

Open Session Minutes

IOWA LAW ENFORCEMENT ACADEMY COUNCIL MEETING

September 1, 2022, at 10:00am

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
Nathan Fulk, Colonel, Iowa State Patrol
Elizabeth Quinn, Sergeant, Story County Sheriff's Office
Gene Beinke, Citizen Member, Clinton, Iowa
Sadie Weekley, Lieutenant, Marshalltown Police Department
Vicky Long Hill, Citizen
Melissa Henderson, Officer, Cedar Rapids Police Department
Jim Steinkuehler, Sheriff, Crawford County Sheriff's Office

Members Absent: David Lorenzen, Iowa DOT Motor Vehicle Enforcement
Tiffany Creekmur, Lieutenant, Mason City Police Department
Senator Chris Courmoyer, Iowa Senate, District 49
Representative Henry Stone, Iowa House of Representatives
Senator Kevin Kinney, Iowa Senate, District 39
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: Sherry Poole, Acting Assistant Director, ILEA
Katy Fukuda, Executive Officer I; ILEA
Nicole Stevens, Admin II; ILEA
Jennifer Rico, Admin II; ILEA

Guests Present: None

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 and ILEA Staff.

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. There were none.

The second item (#2*) on the agenda was the approval of the residency ordinances for Bettendorf Police Department and Dubuque Police Department.

Residency Ordinances

Ryan Ballard (Bettendorf Police Department)(Ordinance# 15-16)
100-20th Street, Apt. 316
Rock Island, IL

Thomas Linkenheld (Dubuque PD)(Ordinance 4.05)
2200 Winding Creek Dr
Belvidere, IL

Nicco Mazzanti (Dubuque PD)(Ordinance 4.05)
2400 Chopin Ln
Woodstock, IL

Tim Carmody entertained a motion. Gene Beinke made a motion to approve the residency ordinances for Bettendorf Police Department and Dubuque Police Department. Melissa Henderson seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Vicky Long-Hill-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye. Motion carried 9-Aye.**

The third item (#3*) on the agenda was Public Comment. There was none.

The fourth item (#4*) on the agenda was to Move into Closed Session.

Tim Carmody entertained a motion. Melissa Henderson made a motion that Council go into Closed Session for the purpose of discussing closed session minutes, whether to initiate licensee disciplinary investigations or proceedings, and 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). Jim Steinkuehler seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Vicky Long-Hill-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye. Motion carried 9-Aye.**

Council moved into Closed Session at 10:15am.

Council moved back into Open Session at 11:55am.
(it should be noted for voting purposes that Vicki Long-Hill has left the meeting)

The fifth item (#5*) on the agenda was to vote on items discussed in Closed Session

a) Decertification Files

12-002R

Tim Carmody entertained a motion. Sadie Weekley made a motion in case number 12-002R, 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 this case was proven, but not sufficient to warrant a hearing due to adequate steps being taken by the agency to remedy the violation and to ensure that incidents of a similar nature do not occur in the future. Melissa Henderson seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Recuse, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 8-Aye; 1 Recuse

14-001R

Tim Carmody entertained a motion. Melissa Henderson made a motion in case number 14-001R, that the Council find probable cause to establish a violation of the following provisions of the Iowa Administrative Code, 501 Iowa Administrative Code rule 6.2(2)(a), (2)(c) and 2(e)(4) and order this case set for hearing. Sadie Weekley seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Recuse, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 8-Aye; 1 Recuse

17-014R

Tim Carmody entertained a motion. Melissa Henderson made a motion in case number 17-014R, 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 this case was proven, but not sufficient to warrant a hearing due to adequate steps being taken by the agency to remedy the violation and to ensure that incidents of a similar nature do not occur in the future. Elizabeth Quinn seconded the motion. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 9-Aye.

17-018

Tim Carmody entertained a motion. Gene Beinke made a motion in case number 17-018, the Council found probable cause to establish a violation of the following provisions of the Iowa Administrative Code, 501 Iowa Administrative Code rule 6.2(2)(a) and (2)(c) and ordered this case set for hearing. Melissa Henderson seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Recuse, Elizabeth Quinn-Recuse, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 7-Aye; 2 Recuse

18-004

Tim Carmody entertained a motion. Gene Beinke made a motion in case number 18-004, the Council found probable cause to establish a violation of the following provisions of the Iowa Administrative Code, 501 Iowa Administrative Code rule 6.2(2)(a) and ordered this case set for hearing. Jim Steinkuehler seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Recuse, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 8-Aye; 1 Recuse

18-014R

Tim Carmody entertained a motion. Elizabeth Quinn made a motion in case number 18-014R, that the Council find that the evidence gathered in the investigation does not prove a violation of Iowa Administrative Code chapter 501-6 and lacks probable cause to proceed with this matter. Melissa Henderson seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 9-Aye.

18-053

Tim Carmody entertained a motion. Sadie Weekley made a motion in case number 18-053, the Council found probable cause to establish a violation of the following provisions of the Iowa Administrative Code, 501 Iowa Administrative Code rule 6.2(2)(e)(4) and ordered this case set for hearing. Nathan Fulk seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 9-Aye

19-010

Tim Carmody entertained a motion. Gene Beinke made a motion in case number 19-010, the Council return this case to the investigator to gather further information and submit it to the Council for further consideration. Jim Steinkuehler seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 9-Aye

19-014

Tim Carmody entertained a motion. Melissa Henderson made a motion in case number 19-014, that the Council find probable cause to establish a violation of the following provisions of the Iowa Administrative Code, 501 Iowa Administrative Code rule 6.2(2)(c); (2)(e)(3) and 2(e)(4) and order this case set for hearing. Sadie Weekley seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 9-Aye.

19-018

Tim Carmody entertained a motion. Melissa Henderson made a motion in case number 19-018, that the Council find probable cause to establish a violation of the following provisions of the Iowa Administrative Code, 501 Iowa Administrative Code rule 6.2(2)(c) and 2(e)(4) and order this case set for hearing. Jim Steinkuehler seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 9-Aye.

21-025

Tim Carmody entertained a motion. Sadie Weekley made a motion in case number 21-025, that the Council find probable cause to establish a violation of the following provisions of the Iowa Administrative Code, 501 Iowa Administrative Code rule 6.2(1)(a), (1)(d), (2)(b), (2)(c) and 2(e)(4) and order this case set for hearing. Nathan Fulk seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 9-Aye.

b) Settlement Agreements

16-018R/22ILEA0025

Tim Carmody entertained a motion. Melissa Henderson made a motion in case number 16-018R, that the Council accept the agreement submitted by the parties and issue an order permanently revoking the certification with no possibility of reinstatement. Jim Steinkuehler seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 9-Aye.

17-001R/22ILEA0024

Tim Carmody entertained a motion. Jim Steinkuehler made a motion in case number 17-001R, that the Council accept the agreement submitted by the parties , and issue an order incorporating the agreement of the parties and imposing the agreed-upon sanction. Gene Beinke seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 9-Aye.

17-011R/22ILEA0030

Tim Carmody entertained a motion. Gene Beinke made a motion in case number 17-011R, that the Council accept the agreement submitted by the parties and issue an order permanently revoking the certification with no possibility of reinstatement. Melissa Henderson seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 9-Aye.

16-009R/22ILEA0028

Tim Carmody entertained a motion. Sadie Weekley made a motion in case number 16-009R, that the Council accept the agreement submitted by the parties and issue an order permanently revoking the certification with no possibility of reinstatement. Melissa Henderson seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye.** Motion carried 9-Aye.

c) Proposed Decision

22-026/23ILEA0002

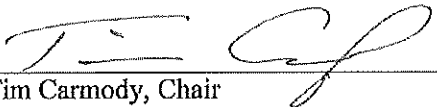
Tim Carmody entertained a motion. Elizabeth Quinn made a motion in case number 22-026, that the Council not initiate review of the proposed decision in case number 23ILEA0002 and allow the proposed decision to become the final decision of the Counsel. Jim Steinkuehler seconded the motion. An individual voice vote was taken. **Diane Venenga-Aye, Melissa Henderson-Aye, Jim Steinkuehler-Aye, Tim Carmody-Aye, Ric Martinez-Aye, Elizabeth Quinn-Aye, Gene Beinke-Aye, Sadie Weekley-Aye, Nathan Fulk-Aye. Motion carried 9-Aye.**

The sixth item (#6*) on the agenda was future agenda items. There were none.

The seventh item (#7*) on the agenda was future Council Meetings:

October 6, 2022 at 9:00am
Iowa Law Enforcement Academy

The Council adjourned at 12:30pm.



Tim Carmody, Chair
Iowa Law Enforcement Academy

10/6/2022

Date