis. Acadis has prerequisites to ensure all qualifications have been met before an officer can register for training.

The fourteenth item (#14*) on the agenda was to move into Closed Session.

Ric Martinez entertained a motion. Melissa Henderson 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). Jana Abens seconded the motion. An individual voice vote was taken. Elizabeth Quinn-Aye; Ric Martinez-Aye; Melissa Henderson-Aye; Jim Steinkuehler-Aye; Kevin Schneider-Aye; Ryan Ridout-Aye; Vicky Long-Hill-Aye; Jana Abens-Aye; Dan Jansen-Aye and Sadie Weekley-Aye. 10-Aye, motion carried.

The Council moved into Closed Session at 12:07pm.

The Council came back into Open Session at 2:24pm.

The fifteenth item (#15*) on the agenda was to vote on items discussed in the Closed Session.

Approval of April 4, 2024 Closed Session Council Minutes

Ric Martinez entertained a motion. Ryan Ridout made a motion to approve the April 4, 2024 Closed Session Council Minutes. Kevin Schneider seconded the motion. A group voice vote was taken. 10-Aye, motion carried.

District Court Subpoena

This subpoena was sent to ILEA by the Federal District Court, requesting investigatory files. Ric Martinez entertained a motion. Melissa Henderson made a motion that the Council issue an Order releasing all responsive ILEA records, including case file numbers 15-007 and 22-045 in response to the Criminal Subpoena issued to ILEA in case number 4:22-CR-199. Dan Jansen seconded the motion. A group voice vote was taken. 9-Aye; 1-recuse (Steinkuehler). Motion carried.

Review of Instructor Certifications

24-023: Ric Martinez entertained a motion. Dan Jansen made a motion that in case number 24-023, Council issue a notice of intent to revoke all of the certified officer's instructor certifications for failing to remain in good standing. Sadie Weekley seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

24-024: Ric Martinez entertained a motion. Jana Abens made a motion that in case number 24-024, Council issue a notice of intent to revoke all of the certified officer's instructor certifications for failing to remain in good standing. Ryan Ridout seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

Administratively Closed Files

24-010: Ric Martinez entertained a motion. Melissa Henderson made a motion that the Council accept the recommendation to administratively close case number 24-010. Kevin Schneider seconded the motion. A group voice vote was taken. 8-Aye; 1-Nay (Hill); 1-Recuse (Weekley). Motion carried.

Voluntary Surrender Files

23-044: Ric Martinez entertained a motion. Elizabeth Quinn 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. Jana Abens seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

24-019: Ric Martinez entertained a motion. Melissa Henderson 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. Dan Jansen seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

24-016: Ric Martinez entertained a motion. Ryan Ridout 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. Sadie Weekley seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

Settlement Agreement Files

22-001: Ric Martinez entertained a motion. Melissa Henderson made a motion that the Council accept the agreement submitted by the parties, and issue an order permanently revoking the certification with no possibility of reinstatement. Elizabeth Quinn seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

22-019: Ric Martinez entertained a motion. Sadie Weekley made a motion that the Council accept the agreement submitted by the parties and issue an order incorporating the agreement and imposing the agreed upon sanction. Jana Abens seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

22-043: Ric Martinez entertained a motion. Dan Jansen made a motion that the Council accept the agreement submitted by the parties, and issue an order permanently revoking the certification with no possibility of reinstatement. Ryan Ridout seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

24-008: Ric Martinez entertained a motion. Melissa Henderson made a motion that the Council reject the agreement submitted by the parties, and return the case to the parties for further proceedings consistent with this decision. Dan Jansen seconded the motion. A group voice vote was taken. 9-Aye; 1-Recuse (Weekley). Motion carried.

23-003: Ric Martinez entertained a motion. Ryan Ridout made a motion that the Council accept the agreement submitted by the parties, and issue an order permanently revoking the certification with no possibility of reinstatement. Jana Abens seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

23-009: Ric Martinez entertained a motion. Melissa Henderson made a motion that the Council accept the agreement by the parties and issue an order incorporating the agreement and imposing the agreed upon sanction. Jim Steinkuehler seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

23-020: Ric Martinez entertained a motion. Jana Abens made a motion that the Council accept the agreement by the parties and issue an order incorporating the agreement and imposing the agreed upon sanction. Melissa Henderson seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

23-021: Ric Martinez entertained a motion. Elizabeth Quinn made a motion that the Council accept the agreement by the parties and issue an order incorporating the agreement and imposing the agreed upon sanction. Ryan Ridout seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

Decertification Files

22-020: Ric Martinez entertained a motion. Jim Steinkuehler made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(2)(a) and 6.2(2)(e)(4), and order this case set for hearing. Kevin Schneider seconded the motion. A group voice vote was taken. 9-Aye; 1-Recuse (Ridout). Motion carried.

23-047: Ric Martinez entertained a motion. Sadie Weekley 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 the alleged violation was an isolated incident and 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. Jim Steinkuehler seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

23-053: Ric Martinez entertained a motion. Melissa Henderson made a motion that the Council find probable cause to establish a violation of 501 IAC rule 6.2(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.

24-002: Ric Martinez entertained a motion. Dan Jansen made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(2)(c) and 6.2(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.

24-012: Ric Martinez 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)(c) and 6.2(2)(e)(4), and order this case set for hearing. Dan Jansen seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

24-014: Ric Martinez entertained a motion. Sadie Weekley made a motion that the Council find probable cause to establish a violation of 501 IAC rules 6.2(1)(f); 6.2(2)(b), and (2)(e)(4), and order this case set for hearing. Dan Jansen seconded the motion. A group voice vote was taken. All Aye; 10-0. Motion carried.

24-018: Ric Martinez entertained a motion. Dan Jansen 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. Jana Abens seconded the motion. A group voice vote was taken. 9-Aye; 1-Recuse (Steinkuehler). Motion carried.

The sixteenth item (#16*) on the agenda was the Election of the Chair and Vice Chair.

The Academy Council usually holds this election in June but because the previous Chair retired in October 2023, the elections took place at that time. Therefore, elections will be held in October 2024 (annually).

The seventeenth item (#17*) on the agenda was future agenda items. There were none.

The eighteenth item (#18*) on the agenda was future Council Meetings.

The next Academy Council meeting will be on Thursday, August 1, 2024 at 9:00am.

The nineteenth item (#19*) on the agenda was to adjourn the meeting.

Ric Martinez entertained a motion. Jim Steinkuehler made a motion to adjourn the meeting at 2:45pm. Weekley seconded the motion.

 _____ Ricardo Martinez II, Chair Iowa Law Enforcement Academy Council	 _____ Date
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