

Open Session Minutes
IOWA LAW ENFORCEMENT ACADEMY COUNCIL MEETING

December 1, 2022, 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: 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
Vicky Long Hill, Citizen
Melissa Henderson, Officer, Cedar Rapids Police Department
Sadie Weekley, Lieutenant, Marshalltown Police Department
Jim Steinkuehler, Sheriff, Crawford County Sheriff's Office
David Lorenzen, Iowa DOT Motor Vehicle Enforcement

Members Absent: Tim Carmody, Chair and Chief, Council Bluffs Police Department
Senator Chris Cournoyer, 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, Interim Director, ILEA
Jack Heuton, Financial Manager, ILEA
Donna Hallstrom, ILEA
Nicole Stevens, ILEA
Jennifer Rico, ILEA
Katy Fukuda, ILEA
Phil Cross, ILEA

Guests Present: John LeClere, Sheriff, Delaware County Sheriff's Office
Joshua Hempstead
Greg Schultz, Captain, Council Bluffs Police Department
Stanley Lysholm
Rodney Macomber
Zach Engstrom
Lisa DuFour

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.

Diane Venenga recognized Wes Breckenridge for his time and service on the Academy Council and as the Interim Director of the Iowa Law Enforcement Academy.

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 October 6, 2022 Open Session Council minutes. **Diane Venenga entertained a motion. Jim Steinkuehler made a motion to approve the October 6, 2022 Open Session Council minutes. Melissa Henderson seconded the motion. A group voice vote was taken. Motion carried. 9-Aye, 0-Nay**

The third item (#3*) on the agenda was the approval of the Consent Agenda as presented. **Diane Venenga entertained a motion. Gene Beinke made a motion to approve the Consent Agenda as presented. Sadie Weekley seconded the motion. A group voice vote was taken. Motion carried. 9-Aye, 0-Nay**

(It should be noted for voting purposes that Vicki Long-Hill arrived at the meeting)

The fourth item (#4*) on the agenda was public comment. There was none.

The fifth item (#5*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(5)(a)(2) for Rodney Macomber.

After discussion between Mr. Macomber and the Council members, Mr. Macomber decided to remove his petition for waiver and provide additional information/documentation at a further time.

The sixth item (#6*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-10.1(5) for Joshua Hempstead on behalf of the Delaware County Sheriff's Office.

Mr. Hempstead summarized for the Council the circumstances that occurred the night when he was charged with Supplying Alcohol to Minors in 2001 and Theft 5th in 2006. He stated that he has matured and changed his life around. He is married, has three children, is a volunteer firefighter with the Delhi Fire Department and volunteers at church.

Diane Venenga entertained a motion. Dave Lorenzen made a motion to approve the Petition for Waiver of Iowa Administrative Code Rule 501-10.1(5) for Joshua Hempstead on behalf of the Delaware County Sheriff's Office. Nathan Fulk seconded the motion. The Council agreed that if Mr. Hempstead decides in the future that he wants to become a sworn officer, he will not need to come before the Council again for these same charges. An individual voice vote was taken. Ric Martinez-Nay; Nathan Fulk-Aye; Vicki Long-Hill-Aye; Jim Steinkuehler-Aye; Sadie Weekley-Aye;

Diane Venenga-Aye; Melissa Henderson-Aye; Gene Beinke-Aye; Elizabeth Quinn-Aye; Dave Lorezen-Aye. Motion carried. 9-Aye, 1-Nay.

The seventh item (#7*) on the agenda was the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(5) for Stanley Lysholm on behalf of the Council Bluffs Police Department.

Mr. Lysholm advised the Council that back in 2007 he was honorably discharged from the military due to drug use. He explained that he was at an off-base party with some college friends. Mr. Lysholm admitted to using cocaine. He was never charged with any crime. He stated that he has used marijuana several times back when he was 18. He stated that the last time he used marijuana was back in 2020 when he was in Colorado visiting his brother and they used it when they went to a concert. The hardship for the agency is that they are short several officers and they believe that he would make a great officer. Mr. Lysholm stated that the hardship would be that he could not serve his country/community.

Diane Venenga entertained a motion. Jim Steinkuehler made a motion to approve the Petition for Waiver of Iowa Administrative Code Rule 501-2.1(5) for Stanley Lysholm on behalf of the Council Bluffs Police Department. Dave Lorenzen seconded the motion. An individual voice vote was taken. Ric Martinez-Nay; Nathan Fulk-Aye; Vicki Long-Hill-Aye; Jim Steinkuehler-Aye; Sadie Weekley-Aye; Diane Venenga-Aye; Melissa Henderson-Aye; Gene Beinke-Nay; Elizabeth Quinn-Nay; Dave Lorezen-Aye. Motion carried. 7-Aye, 3-Nay.

The eighth item (#8*) on the agenda was the approval of the 2023 Council Meeting dates.

February 2, 2023
April 6, 2023
June 1, 2023
August 3, 2023
October 5, 2023
December 7, 2023

Diane Venenga entertained a motion. Jim Steinkuehler made a motion to approve the 2023 Council Meeting dates as presented. Melissa Henderson seconded the motion. An individual voice vote was taken. Ric Martinez-Aye; Nathan Fulk-Aye; Vicki Long-Hill-Aye; Jim Steinkuehler-Aye; Sadie Weekley-Aye; Diane Venenga-Aye; Melissa Henderson-Aye; Gene Beinke-Aye; Elizabeth Quinn-Aye; Dave Lorezen-Aye. Motion carried. 10-Aye

The ninth item (#9*) on the agenda was ILEA Reports.

- a) Update on the 305th and 306th Basic Classes
Graduation is Friday, December 16, 2022
- b) Update on Regional Academies
DSM PD - Starts their 82nd Regional Academy on January 17, 2023
DPS-Starts their 48th Regional Academy on January 20, 2023
Hawkeye-Starts their 75th Regional Academy on March 13, 2023
- c) Update on Specialty Schools
Katy Fukuda summarized Specialty Schools in 2022.
- d) Reserve Updates
Nicole Stevens advised the Council that there was one Reserve left to test out in the old system and would be finished by December 30, 2022.
- e) 2022 Investigations Update
Jennifer Rico summarized cases for 2022.

The tenth item (#10*) on the agenda was to move into Closed Session. Diane Venenga entertained a motion. **Jim Steinkuehler made a motion that Council go into Closed Session for the purpose of discussing closed session minutes, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent and its disclosure would prejudice or disadvantage the position of the governmental body, and whether to initiate licensee disciplinary investigations or proceedings, pursuant to Iowa Code sections 21.5(1)(a), (c), and (d). Sadie Weekley seconded the motion. An individual voice vote was taken. Melissa Henderson-Aye; Elizabeth Quinn-Aye; Ric Martinez-Aye; Dave Lorenzen-Aye; Gene Beinke-Aye; Nathan Fulk-Aye; Vicky Long-Hill-Aye; Jim Steinkuehler-Aye; Sadie Weekley-Aye and Diane Venenga-Aye. Motion carried. 10-Aye**

The eleventh item (#11*) on the agenda was to vote on items discussed in the Closed Session.

a) Approval of the October 6, 2022 Closed Session Council minutes.

Diane Venenga entertained a motion. Melissa Henderson made a motion to approve the October 6, 2022 Closed Session Council Minutes. Sadie Weekley seconded the motion. An individual voice vote was taken. Ric Martinez-Aye; Nathan Fulk-Aye; Vicki Long-Hill-Aye; Jim Steinkuehler-Aye; Sadie Weekley-Aye; Diane Venenga-Aye; Melissa Henderson-Aye; Gene Beinke-Aye; Elizabeth Quinn-Aye; Dave Lorezen-Aye. Motion carried. 10-Aye

b) Administratively Closed Files

20-016: Diane Venenga entertained a motion. Gene Beinke made a motion that Council accept the recommendation to administratively close this case. Dave Lorenzen seconded the motion. A group voice vote was taken. Motion carried. 10-Aye

20-010: Diane Venenga entertained a motion. Gene Beinke made a motion that Council accept the recommendation to administratively close this case. Dave Lorenzen seconded the motion. A group voice vote was taken. Motion carried. 9-Aye; 1-Recuse (Weekley)

21-008: Diane Venenga entertained a motion. Nathan Fulk made a motion that Council accept the recommendation to administratively close this case. Sadie Weekley seconded the motion. A group voice vote was taken. Motion carried. 10-Aye

22-036: Diane Venenga entertained a motion. Gene Beinke made a motion that Council find probable cause to establish a violation of 501 IAC Rule 6.2(2)(b) and (e)(4) and order this case set for hearing. Melissa Henderson seconded the motion. A group voice vote was taken. Motion carried. 10-Aye

c) Voluntary Surrender File

19-026: Diane Venenga entertained a motion. Sadie Weekley made a motion to approve 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. Jim Steinkuehler seconded the motion. A group voice vote was taken. Motion carried. 9-Aye; 1-Recuse

d) Proposed Settlement Agreements

19-018: Diane Venenga entertained a motion. Jim Steinkuehler made a motion to approve 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. Motion carried. 10-Aye

e) **Decertification Files**

18-024R: Diane Venenga 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)(b) and order this case set for hearing. Gene Beinke seconded the motion. A group voice vote was taken. Motion carried. 8-Aye; 2-Recuse

20-007: Diane Venenga entertained a motion. Sadie Weekley made a motion that 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 alleged violation was an isolated incident and adequate steps have been taken to remedy the violation. Nathan Fulk seconded the motion. A group voice vote was taken. Motion carried. 9-Aye; 1-Recuse

21-006: Diane Venenga entertained a motion. Dave Lorenzen made a motion that Council find probable cause to establish a violation of 501 IAC Rule 6.2(2)(a)(c) and (e)(4) and order this case set for hearing. Melissa Henderson seconded the motion. A group voice vote was taken. Motion carried. 10-Aye

21-007: Diane Venenga entertained a motion. Gene Beinke made a motion that Council find probable cause to establish a violation of 501 IAC Rule 6.2(1)(c), 6.2(2)(b) and (e)(4) and order this case set for hearing. Elizabeth Quinn seconded the motion. A group voice vote was taken. Motion carried. 10-Aye

22-001: Diane Venenga entertained a motion. Dave Lorenzen made a motion that Council find probable cause to establish a violation of 501 IAC Rule 6.2(2)(b)(c) and order this case set for hearing. Gene Beinke seconded the motion. A group voice vote was taken. Motion carried. 9-Aye; 1-Recuse

22-021: Diane Venenga entertained a motion. Sadie Weekley made a motion that Council find probable cause to establish a violation of 501 IAC Rule 6.2(2)(b), (e)(1), (e)(4) and order this case set for hearing. Jim Steinkuehler seconded the motion. A group voice vote was taken. Motion carried. 10-Aye

22-031: Diane Venenga entertained a motion. Nathan Fulk made a motion that Council find probable cause to establish a violation of 501 IAC Rule 6.2(2)(a)(c) and/or (e)(4) and order this case set for hearing. Jim Steinkuehler seconded the motion. A group voice vote was taken. Motion carried. 10-Aye

22-039: Diane Venenga entertained a motion. Melissa Henderson made a motion that 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, and that adequate steps have been taken to remedy the violation. Dave Lorenzen seconded the motion. A group voice vote was taken. Motion carried. 7-Aye; 1-Nay; 2-Recuse

The twelfth item (#12*) on the agenda was future agenda items. There were none

The thirteenth item (#13*) on the agenda was future Council Meetings.
February 2, 2023 at 9:00am

Diane Venenga entertained a motion. Jim Steinkuehler made a motion to adjourn the meeting at 12:10pm.
Sadie Weekly seconded the motion.

Diane Venenga _____ *2/2/23*

Diane Venenga, Vice Chair
Iowa Law Enforcement Academy Council

Date