

MONTANA Public Safety Officer Standards and Training Council
Meeting Agenda ~ March 6, 2024
Face to Face Meeting 9:00 a.m. ~ 12:00 p.m.
OHS Building ~ MLEA ~ Rooms 213 & 214
Helena, MT 59602

Dial-in Participant Information
Dial in Number: (406) 318-5487
Teams Meeting ID: 905478818#

- I. 9:00 a.m. ~ Call meeting to order, roll call, identify and welcome guests.**
- II. 9:05 a.m. ~ Pledge of Allegiance and Invocation**
- III. 9:10 a.m. ~ Approval of minutes for December 6, 2023, Council Meeting**
- IV. 9:15 a.m. ~ Public Comment/Guest Issues**
- V. 9:30 a.m. ~ Gallatin County ~ Stephanie Gray**
- VI. 9:45 a.m. ~ Old Business**
 - A. ARM Update**
 - B. Law & Justice Interim Committee**
- VII. 10:00 a.m. ~ Break**
- VIII. 10:10 a.m. ~ New Business**
 - A. Probation & Parole Basic Syllabus ~ Alexandra Holmes ~ Hank Webb**
 - B. Misdemeanor Probation/Pretrial Services Basic Syllabus ~ Michelle Jurkovski**
 - C. Request to Expunge**
 - D. CDOB Equivalency**
 - E. State – Tribal Relations Committee**
 - F. Approved POST Credit Hours**
 - G. 2 Hour Training Requirement**
 - H. Yearly Report**
- IX. 10:50 a.m. ~ Break**
 - I. Committee Reports**

- 1. Curriculum ~ Conner Smith**
- 2. Case Status ~ Jim Thomas**
- 3. Coroner ~ Leo Dutton**
- 4. Business Plan/Policy ~ Jess Edwards**
- 5. ARM ~ Leo Dutton**
- 6. Executive Committee ~ Jesse Slaughter**

D. Director's Report

- 1. Budget**
- 2. Calendar Statistics ~ Quarter 4 2023**
 - **Total Public Safety Officers ~ 5,402**
 - **Certificates Awarded ~ 1,179**
 - **Training Approved ~ 2,452 trainings, 10,285 officers, 124,948.85 hrs.**
 - **Equivalency Granted ~ 62**
 - **Extensions Granted ~ 1,233**
 - **Information Requests ~ 1,200**
 - **Complaints ~ 112**
 - **Opened Investigations ~ 50**
 - **Sanctioned Certificates ~ 16**
 - **Revoked/Denied Certificates ~ 21**
- 3. Office Updates**
- 4. 2023 POST Accomplishments**

XII. 12:00 p.m. ~ Meeting Adjourned

* Executive Sessions are closed to the public in order to protect the privacy rights of individuals or to discuss active litigation strategy. Times are approximate, except for public comment; actual times may vary depending on presentation/discussion time.

1 MONTANA POST COUNCIL MEETING 1
2 December 6, 2023
3 Montana Law Enforcement Academy
4 2260 Sierra Road East, Helena MT
5 9:00 a.m. to 11:48 a.m.
6
7 Council members present: Jesse Slaughter -
8 Council Chair. Jim Thomas, Mark Kraft.
9 Council members present via Teams:
10 Bill Smith, Jess Edwards, Kristine White, Kimberly
11 Burdick, Shellie Brady
12 Council member present by phone:
13 Jim Anderson
14 Council members not present:
15 Anthony Hutchings, Leo Dutton, Connor Smith
16
17 Staff Members Present: Timothy Allred, Executive
18 Director; Katrina Bolger, Paralegal/Investigator;
19 Chad McFadden, Investigator; Tina Cranmer,
20 Administrative Assistant; Brooke Standish,
21 Administrative Assistant.
22
23 POST Legal Counsel:
24 Stuart Segrest, Esq.
25

1 Guests: 2
2 Joel Wendland
3 Chad Vanisko
4 Shelby DeMars
5 Dan Smith
6
7
8 (Jim Anderson not present)
9 CHAIR SLAUGHTER: It seems like we have
10 everybody we're going to have here and online, so
11 we'll go ahead and call this meeting to order.
12 And Timothy, will you please do roll call.
13 MR. ALLRED: Yes. Start with Council
14 members. Chair Slaughter.
15 CHAIR SLAUGHTER: Here.
16 MR. ALLRED: Just as the Council is
17 aware, Wyatt Glade sent an email to POST a couple
18 days ago saying he's no longer a member of POST.
19 Jim Anderson is going to try and join us near the
20 end of this meeting. He's at a conference right
21 now.
22 Anthony Hutchings is excused. He
23 emailed me this morning. Leo Dutton is excused.
24 Shellie Brady.
25 COUNCIL MEMBER BRADY: (Indicating)

1 CHAIR SLAUGHTER: Just for the record, I 3
2 saw you raise your hand, but can you just for the
3 record of the recording.
4 COUNCIL MEMBER BRADY: Here.
5 MR. ALLRED: Kristine White.
6 COUNCIL MEMBER WHITE: Here.
7 MR. ALLRED: Mark Kraft.
8 COUNCIL MEMBER KRAFT: Here.
9 MR. ALLRED: Jim Thomas.
10 COUNCIL MEMBER THOMAS: Here.
11 MR. ALLRED: Bill Smith.
12 COUNCIL MEMBER BILL SMITH: Here.
13 MR. ALLRED: Kimberly Burdick.
14 COUNCIL MEMBER BURDICK: Here.
15 MR. ALLRED: Jess Edwards.
16 COUNCIL MEMBER EDWARDS: Here.
17 MR. ALLRED: And then Connor Smith is
18 excused as well. We have a quorum to operate,
19 Chair. We have eight individuals here. So I'm
20 Timothy. We'll start POST staff and legal
21 support. Timothy Allred, Director of POST.
22 MR. SEGREST: Stuart Segrest, Counsel to
23 POST.
24 MS. CRANMER: Tina Cranmer,
25 Administrative Assistant to POST.

1 MS. STANDISH: Brooke Standish, 4
2 Executive Assistant to POST.
3 MS. BOLGER: Katrina Bolger, Paralegal
4 Investigator for POST.
5 MR. VANISKO: Chad Vanisko, Counsel for
6 POST.
7 MR. ALLRED: Guests in the room, please,
8 stand up and state your name please for those who
9 are here.
10 MR. WENDLAND: Joel Wendland, Executive
11 Director, Montana Law Enforcement Academy.
12 MS. CRYSTAL KRAFT: Crystal Kraft,
13 Sheriff Kraft's wife.
14 MS. KIRA KRAFT: Kira Kraft.
15 MS. KIRSTEN KRAFT: Kirsten Kraft.
16 MR. DAN SMITH: Dan Smith with the
17 Montana Police Protective Association.
18 MS. DEMARS: Shelby DeMars with the
19 Montana Police Protective Association.
20 MR. ALLRED: And then online, please
21 introduce yourself if there's anybody online.
22 Katrina, do you see anybody online that
23 we don't know?
24 MS. BOLGER: There's an 851-7080.
25 MR. ALLRED: So the phone number 7080,

1 will you please just identify yourself, just for⁵
2 the record of this meeting?
3 STEPHANIE: This is Stephanie with the
4 Public Defenders Office in Miles City.
5 MR. ALLRED: Thank you, Stephanie.
6 Anybody else online?
7 (No response)
8 MR. ALLRED: All right, Chair.
9 CHAIR SLAUGHTER: At this point in time,
10 let's rise for the Pledge of Allegiance.
11 (Pledge of Allegiance)
12 CHAIR SLAUGHTER: Would you please
13 remain standing real quick, and I'll do a quick
14 invocation.
15 (Invocation)
16 CHAIR SLAUGHTER: So the first thing we
17 need to do is approval of the Council meeting
18 minutes, so it's on Page 1 through 26 of your
19 packet.
20 COUNCIL MEMBER KRAFT: I move to approve
21 the minutes.
22 CHAIR SLAUGHTER: Chief Kraft makes a
23 motion. Do I have a second?
24 COUNCIL MEMBER THOMAS: This is Jim
25 Thomas. I second.

1 CHAIR SLAUGHTER: We have a motion and a⁶
2 second. Does anyone have any discussion about the
3 minutes, corrections, issues, anything at all?
4 (No response)
5 CHAIR SLAUGHTER: Hearing none, all
6 those in favor of approving the minutes, signify
7 by saying aye.
8 (Response)
9 CHAIR SLAUGHTER: Opposed, same sign.
10 (No response)
11 CHAIR SLAUGHTER: The minutes are
12 approved. It looks like the next thing is going
13 to be any public comment or guest issues. Do we
14 have any public comment?
15 MR. ALLRED: I have something to read
16 first.
17 CHAIR SLAUGHTER: Okay. Go ahead.
18 MR. ALLRED: This is the public comment
19 script for Council meetings. Under this item the
20 Council will offer an opportunity to members of
21 the public in attendance to comment on any public
22 matter under the jurisdiction of the Council that
23 is not on the agenda of this meeting.
24 While the Council cannot take action on
25 any issues presented, the Council will listen to

1 comments, and may ask staff to place the issue on⁷
2 a subsequent agenda. The Presiding Officer may
3 limit the comment period in order to proceed with
4 the Council meeting, and then the comment limited
5 time is three minutes.
6 CHAIR SLAUGHTER: Okay. Thank you.
7 MR. WENDLAND: Again, Joel Wendland,
8 Executive Director of the Montana Law Enforcement
9 Academy. I just wanted to take a quick minute and
10 update the Council, as we're at the end of the
11 year. We were able to process 194 law enforcement
12 students through the Academy. Yesterday was
13 actually graduation, and we graduated 64 students
14 yesterday.
15 And I kind of feel like I've got a
16 hangover every time we graduate. It's just a big
17 sigh of relief. So I feel like I'm still half
18 asleep today. But I wanted to let you know that
19 with all of the course changes we made last year,
20 the feedback we're getting from students and from
21 agencies is that the delivery of our students to
22 our stakeholders appears to be much better, and
23 that's largely due to this Council's guidance and
24 approval.
25 And we appreciate the relationship with

1 you. I particularly appreciate the relationship⁸
2 with Tim Allred and his staff. They help guide us
3 and help, and they're basically just a team player
4 with us, and just wanted to say thank you for all
5 that.
6 CHAIR SLAUGHTER: Thank you, Joel. I
7 appreciate working with you.
8 MR. ALLRED: Would you just give a brief
9 update on the training building out there?
10 MR. WENDLAND: If you didn't drive in on
11 the east side of the campus, drive out that way,
12 and you'll see --
13 CHAIR SLAUGHTER: If you're online,
14 could you mute yourself, please. We're getting a
15 lot of feedback in here. It's just disruptive
16 Thank you. Go ahead, Joel.
17 MR. WENDLAND: There is a large mountain
18 of dirt out there right now, and what that is is
19 that's going to be our scenario village, which is
20 going to help us deliver some exceptional
21 training, instead of having to use the tiny little
22 spaces in the basements of these 100 year old
23 buildings.
24 It's actually going to be a large
25 building where it's going to have roll-up doors on

9
 1 both ends, we're going to be able to drive in.
 2 It's going to be like a street, so we'll be able
 3 to do traffic stops in the winter inside. Inside
 4 of that there's going to be doors and facades that
 5 lead into different spaces, like a house, a hotel,
 6 a business, a couple businesses, and some other
 7 spaces.
 8 We're actually going to have a sally
 9 port with an intake space with a couple holding
 10 cells for our CDOB students, and for even when
 11 we're doing scenarios for our law enforcement
 12 officers, so they can actually come and do a
 13 booking scenario.
 14 And then on the other side there's going
 15 to be a large mat room, which will be for our
 16 defensive tactics course, and then another
 17 classroom adjacent to that.
 18 The interior will have an "L" shaped
 19 street in it, so that we have a corner that we can
 20 work just like if you were out in the real world.
 21 On the outside of the building adjacent,
 22 there'll also be a facade on the outside, so that
 23 you can make an exterior approach to those same
 24 spaces, the house, the hotel, and the businesses.
 25 And so it's going to give us a lot more

10
 1 avenue to do a lot more scenarios, and then all we
 2 need is few more staff. We're just adjunct
 3 instructors. So that's pretty much it.
 4 And then we're starting some
 5 conversations. I've had some conversations with
 6 the AG about trying to gain some support for maybe
 7 an onsite range here in the next couple years,
 8 which is a big lift, but I'm willing to tackle
 9 that.
 10 CHAIR SLAUGHTER: Indoor range, right?
 11 MR. WENDLAND: Indoor, yes. Hoping for
 12 about a fifty yard, fifteen lane indoor range, so
 13 we don't have students just surviving on the
 14 range, like last year when I was on the range and
 15 it was negative 26. That was just survival.
 16 There was no learning going on there. And then
 17 when it dropped to negative 60 with the wind
 18 chill, we're like, "We're out. We're going back."
 19 That's it.
 20 CHAIR SLAUGHTER: I appreciate that.
 21 Thank you. Any other public comment?
 22 (No response)
 23 CHAIR SLAUGHTER: In the room? None?
 24 How about online? Do we have any public comment
 25 on line?

11
 1 (No response)
 2 CHAIR SLAUGHTER: Going once.
 3 (No response)
 4 CHAIR SLAUGHTER: Going twice. All
 5 right.
 6 (No response)
 7 CHAIR SLAUGHTER: That was pretty fast.
 8 Do we need to take a break?
 9 MR. ALLRED: We do not right now. We
 10 need to take a break at 9:25 to get ready for our
 11 oral argument, but we can move on in the agenda.
 12 CHAIR SLAUGHTER: So go to old business
 13 then?
 14 MR. ALLRED: Yes, let's go to old
 15 business.
 16 CHAIR SLAUGHTER: Old business.
 17 MR. ALLRED: So Katrina was going to be
 18 an update on the ARM part, then we're going to
 19 executive session and we'll explain that.
 20 MS. BOLGER: So yes, we filed a transfer
 21 notice. I was unaware, but they like changed the
 22 rules at the Secretary of State's Office. You
 23 can't do an amendment and transfer simultaneously
 24 any longer, and so they made us file a transfer
 25 notice first.

12
 1 And so there were no language changes
 2 made, but our new Subchapter (8) regarding
 3 employment appointment of officers is now there.
 4 It's on the Secretary of State's website, and all
 5 those rules that we talked about transferring have
 6 been moved.
 7 On Friday we will be publishing our
 8 substantive changes to the rules with one
 9 deletion. We ran into some issues during the DOJ
 10 rule review regarding the definition of
 11 conviction, and we thought it best to just move
 12 forward with all the other changes that we have
 13 because they're good, and they provide clarity to
 14 everybody, and got those taken care of, and then
 15 come back to the Council regarding the conviction
 16 issue.
 17 So everything is moving forward minus
 18 that one small change, so that's where we are.
 19 MR. ALLRED: Thank you, Katrina. And
 20 due to some privileged information, at this time
 21 we're requesting that we go into executive
 22 session.
 23 CHAIR SLAUGHTER: So at this time we'll
 24 go into executive session, so we'll have everybody
 25 in here leave the room.

13
1 MR. ALLRED: I'll show you where to go
2 in the room, and then online we'll put you in a
3 different group, and we will combine you back in
4 after the executive session.
5 CHAIR SLAUGHTER: Okay. Let's go do
6 that now.
7 (Off the record for executive session)
8 CHAIR SLAUGHTER: We are out of
9 executive session, and back on the record. Before
10 we go to the Stigen oral argument, I'll read a
11 quick script, and we'll take a break, but before
12 that we'll talk about what we did during executive
13 session.
14 Basically we discussed two issues. One
15 was an ARM wording change, and we stayed with old
16 language on that. Do we need to show them what it
17 is on the --
18 MR. ALLRED: Just a current -- we stayed
19 with the current conviction language.
20 CHAIR SLAUGHTER: We stayed with the
21 current conviction language for now. We may
22 revisit that in the future. And that was just due
23 to the rule administrator not liking our change.
24 So we're going to stay with the old language for
25 now.

14
1 We also discussed a legal memorandum
2 that Legal Counsel provided that discusses the
3 different definitions that POST and organizations
4 should follow as it relates to felony convictions,
5 deferred imposition, youth adjudications, pardons,
6 deferred prosecutions, expungements, all those
7 different things are all laid out, and we voted to
8 go ahead and make this memorandum public. So
9 that's what we voted on during that session.
10 So the next order of business is going
11 to be the Eric Stigen oral argument. So how this
12 has worked is I'm going to turn it over to Mr.
13 Segrest for him to become the Special Master, I'll
14 read my little script here, and we'll take a break
15 to get ready for that, and then we'll come back
16 and we'll continue that oral argument, and Mr.
17 Segrest will take over from there.
18
19 (Stigen transcript bound separately)
20
21 MR. ALLRED: The next item on the agenda
22 is House Bill 697 on Page 55 through 58. So just
23 to give an update on House Bill 697, what came out
24 of that is that we do a study on POST with the Law
25 and Justice Interim Committee. And we have met

15
1 with them three times. We met initially to give
2 an update of POST, and then they asked us to have
3 a more in-depth discussion with us, and they had a
4 panel.
5 Chair Slaughter was there, and he
6 discussed the Council make-up. And then I was
7 there, and I discussed the POST staff make-up,
8 along with training and certification. Katrina
9 Bolger, our Paralegal Investigator, was there, and
10 she discussed complaints, and appeal process, and
11 allegations, those things. Jim Anderson was also
12 there, and he discussed their role with POST
13 within the Department of Corrections.
14 And then we met just recently with the
15 Law and Justice Interim Committee, and they just
16 had a few questions for us, and we just kind of
17 gave an update, and as of right now we're not on
18 the agenda for the upcoming Law and Justice
19 Interim Committee, so we're seeing in spring, if
20 there is any legislation that they propose, that's
21 when we'll think that they might be proposed at
22 that time.
23 But as of right now, everything seems to
24 be going well. I've heard great feedback that
25 they like a lot of the changes that POST has made,

16
1 and just the transparency and things that we've
2 brought before them.
3 The other thing that was in House Bill
4 697 is that POST would provide a quarterly report
5 to the Law and Justice Interim Committee, and you
6 can see on those pages on 56, 57, and 58, that is
7 the report that we're providing to them quarterly.
8 This shows the current cases that are
9 being investigated. It shows ones that are on
10 hold, and it gives like the reason for it, without
11 giving specific information and confidential
12 information. And then --
13 MR. SEGREST: Did you provide magnifying
14 glasses?
15 MR. ALLRED: Then the last one on there,
16 too, you can see ones that are currently serving
17 sanctions, and when they're scheduled to get off.
18 So we were only required to show like current
19 investigations, and where that's currently at, and
20 what we would anticipate completion as long as
21 everything goes well, but we provided more
22 information just so that they could see
23 everything, so that's why there's three pages in
24 there.
25 Does anybody have any questions to me,

17
 1 with me, or Chair Slaughter -- he's been involved
 2 also with the Law and Justice Interim Committee --
 3 or do you have a comment or anything for Sheriff
 4 Slaughter as well?
 5 COUNCIL MEMBER KRAFT: Director Allred,
 6 just a quick question. On the quarterly reports,
 7 the report that goes to the interim committee,
 8 does it designate somewhere on there what quarter
 9 this information is being drawn from?
 10 MR. ALLRED: Yes. This is the quarter
 11 -- We can make sure we put it on there next time.
 12 This was the quarterly report that was sent for
 13 September --
 14 MS. BOLGER: October.
 15 MR. ALLRED: October 1st, and we will
 16 send another one. But yeah, that's a good point.
 17 COUNCIL MEMBER KRAFT: That was the
 18 first one, correct?
 19 MR. ALLRED: This is the first one,
 20 yeah. We have not sent the next one. That was
 21 the first time it was due. And so that's a good
 22 point. We'll just mark on there which quarter and
 23 what year it was for.
 24 MR. SEGREST: And it's sent, I would
 25 take it, via email?

18
 1 MR. ALLRED: We sent it to Sara Hoss.
 2 MR. SEGREST: So there's an email at
 3 least that would designate a date, but it's a good
 4 point to put on the document itself.
 5 CHAIR SLAUGHTER: Any other questions or
 6 comments about the study committee?
 7 (No response)
 8 CHAIR SLAUGHTER: I'll make a comment
 9 real quick, just kind of from having been there.
 10 I felt that the Law and Justice Interim
 11 Committee has been receptive, inquisitive, but
 12 they seemed very content, I think is the term.
 13 They didn't seem like -- There was a few little
 14 issues that need to be hashed out, more of like
 15 logistic things going down the road that we need
 16 to look at.
 17 I know that, for example, NPPA has some
 18 proposals and different things like that that are
 19 coming and stuff, and so little things like that
 20 are, I think are just -- I would focus on them
 21 being more clean-up stuff, just to kind of make
 22 the Council run the way that people think they
 23 should.
 24 So I think it is going to be interesting
 25 moving forward, but they seemed -- I think the big

19
 1 thing that, in my opinion, that needed to happen
 2 was more dialogue and more direct communication.
 3 I think that's really what -- and I don't think a
 4 lot of people really understand how the Council
 5 works.
 6 I think if you go back historically,
 7 depending upon who the Director was, it could look
 8 extremely different. And so it's kind of also
 9 pushing the path forward of, "No, this is what it
 10 now looks like. This is what it's supposed to
 11 look like." So compliments to everyone on the
 12 Council. I think you've all done a really good
 13 job to make them feel comfortable.
 14 MR. ALLRED: We did have a break at
 15 10:00 a.m., but we can continue with the agenda
 16 items.
 17 CHAIR SLAUGHTER: New business.
 18 MR. ALLRED: So if you want to get Kim,
 19 I can move into a -- we can move into committee
 20 reports when we're done with that, and we could
 21 move into, move back to the Public Safety
 22 Communicator Basic syllabus.
 23 So at this time, Chair --
 24 CHAIR SLAUGHTER: Committee reports.
 25 MR. ALLRED: We'll move to committee

20
 1 reports.
 2 CHAIR SLAUGHTER: So Connor Smith is not
 3 here, but do we have anyone that can report on
 4 curriculum?
 5 (No response)
 6 CHAIR SLAUGHTER: Hearing none, case
 7 status. Jim.
 8 MR. THOMAS: Pages 61 through 64 is the
 9 report. We've been obviously very busy. And I
 10 guess that's about all I can say about it.
 11 CHAIR SLAUGHTER: That is all you can
 12 say about it, isn't it? Okay.
 13 MR. ALLRED: Bill Smith is prepared to
 14 speak in the place of Sheriff Dutton.
 15 CHAIR SLAUGHTER: Bill, do you want to
 16 talk about Coroner.
 17 MR. BILL SMITH: Sure. The Coroner
 18 Committee of the POST Council met on October 25th,
 19 2023. The committee reviewed the draft joint memo
 20 between the Montana Department of Justice Forensic
 21 Science Division Medical Examiner's Office,
 22 Montana Coroners Association, and the POST
 23 Council, and has seconded a motion for the Council
 24 discussion and consideration.
 25 The motion of the committee is to

21

1 approve the draft joint memo which is found in the
 2 Council's meeting material on Page 65.

3 CHAIR SLAUGHTER: Thank you, Bill. I
 4 guess we should call, we probably need to call for
 5 a motion to approve this memo, and then we can
 6 have discussion.

7 Does anybody want to make a motion to
 8 approve the memo on Page 65, the Montana Coroners,
 9 Deputy Coroners/Forensic Science Medical
 10 Examiner's memo?

11 COUNCIL MEMBER THOMAS: This is Jim
 12 Thomas. I'll make that motion.

13 CHAIR SLAUGHTER: Do I have a second?

14 COUNCIL MEMBER EDWARDS: This is Jess
 15 Edwards. I'll second.

16 CHAIR SLAUGHTER: Thank you, Jess. So I
 17 have a motion on the floor, I have a second. Is
 18 there any discussion about this memo?

19 (No response)

20 CHAIR SLAUGHTER: Okay. Hearing none,
 21 all those in favor of adopting this memo, signify
 22 by saying aye.

23 (Response)

24 CHAIR SLAUGHTER: Opposed, same sign.

25 (No response)

22

1 CHAIR SLAUGHTER: Motion carries.

2 MR. ALLRED: Sheriff, if I may, before
 3 we continue on, I just want to state that, just
 4 for your information, this kind of came out
 5 because ever since I started as Director, the
 6 Montana Coroners Association, the Medical
 7 Examiner, we've all received questions what
 8 constitutes Coroner continuing education.

9 So we got together, we discussed this,
 10 and this was put forward as a draft. We want it
 11 to be specific enough, but general enough. So
 12 this is something that we've never had a joint
 13 memo before, but in discussion with everybody, we
 14 felt this would be the most appropriate way to go.

15 They're going to now, now that they're
 16 approved by the Council, they're going to go to
 17 their boards for approval as well, and the intent
 18 is that we have this joint memo that they will put
 19 on their website, and that we can provide as well
 20 for guidance on what is continuing education for
 21 Coroner, because it was a constant question that
 22 came up to everybody, because there's different
 23 individuals, working in different areas, different
 24 boards, and groups, and so this comes together as
 25 a joint memo, because we approve the training, a

23

1 lot of times they put it on, and so we're all in
 2 agreement on this.

3 CHAIR SLAUGHTER: Thank you. I
 4 appreciate it.

5 MR. SECREST: Sheriff, before we leave
 6 Coroners, I'd just note that Wyatt Glade, who is
 7 now off the Council, is one of the members of the
 8 committee.

9 MR. ALLRED: That's on Coroner
 10 membership.

11 MR. SECREST: I'm jumping the gun.
 12 Apologies.

13 CHAIR SLAUGHTER: Thank you, Stuart. I
 14 appreciate it. The next one will be Business Plan
 15 and Policy. That's Jess Edwards. Jess, do you
 16 have a report?

17 COUNCIL MEMBER EDWARDS: Nothing to
 18 report right now.

19 CHAIR SLAUGHTER: Thank you, Jess.
 20 Appreciate it. And then Sheriff Dutton is not
 21 here for the ARM committee, but we had the one big
 22 ARM discussion in executive session that we talked
 23 about. Does anybody else have anything to report
 24 on ARM?

25 (No response)

24

1 CHAIR SLAUGHTER: Hearing none, we'll
 2 move on to committee membership, Stuart, so we're
 3 right there where you want us to be. We need to
 4 get another member of the Council to join the
 5 Coroner.

6 MR. ALLRED: If I may real quick. Last
 7 year the Council said they wanted to have our last
 8 Council meeting is when we discuss committee
 9 membership make-up, and so this is an opportunity
 10 for people to discuss what committees they want to
 11 be on.

12 For example, Bill Smith is currently --
 13 Well, he replaced Matt Saylor on the Case Status
 14 Committee, but he's still on other committees, and
 15 due to the impact of the time that's in the Case
 16 Status Committee, he probably shouldn't be on any
 17 other committees. That was a previous discussion
 18 with the Council.

19 And then as we have new Council members,
 20 like Shellie and Anthony, Anthony is not here, and
 21 Wyatt Glade is no longer on here. So we actually
 22 put in our administrative rules, too, that's
 23 proposed, that's moving forward, that at the last
 24 Council meeting of the year we will discuss our
 25 committee make-ups.

25

1 And this is why it's here. We need to
 2 discuss, and if anybody needs to be moved or be
 3 taken off certain committees or people need to be
 4 added, that was why this was on the agenda for
 5 today.

6 MS. BOLGER: There's also a vacancy on
 7 curriculum.

8 MR. ALLRED: Yes.

9 CHAIR SLAUGHTER: Thank you. Any
 10 discussion? Go ahead, Jess.

11 COUNCIL MEMBER EDWARDS: Do we need
 12 someone to sit on the Coroner one, too? If we do,
 13 then I'll be willing to.

14 CHAIR SLAUGHTER: We do. I had a
 15 suggestion for that one. We have the ex officio
 16 ones on here that aren't necessarily on the
 17 Council, like Joel sits on the curriculum review.
 18 I think that's good to get that perspective.

19 Can we do this? But I was thinking
 20 about the President of the Coroners Association
 21 sit on the -- we have to word it that way, is
 22 whoever the President of the Coroners Association,
 23 because that changes.

24 But I think that's a good connection
 25 because they're kind of doing the same thing we're

26

1 doing all the time. They're implementing
 2 policies, and trying to do things right, so
 3 Coroner runs smoother in the state. They're even
 4 going to legislation sometimes to propose
 5 different law change and things like that.

6 So I think Andy Lebrun from Carbon
 7 County is the current one right now from that memo
 8 I just saw.

9 MR. ALLRED: Yes. He's being replaced,
 10 though --

11 CHAIR SLAUGHTER: That's why we just
 12 make it the President, and then that way that
 13 person lands on that committee for that year, and
 14 I think it would give good continuity statewide,
 15 because we're not always getting all the Coroners
 16 to come to our meetings or sign in to our
 17 meetings, but they are getting everybody because
 18 they're having required training, so everybody is
 19 coming. So what are you guys' thoughts on that?

20 COUNCIL MEMBER KRAFT: I think that's an
 21 excellent idea. Of this Council there's only
 22 select members that really have Coroner
 23 experience, so it makes sense to put experience on
 24 that committee.

25 MR. ALLRED: I agree. That was the

27

1 purpose of the joint memo to begin with, so yes.

2 CHAIR SLAUGHTER: So Stuart, would we
 3 need to take executive action, or would we rather
 4 have Timothy reach out to them and make sure
 5 they're good with it, so we don't just put them on
 6 this without their consent?

7 MR. SECREST: I agree you should ask
 8 them first, but I think if you want, you could
 9 vote to put them on there upon their agreement.

10 CHAIR SLAUGHTER: So at this point in
 11 time I'll entertain a motion on the Coroner
 12 Committee to put the President, whoever is on the
 13 Coroner Association on that committee upon their
 14 approval.

15 COUNCIL MEMBER WHITE: This is Kristine.
 16 I'll so move.

17 CHAIR SLAUGHTER: Thank you, Kristine.
 18 Do I have a second?

19 COUNCIL MEMBER THOMAS: Jim Thomas.
 20 I'll second.

21 CHAIR SLAUGHTER: Any further discussion
 22 on that matter?

23 (No response)

24 CHAIR SLAUGHTER: Seeing none, all those
 25 in favor, signify by saying aye.

28

1 (Response)

2 CHAIR SLAUGHTER: Opposed, same sign.

3 (No response)

4 CHAIR SLAUGHTER: Motion carries.

5 Director Allred, would you please make that
 6 contact, and see if that happens?

7 MR. ALLRED: Yes, Chair.

8 CHAIR SLAUGHTER: So with the Coroner
 9 Committee we have Sheriff Dutton as the Chair,
 10 Bill Smith, Kristine White, and now the President
 11 of the association. Are we good on that
 12 committee, or do we have any other changes we need
 13 to make?

14 MS. BOLGER: This Katrina. Can we
 15 replace a Council member with an ex officio
 16 member? Because I think the ARM drafts that we
 17 submitted actually specify common Council members
 18 are on the committee.

19 MR. ALLRED: We can't replace. What
 20 they are is ex officio, they provide guidance.
 21 They're not a vote, and they can have a voice,
 22 just like Joel would have. And does the ARM say
 23 -- I don't know. Does it say four, or does it say
 24 three to four?

25 MS. BOLGER: I have to check. I'll look

1 at our notice real quick.

2 MR. ALLRED: We'll move back to that.
3 And then I do want to discuss. So Bill is on
4 three. To me, Bill, if Bill is going to be
5 removed from one, he should be removed from the
6 Curriculum Review Committee, but because there
7 was, as Chief Kraft said, there's very few people
8 on that are involved with Coroners like Bill would
9 be. And so if Bill was going to be on two
10 committees, one extra on Case Status, that would
11 be the one that I would say, but I know when we
12 discussed with Bill, he said he wouldn't probably
13 be on any other committees, but I don't know who
14 would replace him on the Coroner one.

15 CHAIR SLAUGHTER: On Coroner or
16 Curriculum? I'm confused.

17 MR. ALLRED: On Coroner.

18 MR. SEGREST: So keep him on Coroner,
19 take him off Curriculum and ARM?

20 MR. ALLRED: That's my thought, if
21 Bill's okay with that, because he's on four of
22 them right now.

23 MR. BILL SMITH: Particularly the ARM
24 has been busy. Coroner has not been. So I would
25 agree if I stayed on that one, that wouldn't be a

1 CHAIR SLAUGHTER: And then Bill, we're
2 going to remove you to lighten your load with Case
3 Status. Does that help?

4 MR. BILL SMITH: Yes. I appreciate
5 that. Thanks.

6 CHAIR SLAUGHTER: No problem. Thank you
7 for serving in that very taxing committee.

8 MR. ALLRED: He's also on Curriculum.

9 CHAIR SLAUGHTER: He's also on
10 Curriculum. I'm going to -- we'll reach out to
11 him, but I'm going to replace him on Curriculum as
12 well with Anthony, because I know Anthony has done
13 training in the past, and he's a smart guy. Let's
14 replace him there.

15 MR. ALLRED: Katrina, how many do we
16 need on Curriculum?

17 MS. BOLGER: I'm looking at it. The ARM
18 needs five.

19 CHAIR SLAUGHTER: Curriculum needs five?

20 MR. SEGREST: ARM.

21 MS. BOLGER: Business Plan Policy is
22 three; Case Status is three; Coroners is three;
23 Curriculum is five.

24 CHAIR SLAUGHTER: So we have a vacancy.

25 MS. BOLGER: And then the Executive

1 big deal.

2 MS. BOLGER: The Coroner Committee has
3 three voting members of the POST Council.

4 CHAIR SLAUGHTER: We're right there.

5 MR. SEGREST: Yes. If he stays on,
6 we're good.

7 CHAIR SLAUGHTER: So if we replace Bill
8 on ARM --

9 MR. ALLRED: I don't know if Shellie
10 would be interested.

11 CHAIR SLAUGHTER: That's what I was
12 thinking. Shellie, I know as a new Council
13 member, I think ARM with your background might be
14 a good thing for you to sit on.

15 COUNCIL MEMBER BRADY: Yes, I'd be
16 interested in that.

17 CHAIR SLAUGHTER: Okay. Do we need to
18 take any action on that, or she just takes it?

19 MR. ALLRED: I don't think we need.

20 CHAIR SLAUGHTER: Congratulations.

21 MR. SEGREST: I think basically they
22 agree, and then the Chair appoints.

23 CHAIR SLAUGHTER: Shellie, you're
24 appointed.

25 COUNCIL MEMBER BRADY: Thank you.

1 Committee is five.

2 CHAIR SLAUGHTER: So Shellie, how would
3 you feel about serving on Curriculum Committee as
4 well? Because again, I think that also helps --

5 COUNCIL MEMBER BRADY: Yes, that was
6 actually one of the first ones I was interested
7 in, because our Academy is only like five years
8 old, so I think that's a great add-in.

9 CHAIR SLAUGHTER: Okay. Perfect. Thank
10 you, Shellie. Anything else?

11 MR. ALLRED: I do have one. So the
12 Business Plan, E.J. Clark is ex officio. I
13 reached out to him, and got kind of got a little
14 bit of historical information how he was put on.
15 So when we had our last Business Plan meeting, I
16 reached out to him to let him know, or I talked on
17 the phone, but he didn't come to any of the
18 meetings like that. I don't know if it's worth
19 keeping him on as ex officio.

20 CHAIR SLAUGHTER: Let's remove him. Do
21 we have somebody that we know would serve well in
22 that, that we could put on there as an ex officio?
23 We can just have three Council members, too.

24 (No response)

25 CHAIR SLAUGHTER: Hearing none, we'll

33
 1 just go with that for now.
 2 MR. ALLRED: Then just so the Chair and
 3 the Council is aware, Connor Smith is currently on
 4 the Case Status. He's retiring this coming
 5 summer, and he's moving, and so right now he's
 6 going to be there, but that's going to be
 7 something that will need to be looked at in the
 8 future.
 9 MR. SEGREST: He's retiring because he's
 10 moving?
 11 MR. ALLRED: He's retiring. He's done
 12 twenty years with the Highway Patrol, and they're
 13 moving.
 14 COUNCIL MEMBER THOMAS: Somewhere warm.
 15 MS. BOLGER: I think the Council still
 16 has to approve the appointments. That's under the
 17 new rule.
 18 MR. ALLRED: Stuart just thought they
 19 agreed on it.
 20 MR. SEGREST: I was wrong.
 21 CHAIR SLAUGHTER: I'll handle that real
 22 quick. Thanks, Katrina. So I guess I'll say this
 23 to all Council members. If there's anybody out
 24 there that thinks they might want to be interested
 25 in Case Status Committee, it is a heavy load.

34
 1 It's not undoable. It's not like crazy. I don't
 2 want to scare people away.
 3 But you have to be a person also that
 4 can very much keep good confidentiality. It's
 5 very critical. But it's basically the eyes and
 6 ears of the POST Council, so it's a very huge
 7 honor to serve on it.
 8 Right now we have Jim Thomas, who is one
 9 of our community members, and we have Bill Smith,
 10 who is our Detention representative, which is
 11 nice. That shows we've got a good variance. So
 12 it really doesn't matter who else we put on there.
 13 We could cover everybody really easily.
 14 So please think about it, and all you
 15 really have to do is shoot me an email and say,
 16 "I'd be interested," and then in a future Council
 17 meeting, we'll replace Connor. But I'd like to
 18 replace Connor before he goes, so we know who is
 19 going to jump in.
 20 And then I think we can, as long as
 21 we're not going to have a quorum issue at one of
 22 the next meetings, we sometimes can put that
 23 person in to sit through a staffing first.
 24 COUNCIL MEMBER THOMAS: We've done that
 25 before.

35
 1 CHAIR SLAUGHTER: So that's what I'd
 2 like to do, so you get a little on-the-job
 3 training, which you're going to be fine with Jim
 4 and Bill. They're going to be able to walk you
 5 through. It's not going to be a problem if you
 6 don't, but --
 7 MR. ALLRED: Bill is smiling.
 8 CHAIR SLAUGHTER: So --
 9 MR. BILL SMITH: I'm actually laughing
 10 but I had mute on.
 11 CHAIR SLAUGHTER: I need a motion to
 12 take Wyatt Glade off of the Coroner Committee, add
 13 Shellie to both Curriculum Review and ARM, and
 14 Anthony Hutchings to Curriculum Review.
 15 MR. ALLRED: And remove E.J.
 16 CHAIR SLAUGHTER: And remove E.J. Clark
 17 from Business Plan. Can I have a motion on that?
 18 MR. SEGREST: And remove Bill Smith from
 19 ARM and Curriculum.
 20 CHAIR SLAUGHTER: I'm sorry. I didn't
 21 say that. Do I have to say that, too? How about
 22 I redo the motion. I need a motion to remove E.J.
 23 Clark from Business Plan and Policy; and remove
 24 Wyatt Glade from Coroner; to replace Bill Smith
 25 with Anthony Hutchings on Curriculum Review; to

36
 1 replace Bill Smith with Shellie on ARM; and for
 2 Shellie to fill the vacancy on Curriculum Review.
 3 COUNCIL MEMBER KRAFT: This is Chief
 4 Kraft. I so move.
 5 CHAIR SLAUGHTER: Chief Kraft makes the
 6 motion. Can I get a second.
 7 COUNCIL MEMBER THOMAS: This is Jim. I
 8 second it.
 9 CHAIR SLAUGHTER: We have a second. Any
 10 further discussion on these Curriculum Committee
 11 appointments?
 12 (No response)
 13 CHAIR SLAUGHTER: Hearing none, all in
 14 favor signify by saying aye.
 15 (Response)
 16 CHAIR SLAUGHTER: Opposed, same sign.
 17 (No response)
 18 CHAIR SLAUGHTER: Motion carries. Thank
 19 you all so much for stepping up and serving. I
 20 really appreciate it. Shellie, thanks for being
 21 the new person, and jumping in. That's awesome.
 22 MR. ALLRED: Joel and Kim are both here
 23 for the Public Safety Communicator, and I think
 24 after that we could go to a break.
 25 CHAIR SLAUGHTER: Sure. Sounds good.

37

1 So we need to have Joel and Kim discuss the Public
2 Safety Communicator Basic syllabus.

3 MR. WENDLAND: I'm just going to
4 introduce Kim Much. She's here to discuss the
5 changes on the Public Safety Communicators
6 courses, and I will let her speak for that.

7 MS. MUCH: Anybody know Bill Westfall?
8 I'm sitting in that training right now.

9 COUNCIL MEMBER BRADY: We lost sound
10 again I think. We can't really hear anything.

11 MS. MUCH: Can you hear better now? So
12 a couple of changes to bring PSC kind of up to the
13 CDOB and LEOB levels, which is we want to take
14 eight hours of in-person and put it online. It
15 would be the four classes are cultural awareness,
16 sexual harassment, risk management, and ethics.

17 They were chosen because they're, of the
18 course, kind of the least that need a lot of
19 discussion around them, but you can read and
20 understand through the learning module that NLEA
21 has, and that having that coming in, ethics and
22 risk management is sprinkled throughout most of
23 the foundational classes, so we can talk about
24 liability, and call taking, and liability and
25 those things. So putting them online, they would

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1 have thirty days to complete that time before they
2 start the Academy.

3 The other changes, right now we have a
4 Text to 911 class, and when this was added I think
5 a couple of years ago, Text to 911 was still
6 fairly new. It has since become an expectation.
7 There's only a handful of the counties in the
8 state -- I think three or four -- that don't have
9 it.

10 Combine that with that we teach N0911,
11 which brings in all the multi media of the
12 completeness of it, it's kind of tag teamed. So
13 what I'd like to do is take Text to 911 out,
14 incorporate that into call taking as a
15 foundational -- you can't ignore a text -- and
16 then introduce something that NLEA has been doing
17 over the last six months, which is a new
18 resilience course, so they would get two hours of
19 resilience training for first responders instead
20 of that, if that makes sense. So those are the
21 changes.

22 CHAIR SLAUGHTER: Okay. So Timothy,
23 what do we need to do on that?

24 MR. ALLRED: So you just need to -- if
25 there's any questions, you need a motion to

39

1 approve the changes to basic. I will say this.
2 In my conversation with Kim, so you're aware, so
3 currently they're expected to be in class for 80
4 hours. Now they will be in class for 72 hours and
5 have eight hours online. So they'll be getting
6 the same amount of time, it's just they're
7 changing it up and they're allowing travel time to
8 be a little different, so they don't travel on
9 Sunday, they can travel Monday morning and be here
10 and whatnot, so --

11 MS. MUCH: Yes.

12 CHAIR SLAUGHTER: Do we have a motion to
13 approve the Public Safety Communicator Basic
14 course?

15 COUNCIL MEMBER THOMAS: This is Jim. I
16 make a motion that we approve the PSC Basic course
17 curriculum.

18 CHAIR SLAUGHTER: Can I get a second?

19 COUNCIL MEMBER KRAFT: Chief Kraft.
20 I'll second.

21 CHAIR SLAUGHTER: Thanks, Chief. Any
22 discussions on the PSC Basic course and the
23 proposed changes?

24 (No response)

25 CHAIR SLAUGHTER: I think they're great.

40

1 I think you're good.

2 COUNCIL MEMBER THOMAS: Toll Westfall I
3 said hello.

4 MS. MUCH: I will.

5 CHAIR SLAUGHTER: All those in favor of
6 the proposed changes, signify by saying aye.

7 (Response)

8 CHAIR SLAUGHTER: Opposed, same sign.

9 (No response)

10 CHAIR SLAUGHTER: Motion carries. Thank
11 you. Let's take a 15 minute break at this time.

12 (Recess taken)

13 CHAIR SLAUGHTER: We're back from a
14 break, and we're back on the record, and we're
15 going to go to Timothy for IADLEST national
16 certified training program, Pages 67 through 80.

17 MR. ALLRED: Thanks. Can everybody hear
18 me online? Okay. I was in the Western Directors
19 Region Training. I appeared by Zoom last month.
20 And they had it down in California. It was very
21 good to be there, and to listen, and hear from
22 peers around the state.

23 One thing they started talking a lot
24 about was the national certified training program
25 that 36 different states have adopted. This is a

41
1 -- and you can read the information here. I
2 provided it all.
3 But I believe in 2015 IADLEST went
4 around, and they realized that -- and IADLEST
5 stands for International Associations of Directors
6 Law Enforcement Standards and Training.
7 But they went around and started talking
8 to several states about different trainings that
9 they preapprove, and they found that it was very
10 inconsistent, and that they didn't have the staff
11 to properly, to review and even like look at
12 trainings to make sure it met the requirements for
13 certain standards, and those kind of things.
14 So they created their own national
15 certified program, and 36 states have taken part
16 in this. There's over, it says in here there's
17 over 150 exports, but there's over 200 now.
18 And every two years they will review any
19 of the programs that have been preapproved, or
20 initially they'll approve them. All these
21 experts, they go through, they have quite a matrix
22 that they go through. I was going to put it in
23 here, but I thought it was going to be too much,
24 but they have like a big checklist, and they
25 require several different things.

42
1 One thing I liked when Nevada was
2 speaking there, their Director, is when anybody
3 like a vendor calls them and says, "Hey, we want
4 POST to preapprove us," they say, "We support NCP,
5 and that's who we go through. So if you want us
6 to have it preapproved, you need to go through
7 National Certified Programming." And then they
8 will actually go through it.
9 It doesn't cost POST any money, but they
10 do have the fee for those who are putting their
11 programs on their website, and then also for those
12 that take the training. But if you look in here,
13 there's over 300 different trainings that have
14 been preapproved, and they, like I said, they will
15 go through every two years and make sure that it
16 meets the requirements of their matrix. They
17 collect and keep all the documentation.
18 So what we discussed as POST staff is
19 that we would create a separate form, if this is
20 approved by the Council, and they would just
21 have one form to fill out, or just one page, and
22 on there they would just note this was already
23 approved by NCP. They wouldn't need to create --
24 they wouldn't need to keep any of the forms or
25 documents because if that's ever needed, you would

43
1 just request that from NCP, and they will provide
2 it. They'll keep all that stuff.
3 Right now on our website we have -- I
4 don't know. I think I counted one time -- but 20
5 some preapproved trainings, and some of them were
6 preapproved years and years ago, and we stopped
7 kind of doing it because we didn't have the time
8 to go through and evaluate those, and what kind of
9 system we have, and when people call, what's our
10 process on that, and making sure it's current, and
11 approving those trainings.
12 So we have old ones that are on there,
13 that I don't even know if -- some of them, when I
14 clicked on the links, they're still not even up to
15 date. Some of them still are.
16 But what I'm proposing to the Council --
17 I know this is kind of, going through this --
18 there's a lot to take in. But what I'm proposing
19 to the Council is that they would consider
20 adopting NCP. What it means is that we would
21 adopt -- it says preapproved training. And
22 officers could, like we said, just fill out that
23 one form page, it's all preapproved, and then NCP
24 will keep that documentation.
25 We will put a link on our website so

44
1 they can go to it, that's where it's at. We'll
2 remove all of our preapproved trainings except for
3 CJIM, because that's kind of separate, but we'll
4 remove that.
5 And that way for me, when vendors call,
6 we have a process to where we're not just saying
7 we're not approving, but we can trust the process
8 that's going through. If we did approve this, we
9 would be the 37th state to do this. To me it
10 makes sense.
11 This doesn't limit at all other
12 training. So Chief Kraft, if you had a training
13 you wanted to take, one of your officers or
14 yourself, that was not in IADLEST that's
15 preapproved, you would just fill out the form like
16 you're currently doing.
17 But anybody can look through, any public
18 safety officer can look through all these
19 different, 300 different classes, and already know
20 that it's preapproved training, and that it's been
21 vetted, and that it's been certified, and they
22 have a water mark on there it's been certified.
23 And so if we do approve it, I was going
24 to send an email to all agencies, and then they
25 would be able to see this list of different

45

1 classes, they would get a link. Like I said, we'd
 2 put it on our website, and those kind of things as
 3 well.

4 So anyway, Chair Slaughter, that's what
 5 I have to say about NCP.

6 CHAIR SLAUGHTER: So this list would be
 7 on here, then you -- just visually I want to know
 8 how it works. So you click on this, and all those
 9 courses are on there. And then do they have
 10 hyperlinks to their websites to go to their
 11 courses and stuff like that?

12 MR. ALLRED: Yes.

13 CHAIR SLAUGHTER: Okay. Cool. And then
 14 you know if you travel, or you bring them here to
 15 Montana, you're going to do --

16 MR. ALLRED: It's all preapproved, yes.

17 CHAIR SLAUGHTER: I think it's a no
 18 brainer.

19 COUNCIL MEMBER KRAFT: I think it's a
 20 great idea, because we'd had some brief
 21 conversations maybe a year or so ago. There's
 22 some training, online training put on by US
 23 Department of Justice, and they were inquiring of
 24 me about how to get them POST approved, and so I
 25 think having a process like, "Look over here.

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1 This is how it works."

2 MR. SECREST: Nationally.

3 COUNCIL MEMBER KRAFT: Makes a ton of
 4 sense.

5 CHAIR SLAUGHTER: Who foots the bill on
 6 this, is the companies pay those guys?

7 MR. ALLRED: Yes, they have an
 8 application process.

9 CHAIR SLAUGHTER: To be registered,
 10 right? Now they obviously pay fees, and that's
 11 how they got funded to be listed on here, and we
 12 don't pay anything.

13 MR. ALLRED: Huh-uh.

14 CHAIR SLAUGHTER: So it's really just a
 15 free resource for us.

16 MR. ALLRED: Yes, and they have
 17 auditors, and everything that goes through all
 18 that stuff, and keeps all the documentation.

19 CHAIR SLAUGHTER: I'll entertain a
 20 motion to approve the IADLEST national certified
 21 training program.

22 COUNCIL MEMBER KRAFT: So I move.

23 CHAIR SLAUGHTER: Chief Kraft makes that
 24 motion. Can I get a second?

25 COUNCIL MEMBER THOMAS: Jim Thomas. I

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1 second.

2 CHAIR SLAUGHTER: Now I have a motion
 3 and a second on the floor. Do we have any
 4 discussion about this? Questions, comments,
 5 concerns?

6 Kristine, do you have a question?

7 COUNCIL MEMBER WHITE: No.

8 CHAIR SLAUGHTER: Sorry. You unmuted
 9 yourself, so I thought that's what it was.

10 COUNCIL MEMBER WHITE: I unmuted so I
 11 could vote.

12 CHAIR SLAUGHTER: All those in favor,
 13 signify by saying aye.

14 (Response)

15 CHAIR SLAUGHTER: Opposed, same sign.

16 (No response)

17 CHAIR SLAUGHTER: Motion carries. There
 18 you go, Director.

19 MR. ALLRED: I appreciate that as well.
 20 This to me just made perfect sense.

21 CHAIR SLAUGHTER: The next item is
 22 public information request on Page 81. Director
 23 Allred.

24 MR. ALLRED: So this, in conversations
 25 with POST staff and Stuart, this came out of --

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1 Last year in a Council meeting, the Council went
 2 into executive session, and they discussed what
 3 they would release as public information when we
 4 receive requests from different agencies asking
 5 for lists of like all public safety officers in
 6 the state of Montana.

7 We had several different discussions
 8 with that in previous Council meetings, and
 9 there's some history behind that. And what came
 10 about in that meeting was the Council approved
 11 what we would release. And so Katrina and I and
 12 Stuart, whenever we would receive a request, we
 13 basically went back to what the Council approved
 14 in last year's Council meeting.

15 But discussing this, we just felt like
 16 we need guidelines, instead of just saying, "The
 17 Council approved this back," such and such, so we
 18 basically tried to take the language. We didn't
 19 try. We took the language that was previously
 20 approved, and put that into guidelines. And so
 21 like if anybody wants to know our policy or
 22 procedure for that, this is what it would be.

23 And so there is one spot where -- just
 24 for your information on Page 81, where it says,
 25 "Request for an officers list of other exported

1 information." On the line where it says, "An⁴⁹
2 officer may be identified," it's supposed to be
3 deidentified, by a randomly generated identified
4 number.
5 MR. SEGREST: Opposite. The first is,
6 "Officers may be identified by a randomly
7 generated and deidentified number."
8 MR. ALLRED: Okay. Anyway, that's the
9 error that we saw. But other than that, this is
10 the guidelines that we worked with with Legal to
11 take the -- like I said, like what the Council
12 previously approved, and kind of got that down on
13 a written policy for guidelines for staff who
14 usually provide that information, and also for the
15 Council, to say this is the actual, like what we
16 voted on previously, and this is what we approved
17 today.
18 MR. SEGREST: There's actually one other
19 change Katrina told me that didn't make it in from
20 the final version. So in that same paragraph we
21 were just looking at, the last sentence is, "POST
22 will not release any internal data entry
23 information."
24 So this is information such as CJ
25 numbers which are used to identify a particular

1 State employee, and it shows up on the data file.⁵⁰
2 So it's not any use to requestors, but it is
3 internal State data. So we removed that.
4 We didn't need the last part that might
5 be used to identify officers. It's really more
6 about internal stuff. So we just deleted
7 everything from that forward, so that last
8 sentence is just going to read, "POST will not
9 release any internal data entry information,"
10 period.
11 MR. ALLRED: We did make that change.
12 MR. SEGREST: One other thing I might
13 add, if I may, is the last paragraph is the
14 catch-all. We realize this is the things we
15 talked about with the Council, and the public
16 record requests we've answered, but there's going
17 to be unique situations in the future. So we
18 recognize that we can consult with -- obviously
19 POST staff can consult with Legal Counsel, but
20 also if needed, may provide, present the request
21 to the POST Council for review if additional
22 direction is needed.
23 CHAIR SLAUGHTER: Okay. Do I have a
24 motion to approve this public information request
25 policy?

1 COUNCIL MEMBER THOMAS: This is Jim⁵¹
2 Thomas. I make the motion to approve the public
3 information request policy.
4 CHAIR SLAUGHTER: Can I get a second?
5 COUNCIL MEMBER WHITE: This is Kristine.
6 I'll second.
7 CHAIR SLAUGHTER: Kristine White
8 seconds. Do we have any further discussion about
9 this policy?
10 MS. BOLGER: Mr. Chair, we have a
11 comment from a member of the public.
12 CHAIR SLAUGHTER: Okay.
13 MR. DAN SMITH: How do you want me to do
14 this, just like a committee hearing, or on the
15 comment? Dan Smith, Montana Police Protective
16 Association. Mr. Chair, members of the committee,
17 Dan Smith, S-M-I-T-H, and I'm with the Montana
18 Police Protective Association.
19 Basically I just wanted to comment on
20 the first paragraph. I think that needs a little
21 bit of clarity. That worries me. So a for
22 instance would be if an officer pulls over
23 somebody for speeding, can that person then run
24 down to POST? Is that a person that we would
25 release information to, and ask for all of the

1 officer's information?⁵²
2 I think that needs to be clarified. I
3 would have a request in these rules to add: If
4 you release an officer's information to any other
5 outside party, that officer be notified of that
6 release and who requested that release.
7 I mean we entrust POST with our
8 information, POST is a partner of ours, and if
9 you're going to give out our information, I think
10 it's only fair that you tell us you've given our
11 information to such an agency. So I guess those
12 are just my two cents.
13 CHAIR SLAUGHTER: Thanks, Dan. I
14 appreciate it.
15 MR. SEGREST: So I believe as to the
16 first paragraph -- Katrina, please correct me if
17 I'm wrong -- I think this is agency requests or
18 individual officers requests for transcripts.
19 MS. BOLGER: No. So typically in the
20 past it has been the practice of POST that if a
21 person calls and says, "I want John Smith's POST
22 transcript," we send them their certification,
23 employment, and training information. They do not
24 receive their dates of birth. We don't have
25 addresses. We don't provide any contact

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1 information. We don't provide anything like that.

2 But the information that they are an

3 officer, they already know they're an officer

4 because they're asking for their transcript by

5 name. But the typical requests are Public

6 Defender's Office, attorneys, private

7 investigators working on a lawsuit, that type of

8 thing.

9 And so to be blunt, if we notified every

10 officer every time we send out a transcript, we

11 would need a staff person to send out

12 notifications all day.

13 CHAIR SLAUGHTER: So Katrina, do they go

14 -- So let's attack this one bite at a time. So

15 basically the way I understand it from you and

16 Stuart is an individual officer's POST transcript

17 is public information, so therefore if it's

18 requested by anybody, it has to be released.

19 MS. BOLGER: That has been the Council's

20 interpretation of the law to this point.

21 MR. SEGREST: And so there would be no

22 privacy at that point for the individual officer

23 because, like Katrina said, the person already

24 knows --

25 MS. BOLGER: The person knows they're an

54

1 officer.

2 CHAIR SLAUGHTER: And we've already gone

3 down this road with the fact that certain people

4 could be redacted due to undercover statuses and

5 all that type of stuff, so we already handle all

6 that.

7 MS. BOLGER: Yes.

8 CHAIR SLAUGHTER: So I understand Dan's

9 question specifically, Dan's worried is you get

10 pulled over, you're just a member of the public,

11 you request a transcript, then you're going to get

12 it because it's public information.

13 MS. BOLGER: They're going to get their

14 employment information, their training

15 information, and their certification information.

16 That's it. Their name, and where they've worked,

17 they're certified, how much training they have.

18 MR. SEGREST: And that is currently

19 happening, by the way, so this isn't --

20 MS. BOLGER: It's been happening since

21 prior to my time at POST.

22 CHAIR SLAUGHTER: So then question No.

23 2, the second part of this -- I lost my train of

24 thought. Refresh my memory on the second part of

25 this.

55

1 MR. ALLRED: Notifying anybody.

2 CHAIR SLAUGHTER: So do we send out

3 these via email, those responses?

4 MS. BOLGER: Yes, typically.

5 CHAIR SLAUGHTER: So could we CC the

6 affected officer in an email?

7 MS. BOLGER: No. Many of those officers

8 are inactive. Many of them we don't have an email

9 for. I mean it's --

10 MR. ALLRED: What if we said we've made

11 a good faith effort? If we don't have their

12 information -- if they provided their emails to

13 POST -- because we have a data base where we have

14 emails, but we don't have everybody's email, and

15 they're not all active.

16 CHAIR SLAUGHTER: I would say it only

17 would apply to active. I mean if you're no longer

18 in the business, and you retired and you move to

19 south Florida, there's no way we can run and track

20 you down and notify you that someone requested

21 your records. That seems fair.

22 MS. BOLGER: I guess the issue would be

23 the education component of that, that you're

24 getting copied on these emails because of this,

25 and -- because I can totally see somebody being

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1 like, "Wait, what are you doing? Who are you?

2 Why am I getting -- what? What are you doing?"

3 and so to --

4 We would have to have some kind of an

5 outreach to people to say, "We've changed this.

6 We're now going to make an attempt to do this,"

7 because in the past if the Public Defender's

8 Office says, "I have a DUI case. Those are the

9 four officers that were at the DUI scene. I want

10 their transcripts," we just send them the four

11 transcripts.

12 MR. SEGREST: Does it also go to the

13 prosecutor or just to --

14 MS. BOLGER: Just to the Public

15 Defenders. They're not required to disclose that.

16 They're only required to disclose information

17 they're going to use.

18 CHAIR SLAUGHTER: Say that again so I

19 understand. What?

20 MS. BOLGER: In criminal defense

21 discovery is different, and so if the Public

22 Defender's Office gets a POST transcript, but

23 they're not going to use it at trial, then it

24 doesn't have to be given to the prosecution.

25 CHAIR SLAUGHTER: Oh, absolutely. I'm

tracking.

MS. BOLGER: But we do get civil subpoenas, and in that case that's more of an odd situation, and we are going to be contacting others. It is just in the case when somebody calls and says, "I want John Doe's transcript."

MR. DAN SMITH: Here's another way to phrase my request. If I'm an officer, and I contact POST, and ask, "For every time or who has access to my information over the years," do you guys keep track of that?

MS. BOLGER: I have every email that I've ever sent with a transcript attached to it.

CHAIR SLAUGHTER: Do you subject line it like "Dan Smith's transcript" when you send it?

MS. BOLGER: No. I can just do a search.

MR. ALLRED: To be honest, though, that would be cumbersome to go through every single thing, because we have four different staff, and we don't have a data base that tracks every -- we track the release of information, and we keep all the emails, but to put through and all of a sudden if we --

I don't know if Dan's asking the

transcript. Do you want it to look like you have training?"

MR. ALLRED: I don't think it's over -- If we have their email in our data base, I mean it does bring up questions that Katrina said, that -- like the question would be like, "Do we copy them on the request," or do we just forward it to them and say, "We received this request."

But then they will follow up question, "Well, what do they want?," and "We don't know what they want. They just requested your information."

MS. BOLGER: We don't get any sort of discretion on that.

MR. ALLRED: And so with the understanding that like if we did make a good faith effort, if it's in our data base, because sometimes even if they're active, we've got to email like three or four people to find emails, or you have to wait for somebody to respond, so --

CHAIR SLAUGHTER: What if we -- I agree. I mean here's the thing, is when I first worked for the Great Falls Police Department, not everybody had an email, so I didn't have an email you could email me at. Now that's a little bit

question like if it's just like once a year somebody is asking for that, but if we started getting like a large amount of those requests, that would be very time consuming.

And the question I would have for Stuart would be -- I just want to go back to -- for the Council to consider, too, on this -- is that would be more of a courtesy. That's not required by law, is what I understand. So I would like Stuart to kind of weigh in on that, if that's okay, Chair.

CHAIR SLAUGHTER: Oh, no. Absolutely. That's why we're having the discussion.

MR. SEGRETT: And you're referring to notifying the officer when their record is sent out?

MR. ALLRED: Correct.

MR. SEGRETT: I don't know that it would be required. I mean they know that POST has the information, and it's a public record request.

MS. BOLGER: I tell every Basic Academy when I talk to them that they're -- because they had talked about, "Why would I want to get POST credit for training? What the heck do I care?," and I'm like, "Well, anybody can have your

more different. Nowadays it's common.

But I'm sure there's still organizations out there that are small enough or that are big enough that they don't give all their people an email. I'm sure that exists in Montana. I wouldn't doubt it.

So what if -- How cumbersome would it be -- again, this is just a discussion. How cumbersome would it be to email the head of that organization? Like all of a sudden on Monday I got three emails that four of my Deputies and one of my Detention Officers had public information, that's my responsibility to send them out to my people and say, "Hey, guys, heads up. This is what we got from POST." Then you -- which you almost always have the heads of the organization in your data base. Again, I think it goes back to what Timothy said. It's a good faith effort. It's not a -- you know, because we run into issues all the time where the Chief or the Sheriff retires, and no one tells us.

MS. BOLGER: The difficulty is it's an individual privacy interest, and also if they have one, it would be individual, and also every agency is just a little bit different, as to like --

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1 Brooke knows who to contact for notices of
 2 appointment and termination because she's been
 3 doing the job. It's not always the Sheriff, it's
 4 not always the Chief.
 5 I know who I contact in the course of
 6 investigations because of the preferences of the
 7 agencies. Sometimes it's a Captain, sometimes
 8 it's a Chief, sometimes it's --
 9 CHAIR SLAUGHTER: So what if it's just
 10 that? We just notify the same person who we
 11 notify for appointments and terminations? And
 12 then again, there's still a huge educational
 13 component, but now we only have to educate the
 14 Chiefs and the Sheriffs because it's their
 15 responsibility.
 16 I mean as a Sheriff, if my people are
 17 getting requests pulled, I would want my people to
 18 know that. I would go the extra mile to say,
 19 "Hey, just heads up. This happened," because --
 20 MS. BOLGER: Tina is the one that does
 21 them, so --
 22 MS. STANDISH: I do some of them, too,
 23 but I don't think it's -- I mean it's a good thing
 24 to do to try, to try to reach out to them. I mean
 25 we don't have all the emails because we fairly

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1 recently just started getting emails from
 2 officers, but --
 3 MR. SECREST: What would be easier on
 4 your end? Would it be easier to notify the agency
 5 head or to notify the officer?
 6 MS. CRAMMER: The agency head.
 7 CHAIR SLAUGHTER: Well, and it's not
 8 even the agency head. It would be to notify the
 9 person that they notify for termination -- Like in
 10 my organization, it's possibly April, my executive
 11 assistant. So they would reach out to my
 12 executive assistant, and they would say -- because
 13 she's the one they contact all the time for
 14 appointments and terminations, so they would just
 15 hit her up --
 16 MR. SECREST: So your agency contact
 17 basically.
 18 CHAIR SLAUGHTER: Yes. Exactly.
 19 COUNCIL MEMBER THOMAS: Could we like
 20 give this a whirl, and maybe at the next meeting
 21 come back and see --
 22 CHAIR SLAUGHTER: -- how cumbersome it
 23 is, if it's really cumbersome?
 24 COUNCIL MEMBER THOMAS: -- going to work
 25 long term?

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1 MR. ALLRED: What I would request, or
 2 thought -- I know MPFA is in the room -- but as we
 3 go through this process, that this is soon like
 4 we're sending out this information, so I don't
 5 want all of a sudden an officer's like, "Oh, now
 6 everybody is requesting my information." This is
 7 something that's happened for a long time. This
 8 would be a new courtesy that we're sending out to
 9 make sure. It's not like all of a sudden there's
 10 more information being requested, we're just now
 11 including --
 12 MS. BOLGER: Make it clear that we
 13 didn't just start sending out transcripts.
 14 MR. ALLRED: And in this, also knowing
 15 that like we are required to provide this
 16 information, and we provide what we consider in
 17 our guidelines under direction to make sure it's
 18 clear that if they have any further questions or
 19 concerns with the defense attorney, or why they
 20 requested it, that would not be -- Like that's not
 21 for us to answer. We're not going to be like all
 22 of a sudden emailing the defense attorney, "Why
 23 did you request this information?" Does that make
 24 sense? Like it's not for us to find out what --
 25 CHAIR SLAUGHTER: No. Absolutely not.

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1 No. My thought is like -- I guess the premise on
 2 my thought is who is out there requesting your
 3 information, and why -- I'm sorry -- and the why
 4 you're probably going to know once you get it,
 5 because you're going to go, "Oh, yeah, I just had
 6 contact with that person" on this or whatever.
 7 But I mean I agree. First of all, I
 8 don't even believe there's any legal requirement
 9 for them to tell us. They could just do it
 10 because they're curious.
 11 MS. BOLGER: Nobody at the library asks
 12 you why you're checking out a book.
 13 MR. ALLRED: I think some language that
 14 could be put in here is that POST will make a good
 15 faith effort for active officers by notifying
 16 their agency --
 17 MS. BOLGER: -- their known agency
 18 contact.
 19 MR. ALLRED: -- their known agency
 20 contact.
 21 CHAIR SLAUGHTER: What about this,
 22 before we go down that road too far, just a
 23 suggestion. What about we not put any language in
 24 here, we just agree we're going to do it. We see
 25 what we're up against, and we vet it, and we see

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 1 where we're going, and put it on the agenda at the
 2 next Council meeting to adopt new language.
 3 Because we might find out that it's
 4 simpler that we're even thinking of it right now,
 5 or it's so confusing, 20 people get mad at us, we
 6 made a good faith to effort to try it, and then we
 7 can report back and say, "We tried, but those were
 8 the land mines."
 9 And I mean we just agree as a Council
 10 that we're going to -- as a staff -- I shouldn't
 11 even say a Council. We're asking the staff to try
 12 this, and then we'll put it on the agenda at,
 13 what, March's meeting -- and March's meeting to
 14 vote this and say, "Was this -- what was the lift?"
 15 And it's a great time because we're in a
 16 study right now where we're talking about things
 17 like funding, and requests, what different
 18 agencies are requesting of us, so it's kind of a
 19 really good time for us to do it, because it shows
 20 we're transparently trying hard to take care of
 21 our partners and try it, but maybe it's a whole
 22 FTE, and we're like, "It's a whole FTE to do
 23 this," and we're like, "Okay. Well, how important
 24 is it?"
 25 MS. BOLGER: And I just --

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 1 member of the public, I would feel a little weird
 2 about that. So I think like reaching out after
 3 the fact and saying, "Hey, I sent out these
 4 transcripts today to --"
 5 CHAIR SLAUGHTER: You could blind carbon
 6 copy them, too.
 7 MS. BOLGER: --- request."
 8 CHAIR SLAUGHTER: I'd just blind carbon
 9 copy them. Make that your guys' internal policy.
 10 MS. BOLGER: But you know the kind of
 11 people that I'm --
 12 CHAIR SLAUGHTER: Yeah, I know, but then
 13 it's more work --
 14 MS. BOLGER: -- the kind of issue --
 15 CHAIR SLAUGHTER: -- it's more work for
 16 you guys if you have to send the email, go back,
 17 and send another. Just blank them. Make it your
 18 internal policy that it's BCC'd out, just because
 19 Justice's information for them, the head of their
 20 agency, it's public information for them, too.
 21 But yeah, then you don't have that awkward
 22 exchange.
 23 MS. BOLGER: Well, there's just -- I
 24 know there are people that believe there's a good
 25 old boy society when it comes to law enforcement,

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 1 CHAIR SLAUGHTER: Do you know what I
 2 mean? Just figure it out.
 3 MR. ALLRED: This makes 100 percent --
 4 it makes sense to me 100 percent. And I agree
 5 with what you're saying. And I think this is a
 6 good courtesy, I think it's a good show of faith.
 7 I think -- The other day -- I don't think it's
 8 going to be too cumbersome.
 9 CHAIR SLAUGHTER: But we need to know,
 10 and we need to use this time to really --
 11 MR. ALLRED: I think what we need to
 12 discuss, though -- and we can maybe deal with this
 13 with just staff -- what will the practice be. Are
 14 we CC'ing them on the original email, we're
 15 providing it, or are we forwarding it after we
 16 send it and say, "We received this request, this
 17 is what was provided," and just leave it at that?
 18 CHAIR SLAUGHTER: I think you're
 19 forwarding it after, because your requirement to
 20 do your due diligence, it doesn't change.
 21 MS. BOLGER: Well, and we're going to
 22 get a lot of questions. Like say I'm Joe Citizen,
 23 I want Jane Doe's POST transcript. I'm entitled
 24 to it. It's public information. "Here you go,
 25 but I'm copying Jane Doe's Chief." Like as a

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 1 "when you're letting the Chief know what I'm doing
 2 because you're giving some kind of additional
 3 consideration," I guess. I don't know.
 4 CHAIR SLAUGHTER: Absolutely. I would
 5 say you blind CC it just to stop the conversation,
 6 because public information is public information.
 7 MR. ALLRED: I think it's a good thing.
 8 I think it's going to be pretty easy to do.
 9 CHAIR SLAUGHTER: Okay. We don't need
 10 to take executive action on that because that's
 11 just a staff internal trial process that we're
 12 going to deal with at the next Council meeting.
 13 MR. ALLRED: We can also just make it a
 14 practice. I mean if you want to put it in the
 15 future, but what we need to finish now is yeah, we
 16 agree with those guidelines.
 17 MR. SEGREST: With the two edits we
 18 mentioned at the beginning.
 19 CHAIR SLAUGHTER: Oh, before Dan talked?
 20 MR. SEGREST: Right, the deidentified
 21 and taking off that last sentence.
 22 CHAIR SLAUGHTER: So did we already do a
 23 motion on this?
 24 MR. SEGREST: Yes.
 25 CHAIR SLAUGHTER: Okay. We have a

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1 motion on the floor, and we also have had

2 discussion. Any further discussion on this?

3 (No response)

4 CHAIR SLAUGHTER: All those in favor,

5 signify by saying aye.

6 (Response)

7 CHAIR SLAUGHTER: Opposed, same sign.

8 (No response)

9 CHAIR SLAUGHTER: Motion carries. So

10 next is CDOB equivalency, and I just texted -- do

11 we see Jim on there?

12 MR. ALLRED: I don't see him. I can try

13 and call him.

14 CHAIR SLAUGHTER: He just said 20

15 minutes ago, "Can I jump on in 20, if that's

16 fine?"

17 MR. SEGREST: Good timing.

18 MR. ALLRED: If he's not on yet, I can

19 move into part of the Director report if you like.

20 CHAIR SLAUGHTER: Hang on real quick.

21 Let me just call him really fast. If he's ready.

22 I think he's going to have a short window. I

23 think he can jump on real quick, and then if not,

24 we'll -- it says he's joining right now.

25 (Council Member Anderson)

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1 present by phone)

2 COUNCIL MEMBER ANDERSON: Hi, Jesse.

3 CHAIR SLAUGHTER: Can you jump on now?

4 COUNCIL MEMBER ANDERSON: I can. I got

5 in my car, and we're driving, so we'll have that

6 going on. Could I call in like two minutes?

7 CHAIR SLAUGHTER: Why don't we just

8 leave you on the phone, and I'll put you next to

9 the speaker? Does that work? Because everybody

10 can hear you, Jim.

11 COUNCIL MEMBER ANDERSON: All right.

12 Hang on. Give me one second.

13 CHAIR SLAUGHTER: So for the record,

14 everybody in the room and online, Jim Anderson is

15 on speaker phone, and he's going to talk to the

16 CDOB equivalency changes on Page 82 through 85.

17 And when he starts talking, everybody

18 online give me a thumbs up if you can hear him.

19 Okay?

20 COUNCIL MEMBER ANDERSON: Can everybody

21 hear me?

22 CHAIR SLAUGHTER: Yes. Jim, go ahead.

23 They're going to give you a thumbs up if they can

24 hear you.

25 COUNCIL MEMBER ANDERSON: Perfect. And

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1 I can't hear anybody else really well, but I can

2 hear you, Sheriff, so you just tell me if --

3 CHAIR SLAUGHTER: I will. I'll relay.

4 Go ahead.

5 COUNCIL MEMBER ANDERSON: Okay.

6 Perfect. So I don't have the papers in front of

7 me, I'm driving, but I can just talk in general

8 about what we're seeking to do.

9 We are looking to as far as -- I guess

10 I'll reverse the need, I guess. What we're

11 looking at is a lot of retired law enforcement

12 officers that are looking to potentially work for

13 us as transportation officers, correctional

14 officers, and we're talking mostly retired folks

15 with 20 plus years of experience.

16 And currently there's no easy way for

17 them to transition from law enforcement officer to

18 correctional officer, and we're working with

19 Timothy and looking at it. It looks like

20 potentially that there needs to be an amendment to

21 the ARMs, and/or an interpretation of the ARMs. I

22 think Stuart was going to talk to us a little bit

23 about that.

24 But the hope is to have the ability to

25 have law enforcement officers challenge the

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1 correctional officer course, much like they do

2 from out of state, if they transfer from one state

3 to the other, to take the correctional officer

4 equivalency course.

5 And that's the request, and that's the

6 purpose for us looking to seek this change. And I

7 guess I'll hand it over to Stuart or Timothy about

8 what needs to occur for that to take place.

9 MR. ALLRED: Stuart drafted the memo, so

10 I'll let him --

11 MR. SEGREST: Thanks. So the question

12 is what do we need to do, if anything, to allow

13 Law Enforcement Officer Basic and P&P Basic to

14 qualify for CDOB equivalency, and because it's

15 actually not even a requirement in ARM, it is a

16 requirement in your own policy.

17 So you don't necessarily have to change

18 the ARM, but you do either need to interpret one

19 of your ARMs -- which I'll get into in a second --

20 or create a waiver for the specific basics.

21 So if you'll turn to Part 2, which is on

22 Page 84, there's a current ARM 23.13.205(6)(a),

23 and what it says is that no training hours for the

24 basic courses or legal equivalency courses may be

25 applied to any other certificate.

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So the way this has been understood and applied by POST is that basic training hours may not be used toward professional certificates, but that they may be used towards other basic certificates. So those professional advanced certificates, you can't redo it on those, but you do it for a separate different basic certificate.

So one option here would be to just say this is not a limit. The current policy allows it.

I think the better option is under three, what I call the waiver option, and this is to make it clear by changing your policy, and all you would have to do is vote on that because it is a policy of the Council.

So we're looking here at this is -- You see in No. 7 at the top of Page 85, this is from the policy on the CDOB basic. So it basically says if the officer's Basic Academy courses are not at least equivalent, POST may examine the officer's experience and ongoing training to determine training equivalency.

And then the suggested language is underlined to be added to address this issue, and that would be, "A detention correctional officer

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who has previously met the minimum training requirements for peace officers or Probation and Parole Officers may be approved for CDOB equivalency, provided that the officer has successfully completed a minimum of 16 hours of cell extraction training."

This is discussed in Part 3, Page 84. It seems the one obvious difference, or the one thing that isn't trained in law enforcement and P&P Basic is cell extraction. So you would be acknowledging that and requiring that that -- if that hasn't been undertaken by the officer, that they have to separately do that 16 hours of training.

And then you explain that under the ARM which we just discussed, those training hours may be used for basic, but not professional certificates.

So that would be my suggestion, and I'm happy to take questions.

CHAIR SLAUGHTER: The only quick question I have -- I think this is a great solution. The only question I have is so then you would still have an LEOB Basic and a CDOB Basic, you still have them both if you're within your 16

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months?

MR. ALLRED: So if I may, I want to go back just a little bit historical.

So in this memo -- and I will answer your question, Sheriff. In this memo, CDOB is the only one that's unique in the situation. LEOB is defined in law that it must be held at the Montana Law Enforcement Academy. P&P must be instructed by MLEA instructors. P&P must be held at a law enforcement academy or an approved location.

This is the only one that's specific in law, so this is, in this memo, gives us that a little bit of leeway. So if you have a retired officer who still has an active certificate, and hasn't expired -- so they still have their POST certificate in law enforcement, their basic POST certificate -- and they got hired by another agency to be a correction detention officer, they would be required within one year to complete CDOB.

Now I think you're referring to, like there's possibly for good cause they could get an extension, but within one year they're required to complete CDOB, and what that requirement would be is that we would look at -- that agency would fill

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out an equivalency application. We would see that equivalency application, see that they still have an active POST certificate in law enforcement or in Probation and Parole -- which was in here, because those two cover more than what CDOB covers. Those are the only two that were felt in there that described that.

If we looked at that, and they met that except for the cell extraction, that that equivalency could be approved upon completion of a POST approved 16 hour cell extraction and the EQ class, and the current EQ class for CDOB is just to challenge the test. They don't actually -- There's no really hours. They come in, they're given a book to study, and they challenge the test.

And so if they complete the 16 hours of cell extraction and EQ, then they would get their CDOB POST certificate.

MR. SEQUEST: So they would have two certificates.

MR. ALLRED: For the time, but the other one still could -- if the other one goes --

COUNCIL MEMBER THOMAS: It's not going to expire, right?

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1 CHAIR SLAUGHTER: So this is my
2 question, though, because I can see this argument
3 coming up, and I think we just need to have an
4 answer.

5 So I may retire, and I want to go do
6 transports for DOC as my retirement gig. So I
7 challenge the course, I pass, I take the 16 hour
8 coil extraction class. Does my LE basic still
9 expire after I've been out of the business for 16
10 months, or does my CDOB keep me active?

11 MR. ALLRED: It's not a stay.

12 MS. BOLGER: Only the reserve officer
13 stays your time, and that's per statute, if you
14 become a reserve officer as well.

15 CHAIR SLAUGHTER: I think that's great.
16 I just want clarity on that, because I can totally
17 see that becoming a thing where, "I did transports
18 for awhile. I'm good to go." So we need to --
19 no. Then it's easy.

20 MR. ALLRED: The thing I want to make
21 clear on this, too, was Stuart and I went through
22 this and Katrina. We just want to make it clear
23 that this -- the reason why we have the more
24 leeway is because CDOB is the only one that's not
25 applying.

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1 So we want to make it clear that if all
2 of a sudden agencies are, "I'm going to use my
3 time here and here," those ones are defined in law
4 and specific to their discipline, and this one was
5 felt that with the current training, they've
6 already had the required training except for what
7 was also previously discussed, and so we felt that
8 they would be able to challenge that EQ.

9 CHAIR SLAUGHTER: Any further discussion
10 on this?

11 COUNCIL MEMBER KRAFT: Mr. Chair, just a
12 quick question. The 16 hour coil extraction
13 training, as you see it, that would be on the
14 agency requesting? We're not making any sort of
15 mandate on the Academy to handle that?

16 MR. ALLRED: Good question. I've
17 reached out to Joel, and he said that as long as
18 it's not like too many at one time, if we just
19 have a few here and there, he has no problem with
20 them actually joining the current CDOB class and
21 taking that, but a lot of agencies -- I was
22 talking to Sheriff Slaughter about this yesterday
23 -- if they did a POST approved coil extraction at
24 their own agency that was 16 hours, that would
25 also count, too.

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1 COUNCIL MEMBER KRAFT: That answers my
2 question. Thank you.

3 CHAIR SLAUGHTER: Any further
4 discussion? Online?

5 (No response)

6 CHAIR SLAUGHTER: With that said, do I
7 have a motion? And I guess we need to be specific
8 if we want to do the training, that would be the
9 waiver option, right, or the training limitation?

10 MR. SEGREST: The waiver option.

11 CHAIR SLAUGHTER: So a motion to approve
12 the waiver option, which is Subsection (3) on Page
13 84.

14 MR. SEGREST: And to adopt the language.

15 COUNCIL MEMBER ANDERSON: I can make
16 that motion, Jesse. I can't hear super well, but
17 I can make the motion.

18 CHAIR SLAUGHTER: All right. Thanks,
19 Jim. Do I have a second?

20 COUNCIL MEMBER THOMAS: Jim Thomas. I
21 second it.

22 CHAIR SLAUGHTER: Any further discussion
23 on this matter?

24 (No response)

25 CHAIR SLAUGHTER: Hearing none, all

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1 those in favor, signify by saying aye.

2 (Response)

3 CHAIR SLAUGHTER: Opposed, same sign.

4 (No response)

5 CHAIR SLAUGHTER: Motion carries. Copy
6 that, Jim?

7 COUNCIL MEMBER ANDERSON: Yes. Thank
8 you, everybody. Sorry I couldn't be here today.
9 I'm in Atlanta for a conference. But I appreciate
10 it.

11 CHAIR SLAUGHTER: That's okay. Thanks
12 for hopping on the phone. I appreciate it.

13 COUNCIL MEMBER ANDERSON: Thanks very
14 much.

15 (Council Member Anderson not present)

16 CHAIR SLAUGHTER: Director's report.
17 Timothy, you're up.

18 MR. ALLRED: Thank you. Thank you,
19 Council, for the POST staff, and everybody in the
20 room and online for participating today, and for
21 all this. There's been a lot that's went into
22 this meeting. There's a lot that goes into every
23 meeting, but there was a lot to go into this
24 meeting to make sure that we were prepared and
25 ready for today.

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1 I'm grateful for everybody, grateful
2 that POST is continuing to grow and learn, and
3 become better, and I feel like we're in a good
4 place. And I appreciate the Chair. He's been
5 very, very active with the Law and Justice
6 Committee, and for every Council member.
7 We've had an active year. I gave Chair
8 Slaughter a list of things that we've completed in
9 the year, and there's been a number of them that
10 we've worked through. And when we were talking
11 about the Curriculum Committees, and Business Plan
12 Committees, and ARM Committee, and all those
13 different things, and Coroner Committee, and
14 creating the Executive Committee, and I mean there
15 was just a list of things that we moved forward.
16 And I think it's been a very busy year, but a very
17 productive year, and I'm grateful for that.
18 I just want to say something. Chad
19 McFadden just walked in the room. Some of you
20 heard at break, but Bill, and Shellie, and
21 Kristino, and Jess, and Kimberly, Chad is here.
22 He's been doing investigations today. He's a
23 great asset to our team. I'm grateful for him.
24 I'm not trying to say this to just be a
25 cliché, but I love the staff. I'm so grateful for

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1 Tina, and for Brooke, and Katrina, and Chad. We
2 couldn't do it without having a team.
3 There's a lot that goes on. I mean you
4 can see all these different things, and
5 discussions, and trying to think of every possible
6 outcome, or things that come up, or working with
7 others. It wouldn't work without having a
8 committed staff, and I appreciate them, and I wish
9 I had a better vocabulary to express my gratitude
10 towards them. We're asked to do a lot, and we do
11 it.
12 So in the Director's report, you can see
13 our budget. I know it's just the numbers right
14 there, you understand, but our budget is \$619,000
15 per year, and when this was printed off, it shows
16 what we've currently spent.
17 We've been doing a good job. We're able
18 to approve a modified position within our current
19 budget, and that's Chad's position, but what that
20 requires us to do is to make sure that we're
21 fiscally conservative, not only with how we spend
22 things, but to be wise in how we move forward with
23 cases.
24 I've testified numerous times before the
25 Law and Justice Committee that our struggle now is

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1 that if we have somebody request a hearing, one
2 hearing could cost \$80,000 to \$200,000, just
3 depending on the -- I mean there's a ton that goes
4 into -- if there's a full hearing that goes into a
5 full trial.
6 And so the request has been that they
7 find some way to supplement us with income that we
8 have resources up to one FTE per year, and if we
9 only use .25, then we can only use funds for .25,
10 the other money wouldn't come to us, but that just
11 gives us to where --
12 There's going to be situations that we
13 run into that we have to hold officers
14 accountable, that they've done things, and they're
15 challenging it, and we have to go to a hearing.
16 And if every time we go to a hearing we go way
17 over budget, that's going to be -- you know what I
18 mean? That's not a good process either and a good
19 practice, and so we're trying to help that, and
20 create a solution for that.
21 But right now within our budget we're
22 doing very well. I mean very well. I mean we're
23 on, we're doing good, we're living within our
24 budget.
25 And so one thing I want to know is

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1 Katrina is doing an excellent job with Chad being
2 here, being a part-time investigator. The goal
3 would be right now -- it's busy, but it's allowing
4 her to function as a paralegal. When she's able
5 to function as a paralegal, and when Stuart wants
6 something done, he assigns it to Katrina, instead
7 of Stuart doing it himself, which saves POST legal
8 fees, a lot of legal fees. So that's really
9 helped, and that's the goal honestly, to be more
10 effective and use our resources that we have.
11 MR. SEGREST: Might as well have the
12 smarter person do it first, is the way I look at
13 it.
14 MR. ALLRED: On the very back of your
15 book is the proposed calendar that we have for
16 2024 for meetings. We did every third month, so
17 it would be March, June, September, and December,
18 and be the first Wednesday. So it would be March
19 6th, June 5th, September 4th, and December 4th.
20 What I recommend to the committee is
21 that we do two in person and two by Teams, like
22 today is by Teams, but a lot of people show up
23 anyway, or they're here; or vice versa there's
24 times where they're on Teams and we're doing in
25 person.

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1 But I would recommend that we just -- my
2 recommendation is we do March in person, and
3 September in person, and do a June by Teams and
4 December by Teams, or vice versa. But that's the
5 first order that I wanted to bring to the Chair
6 and to the Council is to approve those next
7 meetings, and to -- I think just right off the
8 bat, so that we don't have to ask each time.
9 We know if they're on Teams or in person. So
10 Chair.

11 CHAIR SLAUGHTER: I'm good with that.
12 Do we need to take executive action on that, or do
13 we need to have a discussion? I think just have a
14 discussion. Is everyone good with that? March in
15 person, June on Teams, September in person,
16 December on Teams?

17 COUNCIL MEMBER EDWARDS: I'm good with
18 that.

19 CHAIR SLAUGHTER: I think it's smart
20 because June is the beginning of summer, people
21 are busy taking vacations, so they could probably
22 jump on Teams easier; and when we get close to
23 Christmas, I think it's good idea, too. So
24 Director, we're good.

25 MR. ALLRED: All right. Thank you. The

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1 next thing, you just kind of see some of our
2 numbers. We run these on a quarter, so those are
3 the third quarter reports that you have, and then
4 at our next Council meeting, you'll have the end
5 of 2023 report in March that you'll get.

6 But you can see like different things
7 that POST has been doing that we received,
8 information requests that we have, equivalencies
9 that have been granted, and extended, and approved
10 training hours.

11 I referenced this at the beginning, but
12 on December 1st we received an email from Wyatt
13 Glade stating that he's no longer a member of
14 POST, and to remove him from our list. And so I
15 know that that is a Board of Crime Control
16 recommended position, and so I believe Leo is
17 working on -- with the Governor to have somebody
18 that they recommend fill that position, as far as
19 I know at this current time. I don't know the
20 status or where that's currently at, but we'll
21 work to get that filled as soon as possible.

22 You met Joel, you know Joel from the --
23 Joel Wendland from the Academy. Next week we're
24 going to be kind of doing a traveling together.
25 First we're stopping in Townsend, and then we're

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1 heading to Bozeman.

2 While we're in Bozeman we're going to
3 have lunch with the Gallatin County College MSU
4 there. They're the ones that are trying to create
5 like an equivalency basic. They've invited the
6 Chief there, the Sheriff there, Undersheriff, the
7 Campus Police Chief there as well. So then we're
8 going to meet with them for about four hours.
9 They're going to show us their campus, where
10 they're going to be doing their training, those
11 kinds of things like that.

12 Just so you know, they did -- they are
13 going to be possibly looking to change the MCA
14 rule. They're hoping that somehow that in law
15 where it states the Academy has to be held at
16 MLEA, that it could say something like to the
17 effect "or an approved location that is endorsed
18 by MLEA and audited by MLEA as approved by the
19 Council," something to that effect, but they are
20 going to be looking to do some change in language,
21 and I know that several other agencies have spoke
22 about that, because they feel restricted.

23 When I was at the Director's meeting,
24 everybody that I heard speak about colleges, the
25 academy that's run by the state, all the colleges

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1 are under them in some way or other. They're
2 audited by them, they're endorsed by them. And so
3 they weren't just like all these separate
4 academies doing all their own different things.

5 They had several academies. Some states
6 have like 20 colleges that have academies, but
7 they were overseen by one academy to make sure
8 that there's a standardized test, and the
9 objective performances are standardized.

10 And so that's just for thought. I don't
11 know the Council's thought on that, but if they --
12 but anyway, there's going to be more discussion on
13 that, and I think that would be my opinion. I
14 would like to know the Council's actual thoughts
15 on this. If they had something that the Law
16 Enforcement Basic has to be held at the Montana
17 Law Enforcement Academy, or another location that
18 is endorsed and audited by the Montana Law
19 Enforcement Academy as approved by POST.

20 And the added language would be, like I
21 just said, it's either endorsed or approved by the
22 Montana Law Enforcement Academy. To me that is
23 consistent with other states, and it gives also
24 these other agencies the ability to hire people
25 and have them go through before their -- you know,

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 1 they don't have to be -- or currently be an
 2 officer, and go through the college equivalency if
 3 they want to, or whatever may be.
 4 CHAIR SLAUGHTER: Thoughts?
 5 COUNCIL MEMBER BURDICK: Tim, this is
 6 Kimberly.
 7 CHAIR SLAUGHTER: Go ahead, Kimberly.
 8 COUNCIL MEMBER BURDICK: So this isn't
 9 the first time, I don't think, that we've talked
 10 about this, or really that it's even been done.
 11 Years ago, and I can't tell you how many
 12 years ago, the Public Safety, the Dispatcher Basic
 13 Academy was held in Miles City kind of as a test,
 14 I guess, if you will, and how successful that
 15 would be, the basic program, and it was very, very
 16 successful down in Miles City. It was held at the
 17 college there as well, and it never was held
 18 anywhere else after that, but that particular time
 19 it was successful.
 20 CHAIR SLAUGHTER: Thanks, Kimberly.
 21 COUNCIL MEMBER BRADY: I have some
 22 feedback.
 23 CHAIR SLAUGHTER: Go ahead, Shellie.
 24 COUNCIL MEMBER BRADY: This is Shellie.
 25 So our Basic Academy, we started at the Law

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 1 Enforcement Academy, and then POST had made the
 2 decision to move our Academy to Glendive at their
 3 community college for two years, and it was
 4 absolutely horrendous. So it was poorly run. The
 5 guy in charge of the Academy honestly didn't even
 6 know what our role and our position was, so that
 7 was not successful.
 8 I think if this is something -- I think
 9 it's a good idea, because every agency has a hard
 10 time sending however many people they need to once
 11 a year, however many times our Academy is held,
 12 but I think that --
 13 I don't know if that discussion has
 14 already been had with MLEA, if they have the staff
 15 and the time to really audit and make sure those
 16 off site academies are in compliance, and are up
 17 to their standards. I think that's a big
 18 discussion to have.
 19 MR. ALLRED: Yes. If I may. Shellie,
 20 this has been a discussion with the Academy for
 21 about -- Well, on this specific, Gallatin County,
 22 for about two years now. And they've went down
 23 there previously, and they've met with them
 24 before.
 25 The Academy is very aware of it. They

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 1 actually brought this forward because it was a
 2 constant need that people were bringing up, and I
 3 think they were resistant at first, but they
 4 realized that this is something like people need
 5 and they want.
 6 And this would be just for Law
 7 Enforcement Officer Basic. Those Academies are
 8 looking -- We're just talking about like in
 9 7-32-303 where it specifies that a Law Enforcement
 10 Officer Basic must be held at the Academy.
 11 There's no open there.
 12 Probation and Parole or Misdemeanor has
 13 to be held at the Law Enforcement Academy or
 14 another location approved by POST, and that's kind
 15 of a different subject, but I think it's
 16 definitely one worth noting, like you said,
 17 because if they're not audited or approved by MLEA
 18 or endorsed, then they can kind of do whatever
 19 they want, and that's --
 20 Every state has that umbrella, somebody
 21 making sure. And so I know that in your question
 22 is does MLEA have enough staff, if this moves
 23 forward, in conversations with Joel, and he's
 24 having with the AG's office, that they would be
 25 requesting an additional, whether it would be one

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 1 or two FTE's as this grows, to make sure that they
 2 have the manpower to audit those, and make sure
 3 they're run correctly.
 4 And they would have subject matter
 5 experts, you know, that are over firearms, or
 6 whatever it may be, so they can go shoot down
 7 there and make sure that their defensive tactics
 8 or their scenarios are being run correctly.
 9 MR. SECREST: And I should explain, too.
 10 The Gallatin County College, the idea there is --
 11 and this was addressed in a prior POST meeting,
 12 and I wrote a memo on it which is in the record at
 13 some place.
 14 But the idea there, if there isn't a
 15 change in statute, is that the program would
 16 qualify for equivalency, not as the MLEA program
 17 itself. So the statutory change would allow the
 18 Law Enforcement Basic to actually be held on other
 19 campuses, which would be different.
 20 CHAIR SLAUGHTER: So that's an
 21 interesting point, because the advantage for
 22 qualifying for equivalency is you're definitely
 23 going to vet if they're doing a good job, because
 24 they're going to have to go through equivalency,
 25 and they won't be able to pass it if not.

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1 But I think the key is that as long as
 2 they go in a slow roll, maybe like one college at
 3 a time, get it up and built, have the proper FTE's
 4 for it, that would be fine. They'd be successful.
 5 Just as anecdotal side note, does
 6 Gallatin County have housing for people?
 7 MR. ALLRED: They do. Their goal is to
 8 run it on --
 9 CHAIR SLAUGHTER: Wouldn't be able to
 10 afford to go there.
 11 MR. ALLRED: They've been working on
 12 this for a long time, and they've already taken it
 13 to the board, they've already got their exact
 14 degree, they got credits for it. They were going
 15 to run in 2024 in the summer, but they want to do
 16 it right, and so they've actually -- they're going
 17 to start in summer of 2025.
 18 CHAIR SLAUGHTER: I think it's a great
 19 idea.
 20 MR. ALLRED: Everybody is aware that
 21 there needs to be extra staffing at MLEA if
 22 they're going to be auditing this, because Kelly
 23 Sherman has kind of been the one that's
 24 spearheaded this right now, but they have a
 25 subject matter who is actually going to go down

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1 there and measure the performance objectives, and
 2 their standardized tests, and those kind of
 3 things.
 4 But that's why the thought was if we had
 5 that language in there that it's still endorsed
 6 and audited by MLEA, it doesn't just all of a
 7 sudden open the door to everybody running whatever
 8 they want to run, which is right back to what
 9 Shellie's comment was, it would just be, you know,
 10 whatever.
 11 CHAIR SLAUGHTER: I agree.
 12 COUNCIL MEMBER KRAFT: So I have a
 13 question. So if this door is opened -- and I'm
 14 not being critical of Joel in any way -- but let's
 15 just, for the sake of argument, say that down the
 16 road another college is approved, but to Shellie's
 17 point, maybe the standards aren't being upheld as
 18 they probably should be.
 19 Do we as POST have any recourse, or is
 20 that just a conversation that we have with MLEA
 21 like, "Hey, something's not right over here"?
 22 MR. ALLRED: I think we have both. We
 23 have both. We have the ability to have a
 24 discussion with MLEA and say, "We're hearing these
 25 concerns. Are you going to address them? Because

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1 this endorsed academy is not running up to level
 2 that --"
 3 They should be running exactly the same
 4 as the Academy here, and then what we do is we
 5 bring it back up on the agenda, and if it's not
 6 being solved or they're not resolving the issue,
 7 or taking a serious look at it, then we cannot
 8 approve that, because the language that it is
 9 "endorsed and audited by MLEA," and then the comma
 10 would be -- which is still there-- "as approved by
 11 the Council."
 12 So we would still have the ability to --
 13 the goal would be to approve it. If we don't
 14 think that it's running sufficient, that we would
 15 not approve that anymore.
 16 COUNCIL MEMBER KRAFT: I think it's
 17 certainly something to look at. Having kind of a
 18 pressure valve for the Academy is good. But as
 19 somebody who is as far away from Helena as you can
 20 possibly get, many might think that I would be all
 21 for some sort of regional thing, but I really
 22 think what goes on here in Helena at this Academy,
 23 and the networking, and one training standard, I
 24 think that's super, super important, and I don't
 25 want to dilute that, I guess.

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1 MR. ALLRED: That's a concern. That's
 2 what Joel and I talked about. We feel, and we
 3 know that there's enough conversation, that a lot
 4 of people want this removed, that language. And
 5 so if you can -- If it's going to be -- do you
 6 know what I'm saying? Like if you can help move
 7 it into a direction that would be -- that's what
 8 we were trying to do is move it in a direction we
 9 feel would keep it under that umbrella of the
 10 Academy. But I totally get what you're saying.
 11 So I'm just meeting with them. And I
 12 was hoping to kind of like -- I don't want to
 13 speak for the Council and say these thoughts.
 14 They're going to want to know the Council's
 15 thoughts on this, and they're also asking Joel
 16 what the AG's office thoughts are on this. And so
 17 anyway, that's kind of where it's at.
 18 CHAIR SLAUGHTER: So I don't think we
 19 have a choice. I don't think there's enough
 20 government money to handle what's coming.
 21 Everybody is moving here. I mean we see that with
 22 the price of housing. I mean, you know, you can
 23 spend like \$300,000 and buy a shack right now. So
 24 I think --
 25 I don't think there's any way -- I

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1 realize some colleges are state colleges -- but
2 the public/private partnership is what we're going
3 to have to do to pivot to build to maintain public
4 safety.

5 I think the safeguards, the way you've
6 explained them, are there. The Curriculum
7 Committee obviously then would have to review
8 different curriculums. They should appear the
9 same, but they're still going to have to put forth
10 curriculums. So there's going to be oversight
11 from MLEA, oversight from POST.

12 So I think -- and they're going to have
13 to. They're going to be forced. One of the other
14 things they're going to be completely forced to do
15 -- which it sounds like they didn't do in
16 Glendive. It sounds like they failed on this.
17 You have to use adjunct, regional adjunct
18 instructors.

19 So if Rocky Mountain College is hosting
20 an academy, they're going to -- you know, some of
21 your people are going to have to come down for a
22 couple weeks and have to teach. There's no way
23 that college professors are going to be able to
24 carry the load on this. So regionally adjuncts
25 are going to have to step in.

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1 But the good news is is what the Academy
2 represents right now is they get a lot of adjuncts
3 from Helena and Great Falls, because it's close
4 for the travel, for us to come down and do it. So
5 what you're going to see, though, is you're going
6 to start to get people adjunct instructing from
7 other areas because it's close.

8 So I think that's going to be huge, and
9 I think that's going to really help. I don't
10 think we have a choice, because I've been to the
11 Legislature, and soon --

12 Like for example, this shooting range,
13 it's crazy. An indoor shooting range for a
14 professional state academy is a pie in the sky
15 idea because of the money. It's hard to get, for
16 them to get something like that even through. So
17 another Academy location, a bigger Academy, more
18 dorms, it's probably just not going to happen, and
19 what's going to happen is the demand for public
20 safety is going to overrun it. So I just don't
21 think we have a choice. I think we have to try.

22 Do we need a motion, or is it just like
23 "go forth and prosper"?

24 MR. ALLRED: I just don't want to speak
25 on behalf of the Council, for anybody online, and

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1 throw this idea. I just want to make sure like if
2 I say it, that I might be clear this isn't on the
3 part of me, but I just don't want to say --

4 To me, I agree with what Chief Kraft
5 said, because the goal would be to keep that
6 training, that high level professionalism, and
7 have that, and the only way that I see that we can
8 do that -- because I think this is going to
9 change, and if somebody wanted to strike it out.
10 And I think the way to do that is if there's
11 language in there that's endorsed by MLEA and
12 audited by MLEA, and I feel like that's where we
13 at least find that we still have some authority to
14 keep that consistency, and that's consistent with
15 other states.

16 CHAIR SLAUGHTER: That was actually the
17 proposal at the last session in the middle of the
18 session before they ran out of bills, is they had
19 a placeholder, and they were literally just going
20 to strike MLEA and call it a day. That's all they
21 wanted to do. We're like, "Ah, that's Pandora's
22 box."

23 So I guess let's do a motion to give
24 Director Allred some direction, so can we get a
25 motion on this to give him some direction?

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1 Timothy, do you want to give them some language so
2 that they --

3 MR. ALLRED: What I was just proposing
4 -- I have it right here -- but what I would say is
5 where in 7-32-303, where it says that the Academy,
6 the Law Enforcement Academy must be held at MLEA,
7 what I would suggest is adding language that it
8 would say, "or at another location that is
9 endorsed and audited by the Montana Law
10 Enforcement Academy," and then comma, "as approved
11 by the Council."

12 MR. SEGREST: But I mean the motion
13 wouldn't be -- you're not going to the Legislature
14 right now, so do you want them to give you
15 direction to --

16 CHAIR SLAUGHTER: He just doesn't want
17 to -- he makes to make --

18 MR. SEGREST: -- support that position?

19 CHAIR SLAUGHTER: He has executive
20 action to speak on our behalf.

21 MR. SEGREST: To support that change?

22 CHAIR SLAUGHTER: Yes. Can I get a
23 motion?

24 COUNCIL MEMBER THOMAS: This is Jim. I
25 move.

[illegible][illegible][illegible]

32.25	42.9	42.18	76.12	30.14	reached [3]
32.35	45.54	76.12	30.14	32.13	reaching [3]
32.45	47.54	76.12	30.14	32.13	reaching [3]
32.55	49.54	76.12	30.14	32.13	reaching [3]
33.05	50.54	76.12	30.14	32.13	reaching [3]
33.15	51.54	76.12	30.14	32.13	reaching [3]
33.25	52.54	76.12	30.14	32.13	reaching [3]
33.35	53.54	76.12	30.14	32.13	reaching [3]
33.45	54.54	76.12	30.14	32.13	reaching [3]
33.55	55.54	76.12	30.14	32.13	reaching [3]
34.05	56.54	76.12	30.14	32.13	reaching [3]
34.15	57.54	76.12	30.14	32.13	reaching [3]
34.25	58.54	76.12	30.14	32.13	reaching [3]
34.35	59.54	76.12	30.14	32.13	reaching [3]
34.45	60.54	76.12	30.14	32.13	reaching [3]
34.55	61.54	76.12	30.14	32.13	reaching [3]
35.05	62.54	76.12	30.14	32.13	reaching [3]
35.15	63.54	76.12	30.14	32.13	reaching [3]
35.25	64.54	76.12	30.14	32.13	reaching [3]
35.35	65.54	76.12	30.14	32.13	reaching [3]
35.45	66.54	76.12	30.14	32.13	reaching [3]
35.55	67.54	76.12	30.14	32.13	reaching [3]
36.05	68.54	76.12	30.14	32.13	reaching [3]
36.15	69.54	76.12	30.14	32.13	reaching [3]
36.25	70.54	76.12	30.14	32.13	reaching [3]
36.35	71.54	76.12	30.14	32.13	reaching [3]
36.45	72.54	76.12	30.14	32.13	reaching [3]
36.55	73.54	76.12	30.14	32.13	reaching [3]
37.05	74.54	76.12	30.14	32.13	reaching [3]
37.15	75.54	76.12	30.14	32.13	reaching [3]
37.25	76.54	76.12	30.14	32.13	reaching [3]
37.35	77.54	76.12	30.14	32.13	reaching [3]
37.45	78.54	76.12	30.14	32.13	reaching [3]
37.55	79.54	76.12	30.14	32.13	reaching [3]
38.05	80.54	76.12	30.14	32.13	reaching [3]
38.15	81.54	76.12	30.14	32.13	reaching [3]
38.25	82.54	76.12	30.14	32.13	reaching [3]
38.35	83.54	76.12	30.14	32.13	reaching [3]
38.45	84.54	76.12	30.14	32.13	reaching [3]
38.55	85.54	76.12	30.14	32.13	reaching [3]
39.05	86.54	76.12	30.14	32.13	reaching [3]
39.15	87.54	76.12	30.14	32.13	reaching [3]
39.25	88.54	76.12	30.14	32.13	reaching [3]
39.35	89.54	76.12	30.14	32.13	reaching [3]
39.45	90.54	76.12	30.14	32.13	reaching [3]
39.55	91.54	76.12	30.14	32.13	reaching [3]
40.05	92.54	76.12	30.14	32.13	reaching [3]
40.15	93.54	76.12	30.14	32.13	reaching [3]
40.25	94.54	76.12	30.14	32.13	reaching [3]
40.35	95.54	76.12	30.14	32.13	reaching [3]
40.45	96.54	76.12	30.14	32.13	reaching [3]
40.55	97.54	76.12	30.14	32.13	reaching [3]
41.05	98.54	76.12	30.14	32.13	reaching [3]
41.15	99.54	76.12	30.14	32.13	reaching [3]
41.25	100.54	76.12	30.14	32.13	reaching [3]
41.35	101.54	76.12	30.14	32.13	reaching [3]
41.45	102.54	76.12	30.14	32.13	reaching [3]
41.55	103.54	76.12	30.14	32.13	reaching [3]
42.05	104.54	76.12	30.14	32.13	reaching [3]
42.15	105.54	76.12	30.14	32.13	reaching [3]
42.25	106.54	76.12	30.14	32.13	reaching [3]
42.35	107.54	76.12	30.14	32.13	reaching [3]
42.45	108.54	76.12	30.14	32.13	reaching [3]
42.55	109.54	76.12	30.14	32.13	reaching [3]
43.05	110.54	76.12	30.14	32.13	reaching [3]
43.15	111.54	76.12	30.14	32.13	reaching [3]
43.25	112.54	76.12	30.14	32.13	reaching [3]
43.35	113.54	76.12	30.14	32.13	reaching [3]
43.45	114.54	76.12	30.14	32.13	reaching [3]
43.55	115.54	76.12	30.14	32.13	reaching [3]
44.05	116.54	76.12	30.14	32.13	reaching [3]
44.15	117.54	76.12	30.14	32.13	reaching [3]
44.25	118.54	76.12	30.14	32.13	reaching [3]
44.35	119.54	76.12	30.14	32.13	reaching [3]
44.45	120.54	76.12	30.14	32.13	reaching [3]
44.55	121.54	76.12	30.14	32.13	reaching [3]
45.05	122.54	76.12	30.14	32.13	reaching [3]
45.15	123.54	76.12	30.14	32.13	reaching [3]
45.25	124.54	76.12	30.14	32.13	reaching [3]
45.35	125.54	76.12	30.14	32.13	reaching [3]
45.45	126.54	76.12	30.14	32.13	reaching [3]
45.55	127.54	76.12	30.14	32.13	reaching [3]
46.05	128.54	76.12	30.14	32.13	reaching [3]
46.15	129.54	76.12	30.14	32.13	reaching [3]
46.25	130.54	76.12	30.14	32.13	reaching [3]
46.35	131.54	76.12	30.14	32.13	reaching [3]
46.45	132.54	76.12	30.14	32.13	reaching [3]
46.55	133.54	76.12	30.14	32.13	reaching [3]
47.05	134.54	76.12	30.14	32.13	reaching [3]
47.15	135.54	76.12	30.14	32.13	reaching [3]
47.25	136.54	76.12	30.14	32.13	reaching [3]
47.35	137.54	76.12	30.14	32.13	reaching [3]
47.45	138.54	76.12	30.14	32.13	reaching [3]
47.55	139.54	76.12	30.14	32.13	reaching [3]
48.05	140.54	76.12	30.14	32.13	reaching [3]
48.15	141.54	76.12	30.14	32.13	reaching [3]
48.25	142.54	76.12	30.14	32.13	reaching [3]
48.35	143.54	76.12	30.14	32.13	reaching [3]
48.45	144.54	76.12	30.14	32.13	reaching [3]
48.55	145.54	76.12	30.14	32.13	reaching [3]
49.05	146.54	76.12	30.14	32.13	reaching [3]
49.15	147.54	76.12	30.14	32.13	reaching [3]
49.25	148.54	76.12	30.14	32.13	reaching [3]
49.35	149.54	76.12	30.14	32.13	reaching [3]
49.45	150.54	76.12	30.14	32.13	reaching [3]
49.55	151.54	76.12	30.14	32.13	reaching [3]
50.05	152.54	76.12	30.14	32.13	reaching [3]
50.15	153.54	76.12	30.14	32.13	reaching [3]
50.25	154.54	76.12	30.14	32.13	reaching [3]
50.35	155.54	76.12	30.14	32.13	reaching [3]
50.45	156.54	76.12	30.14	32.13	reaching [3]
50.55	157.54	76.12	30.14	32.13	reaching [3]
51.05	158.54	76.12	30.14	32.13	reaching [3]
51.15	159.54	76.12	30.14	32.13	reaching [3]
51.25	160.54	76.12	30.14	32.13	reaching [3]
51.35	161.54	76.12	30.14	32.13	reaching [3]
51.45	162.54	76.12	30.14	32.13	reaching [3]
51.55	163.54	76.12	30.14	32.13	reaching [3]
52.05	164.54	76.12	30.14	32.13	reaching [3]
52.15	165.54	76.12	30.14	32.13	reaching [3]
52.25	166.54	76.12	30.14	32.13	reaching [3]
52.35	167.54	76.12	30.14	32.13	reaching [3]
52.45	168.54	76.12	30.14	32.13	reaching [3]
52.55	169.54	76.12	30.14	32.13	reaching [3]
53.05	170.54	76.12	30.14	32.13	reaching [3]
53.15	171.54	76.12	30.14	32.13	reaching [3]
53.25	172.54	76.12	30.14	32.13	reaching [3]
53.35	173.54	76.12	30.14	32.13	reaching [3]
53.45	174.54	76.12	30.14	32.13	reaching [3]
53.55	175.54	76.12	30.14	32.13	reaching [3]
54.05	176.54	76.12	30.14	32.13	reaching [3]
54.15	177.54	76.12	30.14	32.13	reaching [3]
54.25	178.54	76.12	30.14	32.13	reaching [3]
54.35	179.54	76.12	30.14	32.13	reaching [3]
54.45	180.54	76.12	30.14	32.13	reaching [3]
54.55	181.54	76.12	30.14	32.13	reaching [3]
55.05	182.54	76.12	30.14	32.13	reaching [3]
55.15	183.54	76.12	30.14	32.13	reaching [3]
55.25	184.54	76.12	30.14	32.13	reaching [3]
55.35	185.54	76.12	30.14	32.13	reaching [3]
55.45	186.54	76.12	30.14	32.13	reaching [3]
55.55	187.54	76.12	30.14	32.13	reaching [3]
56.05	188.54	76.12	30.14	32.13	reaching [3]
56.15	189.54	76.12	30.14	32.13	reaching [3]
56.25	190.54	76.12	30.14	32.13	reaching [3]
56.35	191.54	76.12	30.14	32.13	reaching [3]
56.45	192.54	76.12	30.14	32.13	reaching [3]
56.55	193.54	76.12	30.14	32.13	reaching [3]
57.05	194.54	76.12	30.14	32.13	reaching [3]
57.15	195.54	76.12	30.14	32.13	reaching [3]
57.25	196.54	76.12	30.14	32.13	reaching [3]
57.35	197.54	76.12	30.14	32.13	reaching [3]
57.45	198.54	76.12	30.14	32.13	reaching [3]
57.55	199.54	76.12	30.14	32.13	reaching [3]
58.05	200.54	76.12	30.14	32.13	reaching [3]
58.15	201.54	76.12	30.14	32.13	reaching [3]
58.25	202.54	76.12	30.14	32.13	reaching [3]
58.35	203.54	76.12	30.14	32.13	reaching [3]
58.45	204.54	76.12	30.14	32.13	reaching [3]
58.55	205.54	76.12	30.14	32.13	reaching [3]
59.05	206.54	76.12	30.14	32.13	reaching [3]
59.15	207.54	76.12	30.14	32.13	reaching [3]
59.25	208.54	76.12	30.14	32.13	reaching [3]
59.35	209.54	76.12	30.14	32.13	reaching [3]
59.45	210.54	76.12	30.14	32.13	reaching [3]
59.55	211.54	76.12	30.14	32.13	reaching [3]
60.05	212.54	76.12	30.14	32.13	reaching [3]
60.15	213.54	76.12	30.14	32.13	reaching [3]
60.25	214.54	76.12	30.14	32.13	reaching [3]
60.35	215.54	76.12	30.14	32.13	reaching [3]
60.45	216.54	76.12	30.14	32.13	reaching [3]
60.55	217.54	76.12	30.14	32.13	reaching [3]
61.05	218.54	76.12	30.14	32.13	reaching [3]
61.15	219.54	76.12	30.14	32.13	reaching [3]
61.25	220.54	76.12	30.14	32.13	reaching [3]
61.35	221.54	76.12	30.14	32.13	reaching [3]
61.45	222.54	76.12	30.14	32.13	reaching [3]
61.55	223.54	76.12	30.14	32.13	reaching [3]
62.05	224.54	76.12	30.14	32.13	reaching [3]
62.15	225.54	76.12	30.14	32.13	reaching [3]
62.25	226.54	76.12	30.14	32.13	reaching [3]
62.35	227.54	76.12	30.14	32.13	reaching [3]
62.45	228.54	76.12	30.14	32.13	reaching [3]
62.55	229.54	76.12	30.14	32.13	reaching [3]
63.05	230.54	76.12	30.14	32.13	reaching [3]
63.15	231.54	76.12	30.14	32.13	reaching [3]
63.25	232.54	76.12	30.14	32.13	reaching [3]
63.35	233.54	76.12	30.14	32.13	reaching [3]
63.45	234.54	76.12	30.14	32.13	reaching [3]
63.55	235.54	76.12	30.14	32.13	reaching [3]
64.05	236.54	76.12	30.14	32.13	reaching [3]
64.15	237.54	76.12	30.14	32.13	reaching [3]
64.25	238.54	76.12	30.14	32.13	reaching [3]
64.35	239.54	76.12	30.14	32.13	reaching [3]
64.45	240.54</				

[illegible][illegible][illegible][illegible]

1 STATE OF MONTANA 1
2 BEFORE THE PUBLIC SAFETY OFFICER
3 STANDARDS AND TRAINING COUNCIL
4
5 IN THE MATTER OF ERIC) Case No. 21-66
6 STIGEN'S CERTIFICATE)
7 SUSPENSION AND SANCTION)
8
9 TRANSCRIPT OF PROCEEDINGS - ORAL ARGUMENT
10
11 Montana Law Enforcement Academy
12 2260 Sierra Road East
13 Helena, MT
14 December 6, 2023
15 9:38 a.m.
16
17 HEARD BEFORE SPECIAL MASTER STUART SEGREST
18
19
20 PREPARED BY: LAURIE CRUTCHER, RPR
21 COURT REPORTER, NOTARY PUBLIC
22 lauriecrutcher@gmail.com
23
24
25

1 BEFORE MONTANA POST COUNCIL: 2
2 Jesse Slaughter - Council Chair.
3 Jim Thomas, Mark Kraft, in person.
4 Bill Smith, Jess Edwards, Kristine White, Kimberly
5 Burdick, Shollie Brady via Teams
6
7 ATTORNEY APPEARING ON BEHALF OF POST COUNCIL:
8 CHAD R. VANISKO, ESQ. (Via Zoom)
9 Agency Legal Counsel
10 Montana POST Bureau
11 2260 Sierra Road East
12 Helena, Mt 59602
13 Telephone: (406) 444-3029
14 Email: chad.vanisko@mt.gov
15
16
17
18
19
20
21
22
23
24
25

1 WHEREUPON, the following proceedings were 3
2 had:
3
4 CHAIR SLAUGHTER: The next item on the
5 agenda is oral argument regarding Eric Stigen
6 pursuant to Administrative Rule 23.13.719
7 subsection (3). I have appointed Stuart Segrest
8 as Special Master. I've requested that Mr.
9 Segrest preside over the oral argument regarding
10 this case in order to ensure compliance with MAPA,
11 and to provide an orderly process. We will take a
12 short break before hearing this argument. Thank
13 you so much.
14 (Recess taken)
15 CHAIR SLAUGHTER: Stuart.
16 SPECIAL MASTER SEGREST: It looks like
17 Mr. Stigen is not joining us. He also did not
18 make any exceptions to the order on POST's motion
19 for summary judgment provided by the Hearing
20 Officer for this Council's consideration and
21 potential adoption.
22 As such we're not going to proceed with
23 argument, and instead I would just remind the
24 Council that those who have any conflicts with
25 this matter should not vote on it. I believe that

1 only includes Jim Thomas, who served on the Case 4
2 Status Committee when Mr. Stigen's case was
3 considered. So everybody else is able to vote.
4 You have the suggested summary judgment
5 order before you. It starts at Page 27. And I
6 will turn it over to Mr. Vanisko for any questions
7 if you have them. He's not going to present
8 argument, but if you have a specific question
9 about the process or about summary judgment, he
10 can do his best to answer. Other than that, I
11 would just call for a vote to adopt.
12 MR. VANISKO: Actually I do have one
13 statement I want to make. There is not a specific
14 sanction set forth. The sanction that is being
15 requested is what was initially offered to Mr.
16 Stigen, which was two weeks of enforced
17 suspension, followed by three years of stayed
18 suspension on probation conditions.
19 SPECIAL MASTER SEGREST: And that's not
20 in the order? Is that what you're --
21 MR. VANISKO: No, she did not make a
22 recommendation for it.
23 SPECIAL MASTER SEGREST: Are there any
24 questions from the Council?
25 (No response)

• • • • •

LAURIE CRUTCHER, RPR
Court Reporter - Notary Public
My commission expires
March 9, 2024.

[illegible]

4:4
summary [3]
3:10, 4:4,
4:9
suspension [3]
1:7, 4:17,
4:18

T

taken [3]
3:14, 6:9
Tomas = 2:5
Telephone -
2:13
Tooth [3]
3:12, 5:17
Thomas [2]
2:3, 4:1
TRAINING -
1:3
transcribed -
6:12
TRANSCRIPT -
1:9
transcription -
6:12
true = 6:13
true = 4:6

U

using = 6:12

V

Vantage [3]
2:8, 4:6,
4:12, 4:21,
5:17
via [2] 2:5,
2:8
vote [3] 1:25,
4:3, 4:11

W

we're = 3:22
weeks = 4:16
WHEREOF -
6:16
WHEREUPON -
3:1
WITNESS -
6:16

Z

Zoom = 2:8

Gallatin College Montana State University

Public Safety Officer Basic Training
02/22/2024





1

History

- In full cooperation with Montana Law Enforcement Academy (MLEA) and the Montana Public Safety Officer Standards and Training Council (POST)
- July 2022 MSU team toured the MLEA
- 12% turnover in Montana law enforcement agencies which creates 305 openings per year across the state. There are 175 agencies across the state, 2,546 active law enforcement officers in Montana that hire for this occupation



2

<p>Opportunity . . .</p>	
	<ul style="list-style-type: none"> • Will allow students to be hired by a public safety agency and begin work immediately. • Students will receive MSU transcript Certificate of Applied Science and 24 credits from MSU. • Aligned with Bachelor's in Sociology and Criminology • Local curriculum committee with police, sheriff, FWP, and sociology faculty. • Scholarships for students will be available. <p>*Central Valley Training building, 4 floors, movable walls, for building scenarios.</p>

3

Certificate of Applied Science

- 24 credits
- Offered during the summer semester on campus
- 13 weeks
- 60 training days
- Large amount of credit hours spend on patrol vehicle operation, firearms, and defensive tactics.
- Graduates would still take the basic equivalency course though MLEA.
- All aspects of a program must be in compliance with POST rules and program requirements before program approval will be considered. A college/university basic course must be approved by POST and MLEA to qualify graduates for equivalency.



4

Learning Outcomes

Public Safety Officer Basic Training: Program Description

A program that prepares individuals to perform the duties of law enforcement officers, including patrol and investigative activities, traffic control, crowd control and public relations, witness interviewing, evidence collection and management, basic crime prevention methods, weapon and equipment operation and maintenance, report preparation and other routine law enforcement responsibilities.

Program Learning Outcomes : Upon completion of this program, students will be able to . . .

1. Summarize the development and content of Federal, Montana, and Tribal laws and the basics of criminal procedure.
2. Demonstrate an ability to follow the basic structure of patrol operations, respond to various patrol-related scenarios using best practices, and translate events through verbal or written reports.
3. Practice impartial and fair policing when interacting with diverse populations and apply best practices to foster healthy outcomes for officers and citizens.
4. Apply the investigative training appropriate to the circumstances of a particular encounter (ranging from an active crime scene to interrogation).
5. Demonstrate the appropriate life saving skills called on by the situation, including defensive tactics and officer use of force (revise).
6. Exhibit appropriate communication skills, verbal and written, as a team member and in difficult situations.



5

Draft Courses and Credits

Law and Criminal Practices: 3-4 credits

Development and content of Federal, Montana, and Tribal laws. Basics of criminal procedure.

Patrol Operations: 3 credits

Basic patrol operations, respond to various patrol related scenarios and translate events into verbal and written reports.

Behavioral Health and Wellness: 2-3 credits

Practice impartial and fair policing with diverse populations and apply best practices to foster positive outcomes for officers and citizens.

Investigation and Crime Scene: 5 credits

Investigative training appropriate to circumstances of a particular encounter.

Life Saving Skills (Firearms and Defensive Tactics): 7-8 credits

Defensive tactics for officer and use of force situations.



6



7

Challenges

- Currently a pre-service only program, will need legislative change to allow post-hired officers.
- Share facilities with Gallatin sheriff, driving and firearms labs.
- Cost of the program (program fees)
 - Equipment, 2 faculty in majority of labs, supplies.
 - Dorm and food costs. \$3,784 plus \$3,000 fees.
 - Housing 12 weeks = \$1,747 Single and \$1,332 double. Meals: 100 meals \$815
- Squeezing 24 credit into a summer semester
- Basic equivalency test through MLEA -logistics

Stephanie Gray, Dean
406-994-5256
StephanieGray2@montana.edu



8

BEFORE THE PUBLIC SAFETY OFFICER
STANDARDS AND TRAINING COUNCIL
OF THE STATE OF MONTANA

In the matter of the adoption of NEW)	NOTICE OF ADOPTION AND
RULES I through IV and the)	AMENDMENT
amendment of ARM 23.13.101,)	
23.13.102, 23.13.103, 23.13.104,)	
23.13.204, 23.13.205, 23.13.206,)	
23.13.207, 23.13.208, 23.13.209,)	
23.13.210, 23.13.212, 23.13.301,)	
23.13.302, 23.13.304, 23.13.601,)	
23.13.702, 23.13.703, 23.13.704,)	
23.13.705, 23.13.713, 23.13.714,)	
23.13.716, 23.13.719, 23.13.720,)	
23.13.721, 23.13.801, 23.13.803,)	
23.13.804, 23.13.805, 23.13.806, and)	
23.13.807 pertaining to the)	
certification of public safety officers)	

TO: All Concerned Persons

1. On December 8, 2023, the Public Safety Officers Standards and Training (POST) Council published MAR Notice No. 23-13-280 pertaining to the public hearing on the proposed adoption and amendment of the above-stated rules at page 1695 of the 2023 Montana Administrative Register, Issue Number 23. The Council held a public hearing on the proposed rules on January 10, 2024.

2. The POST Council has adopted New Rules I through IV and amended ARM 23.13.101, 23.13.102, 23.13.103, 23.13.104, 23.13.204, 23.13.205, 23.13.206, 23.13.207, 23.13.208, 23.13.209, 23.13.210, 23.13.212, 23.13.301, 23.13.302, 23.13.304, 23.13.601, 23.13.702, 23.13.703, 23.13.704, 23.13.705, 23.13.713, 23.13.714, 23.13.716, 23.13.719, 23.13.720, 23.13.721, 23.13.801, 23.13.803, 23.13.804, 23.13.805, 23.13.806, and 23.13.807 as proposed.

3. The POST Council has thoroughly considered the comments received. Copies of the written comments were provided to the Council and will be provided to the public on request. Having fully considered the comments, the POST Council has decided to adopt the rules as originally proposed. A summary of the comments received, and the department's responses are as follows:

COMMENT 1: Fallon County Sheriff Trenton Harbaugh provided written comment, stating that ARM 23.13.703 be amended to read "upon not sustained findings all records be removed from officer's file."

~~###~~

RESPONSE TO COMMENT 1: This comment is not relevant to the adoption or amendment of the rules proposed by POST in this Notice, therefore, no further response from POST is necessary.

COMMENT 2: Nanette Gilbertson, Executive Director of the Montana Sheriffs and Peace Officers Association expressed support for POST's proposed amendment of ARM 23.13.807 in a written comment, stating that the changes would "maximize their training time by focusing on skills that emphasize officer safety through tactics and weapons handling."

RESPONSE TO COMMENT 2: The POST Council agrees that the changes to the SWAT course will improve the Primary SWAT Courses offered to Montana Public Safety Officers.

David Ortle
Deputy Attorney General
Rule Reviewer

Jesse Slaughter
Chair
Montana POST Council

Certified to the Secretary of State March ##, 2024.

CoursA1:E26e Title	Instructors	Date	Hours
Check-in/Orientation	Alexandra Holmes Oreintation	Mon 6/24	3.00
Leadership Welcome	Director/Administrator/BCs jim anderson, joel wendal,	Tues 6/25	0.50
IPPO	Lex Whalen / Eric Mertz	Tues 6/25	1.50
Ethics	Rich Collins, DOC Criminal Investigator	Tues 6/25	2.00
Legal Issues for Use of Force	legal services need to find instructor	Tues 6/25	2.00
Constitutional Law	DOC Legal Services irena and colleen ambrose	Tues 7/11	2.00
Judgments	Tara Kattell, Region I Probation and Parole Officer	Wed 6/26	2.00
Case Planning/Management	Tara Kattell, Region I Probation and Parole Officer	Wed 6/26	3.00
Pre-Sentence Investigations	Kristina Besseney, Region 1 POII kay anderson	Wed. 6/26	3.00
Handuffing	Alex Holmes	Thur 6/27	3.00
MIIG	Ashley Spragg	Thur 6/27	3.00
Rocky Moutain Information Network	Dean Mahlum, Rocky Mountain Information Network DOJ	Thur 6/27	2.00
Reports of Violation (ROV) and Report Writing	Andrea Bethel	Friday	4.00
Radio Communication Training	Kim Much DOJ	Friday	2.00
Legal Liability of Negligent Supervision	colleen ambrose	Friday	2.00
PVOC	Ernest Medow/ Amy Rehbin/ Gatlin/ Alex Holmes	Mon- Wed	27.00
Montana POST Training	Timothy Allred, Public Safety and Officer Standards Training POST	Mon 7/8	1.50
Montana Court Systems	Collene Ambrose/ Iryana DOC Legal Services	Mon 7/8	1.50
Confidential Information	colleen ambrose	Mon 7/8	1.00
Laws of Search, Seizure, and Arrest	colleen ambrose	Mon 7/8	2.00
Board of Pardons and Parole	Steve Hurd, BOPP Chair reach out to steve hurd can send email	Mon 7/8	2.00
Deputy County Attorney	Lacey Lincoln Missoula County Attorney	Tues 7/9	4.00
Defense Attorney	Joshua Demers DOJ	Tues 7/9	1.00
American Indian Cultural Awareness	terry boyd , DOC Native American Cultural Liaison	Tues 7/9	2.00
Exam 1		Tues 7/9	1.00

Mental Health First Aid	Heather Edwards/Bre Lewis/Deana Loungee/Kate Darnell P&P Officers	Wed 7/10	8.00
Mechanics of Arrest	In-Service Training Group Dylan kulla & Jamie Schelemco	Thurs 7/11	4.00
TASER	Bre Lewis, Master Taser Billings	Thurs 7/11	4.00
TASER	Bre Lewis, Master Taser Billings	Thurs 7/11	8.00
First Aid/Naloxone	Russ Ostwalt, R6 POII/ sonya mahlum, ashley romeo/ Kyle Streger	Mon 7/15	8.00
doxing	Alexandra Holmes	Tues 7/16	1.00
DOC Placements	Megan Coy, DOC PPD Programs and Facilities Bureau Chief	Tues 7/16	3.00
Substance Abuse/Addiction/Treatment Basics	Isaac Coy, BHDD Behavioral Health Section Supervisor	Tues 7/16	4.00
Domestic Violence	Monica Huffman	Wed 7/17	4.00
Human Trafficking	Maria and Yaritza -- Victim Services 1 hour/ Andy Yedinak 3 hours	Wed 7/17	4.00
DOC Victim Services/Impact Panel	Sheree and Kim -- Victim Services	Thur 7/18	4.00
Professional Boundaries	Alexandra Holmes	Thur 7/18	3.00
Exam 2		Thur 7/18	1.00
Ethics Refresher	Rich Collins, DOC Criminal Investigator	Fri 7/19	1.00
D.T	Ernest meadow, sean ibsen, Alex Holmes	Fri 7/19	7.00
Firearms classroom portion	russ oswalt	Fri 7/19	7.00
Defensive Tactics: GST GRACIE SURVIVAL TACTICS group	Ernest Meadows Probation Officer	7/22 - 7/25	28.00
Firearms: Basic Shooting Instruction group 2	Russ Ostwalt, Region 6 POII	7/22 - 7/26	40.00
Defensive Tactics: GST GRACIE SURVIVAL TACTICS group	Ernest Meadows Probation Officer	7/29- 8/2	36.00
Firearms: Basic Shooting Instruction group 1	Russ Ostwalt, Region 6 POII	7/29 -8/2	40.00
Chemical Agents	Alex Holmes/ need to pick 3-4 OC instructors	Wed 7/24 &	4.00
Alert Active Shooter/ D.O.K (Wednesday)	Active Shooter team JUSTIN BRADLEY/ AMY REHBIN	8/5 - 8/9	40.00
Sexual/Violent Offender Registration	Jamie Lavinder, DOJ SVOR Analyst/Roger Johnson	Mon 8/12	2.00
Supervising Sex Offenders in the Community	Tara Kattell, Region I P&P Officer	Mon 8/12	2.00
Supervising Mental Health Caseloads	Bre Lewis/Terry Boyd Region IV P&P Officer	Mon 8/12	2.00
Supervising Domestic Violence Caseloads	Corey Purves, Heather Edwards	Mon 8/12	2.00

(MATIC)/Sovereign Citizens	laura geroe, DOJ Crime Analyst/Mathew Deurmeier, FBI DOJ	Tues 8/13	4.00
Gangs and STG	Alexandra Holmes	Tues 8/13	3.00
Public Information	Carolynn Bright, Public Relations Specialist	Tues 8/13	1.00
OMIS Training	Savannah Girlinghouse: DOC Statistics and Data Quality Unit	Wed 8/14	4.00
Personal Protection/Situational Awareness	Andrea Bethel, PO Missoula	Wed 8/14	2.00
Dangerous Drug Identification	Steve Crawford, DOJ NIB Bureau Chief DOJ	Wed 8/14	2.00
OMIS Training	Savannah Girlinghouse: DOC Statistics and Data Quality Unit	Thur 8/15	4.00
Investigative Techniques and report writing	Dylan Kulla	Thur 8/15	2.00
Evidence Collection and Handling	Andrew Gramer	Thur 8/15	2.00
Search Techniques and Guided Practice	Jessica Graham	Fri 8/16	2.00
P&P 101	Katie Weston, Deputy Chief Region 4/ need to find a instructor	Fri 8/16	6.00
Scenario Performances	In-Service Training Group/ andrea bethel	8/19 - 8/23	40.00
Reentry Simulator	Katie Weston, Deputy Chief Region 4	Mon 8/26	4.00
Child Protective Services	Rachel Rolston Central Intake Specialist Supervisor	Mon 8/26	2.00
Interstate Compact	Cathy Gordon, DOC Interstate Compact Administrator	Mon 8/26	2.00
Fatigue to Fulfillment	Kim Lahiff	Tues 8/27	7.00
Final Exam Study		Tues 8/27	1.00
Final Exam		Tues 8/27	1.00
Drug Endangered Children		Wed 8/28	4.00
UA Drug Testing	need to find an instructor	Wed 8/28	1.00
Resilience Training	Kim Much DOJ	Wed 8/28	2.00
Graduation Prep	Alex Holmes	Wed 8/28	1.00
Check out		Thur 8/29	2.50
Graduation		Thur 8/29	2.00
Total			446.50

Changes	
Added IPPO Class	2 hour Lex Whalen/ Eric Mertz
PVOC	36 hours
Took out MCA	
Add D.V caseload	
public information changed from 2 to 1 hour	
STG changes from 2 to 3 hours	
MATIC changes from 3 to 4 hours	
Domestic Violence changed from 3 to 4 hours	
Added a active shooter week with scenarios in boulder HWP location	
removed PREA	
added drug endangered children	
added resilience training	
taser went from 8 hours to 12 hours	

Basic Academy Schedule

Week 1

PREA (2 Hours) will be completed prior to class beginning 2 Hours

Sunday June 2, 2024 1 Hour

2-3	Check in	MLEA Staff
3-4	Orientation	MLEA Staff

Monday June 3, 2024 8 Hours

8-10	POST Council Overview	POST Staff
10-11	Pretrial & Misdemeanor Prob. Overview	Vanessa Williamson
11-12	Working with Law Enforcement	Vanessa Williamson
12-1	Lunch	
1-5	Ethics and Professional Boundaries	Vanessa Williamson

Tuesday June 4, 2024 8 Hours

8-12	Legal	David Ortley
12-1	Lunch	
1-3	Montana Court Systems	David Ortley
3-5	Working with County Attorneys	County Attorney

Wednesday June 5, 2024 8 Hours

8-10	Working with Public Defenders	
10-12	Victim's Services	Tawny Rogers/April Walte
12-1	Lunch	
1-3	Types of Monitoring	Neil Freidel
3-5	Monitoring Devices	AMS Representatives

Thursday June 6, 2024 8 Hours

8-12	Officer Down Training	Justin Bradley
12-1	Lunch	
1-5	Officer Down Training	Justin Bradley

Friday June 7, 2024 8 Hours

8-11	Release/Supervision Assessments	Michelle Jurkovski
11-12	Specialty Courts	Steve Ette
12-1 Lunch	Lunch	
1-5	Sensitivity Training	Udo Fluck

Week 2

Monday June 10, 2024

8 Hours

8-12	Motivational Interviewing	Michelle Jurkovski
12-1	Lunch	
1-5	Motivational Interviewing	Michelle Jurkovski

Tuesday June 11, 2024

8 Hours

8-12	Motivational Interviewing	Michelle Jurkovski
12-1	Lunch	
1-3	Case Management	Neil Freidel
3-5	Case Planning	Michelle Jurkovski

Wednesday June 12, 2024

8 Hours

8-12	Report Writing	Shellie Brady
12-1	Lunch	
1-3	Supervising Special Charges	Michelle Jurkovski
3-5	Interstate Compact	Jamie Briggs

Thursday June 13, 2024

8 Hours

8-10	DPHHS (APS/CPS)	Shaunda Hall/Liane Waller
10-12	Courtroom Testimony	David Ortley
12-1 Lunch	Lunch	
1-5	Courtroom Testimony	David Ortley

Friday June 14, 2024

8 Hours

8-12	Mental Health First Aid	Missoula Crew
12-1	Lunch	
1-5	Mental Health First Aid	Missoula Crew

Week 3

Monday June 17, 2024

8 Hours

8-12	Defensive Tactics	Chris Colgan
12-1	Lunch	
1-5	Defensive Tactics	Chris Colgan

Tuesday June 18, 2024

8 Hours

8-12	Use of Force	Scott Swingley
12-1	Lunch	
1-5	Firearm Familiarization/Training	Scott Swingley

Wednesday June 19, 2024

8 Hours

8-12	Firearm Training	Scott Swingley
12-1	Lunch	
1-5	Firearm Training	Scott Swingley

Thursday June 20, 2024

8 Hours

8-12	Defensive Tactics	Chris Colgan
12-1	Lunch	
1-5	Defensive Tactics	Chris Colgan

Friday June 21, 2024

8 Hours

8-12	Firearms Training	Scott Swingley
12-1	Lunch	
1-5	Firearms Training	Scott Swingley

Week 4

Monday June 24, 2024

8 Hours

8-12	Defensive Tactics	Chris Colgan
12-1	Lunch	
1-5	Defensive Tactics	Chris Colgan

Tuesday June 25, 2024

8 Hours

8-12	Defensive Tactics	Chris Colgan
10-12	Lunch	
1-5	Defensive Tactics	Chris Colgan

Wednesday June 26, 2024

8 Hours

8-12	Substance Use Disorder	Vanessa Williamson
12-1	Lunch	
1-5	De-escalation Training	Vanessa Williamson

Thursday June 27, 2024

8 Hours

8-12	De-escalation Training	Vanessa Williamson
12-1	Lunch	
1-5	De-escalation Training	Vanessa Williamson

Friday June 28, 2024

8 Hours

8-12	De-Escalation Training	Vanessa Williamson
12-1	Lunch	
1-5	Scenarios	Vanessa Williamson

Week 5

Monday July 1, 2024

8 Hours

8-12	Scenarios	Vanessa Williamson
12-1	Lunch	
1-3	Scenarios	Vanessa Williamson
3-4	Self-Preservation and Career Planning/Association of PTS/MPO	Vanessa Williamson
4-5	Academy De-brief	Vanessa Williamson

Tuesday July 2, 2024

2 Hours

8-10	Final Exam	Vanessa Williamson
11-12:30	Graduation	Association of PS/MP

Total Hours:

2023 Academy 155

2024 Academy 173

Changes:

- 1 hour Misdemeanor Probation Overview and 1 hour Pretrial Overview combined for 1 hour Pretrial and Misdemeanor Probation Overview.
- 2 hours Release Assessments and 2 hours Supervision Assessment combined and reduced to 3 hours Release/Supervision Assessments.
- Specialty Courts reduced from 3 hours to 1 hour.
- 7 hours Case Management was changed to 2 hours Case Planning and 2 hours Case Management.
- Supervising Special Charges reduced from 3 hours to 2 hours.
- Preservation and Career Planning reduced from 2 hours to 1 hour.
- 4 hours Mental Health Supervision and 4 hours Communication and Situational Awareness now 16 hours of De-Escalation Training. (Is this any different from last year? If not, should we just use last year's names?)
- 1 hour of Narcan is removed, this will be included in the Substance Use Disorder class.

Class Name Change:

- 2 hours CPS training now 2 hours DPHHS Training (CPS/APS)
- 2 hours Misuse and Disorders, and 2 hours CDE and Levels of Care combined to 4 hours of Substance Use Disorder.
- 4 hours of Liability Issues is now named Legal.
- 16 hours of Firearms Familiarization is now named Firearms Training.
- Working with Law Enforcement reduced from 2 hours to 1 hour.
- SCRAM and GPS Monitoring now called Monitoring Devices.
- UA testing now called Types of Monitoring.

Additions:

- Added 10 hours of Scenarios.
- Added 8 hour course-Officer Down Training.
- Added 8 hours De-escalation Training.

LEGAL MEMORANDUM

To: Timothy Allred, POST Executive Director

From: J. Stuart Segrest, Counsel to POST

Date: January 31, 2024

Cc: Katrina Bolger

Re: Expungement Requests

Timothy,

You have asked that I analyze whether POST may expunge records regarding complaints made against an officer when POST has dismissed the allegation. In sum, POST does not have authority to expunge records but instead must preserve the complaint, responses, and any investigatory documents as public records.

Background

All allegations of officer misconduct stating potential grounds for denial, sanction, suspension, or revocation of POST certification must be made in writing, unless initiated by POST. ARM 23.13.703(2). The allegation must be provided to the employing authority to conduct an initial investigation and provide a response to POST including any remedial action taken and any recommendation regarding whether POST should impose a sanction. ARM 23.13.703(4). After receiving the agency's response, the complaint is presented to the case status committee which can direct POST to dismiss or formally investigate the complaint. ARM 23.13.703(5)-(8). The director may dismiss a case as: "no finding" (insufficient information to proceed), "not sustained" (insufficient evidence to prove or disprove); "unfounded" (not based on fact or based on factual error), or "exonerated" (the incident occurred but the officer's conduct was lawful and appropriate). If a complaint is dismissed, the director must "file a written report in the officer's POST file setting forth the circumstances and resolution" including "all written correspondence with the officer" and appointing authority. ARM 23.13.703(11).

POST has received requests from agencies and officers asking that POST expunge the complaint file of a dismissed complaint (meaning the complaint itself and all responses and investigatory documents in POST's possession). Likewise, POST has received requests to have a dismissed complaint file "stricken" from the officer's record. "Expunge" is defined (in the criminal context) as "to permanently destroy, delete, or erase a record" § 46-18-1103(1). One request for expungement acknowledged that POST's process does not provide for expungement and requested an amendment to 23.13.703 to read: "upon not sustained findings all records be removed from officer's file."

As I understand it, POST's practice is not to expunge the complaint file, even where the allegations are dismissed, but instead to preserve the file as a public record. POST does explain the resolution in a written report and letter sent to the complainant, copied to the officer and agency. POST also enters, in the record's "Title/Description" field, "Dismissed" with a description explaining the reason for dismissal (e.g. "Dismissed-Complaint Not Factual"). If a public record request is later made for the complaint file, POST will provide a copy of the complaint file, including the resolution letter and "dismissed" designation, after redacting private, personally sensitive information.

Applicable Law and Analysis

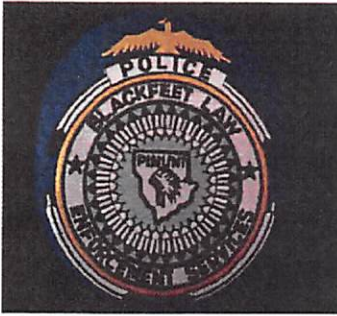
The Montana Constitution provides persons a Right to Know and corresponding right to examine public documents "except in cases in which the demand of individual privacy clearly exceeds the merits of public disclosure." Art. II, § 9. A complaint file, including a complaint that is dismissed, must be preserved according to the applicable retention period and is a public record subject to public examination. §§ 2-6-1002 to -1006, MCA.

Neither the Public Records Act nor other law contains an exception allowing deletion or sealing of dismissed complaints of officer misconduct. *See, e.g.*, § 2-6-1003(4) ("A public agency may not refuse to disclose public information because the requested public information is part of litigation or may be part of litigation unless the information is protected from disclosure under another applicable law."). In contrast, Montana law provides an expungement process for misdemeanor offenses. *See* § 46-18-1102, et seq. (Misdemeanor Expungement Clarification Act).

As to an officer's privacy interest in expungement of a dismissed complaint, the Montana Supreme Court has held that public safety officers serve in a position of "great public trust," and thus their expectation of privacy is reduced and will generally not outweigh the right to know, especially regarding allegations of professional misconduct. *See, e.g., Billings Gazette v. Billings*, 2011 MT 293, ¶ 26, 362 Mont. 522, 267 P.3d 11 ("society is not willing to recognize as reasonable the privacy interest of individuals who hold positions of public trust when the information sought bears on that individual's ability to perform public duties"); *Great Falls Tribune v. Sheriff*, 238 Mont. 103, 107, 775 P.2d 1267, 1269 (1989) (the public's right to know outweighed the privacy interests of three disciplined police officers because police officers hold positions of "great public trust"); *Bozeman Daily Chronicle v. Bozeman Police Dept.*, 260 Mont. 218, 227, 859 P.2d 435, 440-41 (1993) ("alleged misconduct went directly to the police officer's breach of his position of public trust . . .").

Conclusion

Because misconduct complaints, even if dismissed, are public records subject to disclosure under Montana law, and because no exception allows for expungement, POST may not, by administrative rule, allow expungement of dismissed complaint files. Expungement of complaint files may only be provided by statute. POST, may, however, continue to label dismissed files as "not sustained," "unfounded," etc.



Montana Law Enforcement Degree Program Proposal

Sen. Susan A. Webber, SD 8

Sen. Mike Fox, SD 16

SUPPORT OF OUR LAW ENFORCEMENT

I have always advocated for our people in blue, black, green, and brown. These people go out daily and put their lives on the line to protect our Montana Communities. It is time we did everything we could to provide for them.

I have two police officers in my family. I know what police officers go through daily. Though I am more familiar with tribal police departments, in a single 12-hour shift, law enforcement officers respond to animal attacks; aid in the search for missing individuals; conduct a rescue mission; conduct the initial investigation of assaults, domestic violence, rapes, and murders; cover high-speed pursuits and traffic accidents; participate in illegal drug raids; etc.

Tribal police officers must have forty hours of specialized training in federal law beyond basic police officer training standards (POST), state law, and tribal law.

Sen. Susan Webber, SD 8

Law Enforcement Degree - A Proposal

This proposal creates a Law Enforcement bachelor's degree program recognized by the Montana University System, Office of Commissioner of Higher Education, Montana Department of Justice, and Bureau of Indian Affairs Law Enforcement Services.

The MUS system will decide on the title of this degree, or it may fit into existing university programs, i.e., Criminal Justice, Sociology, counseling, etc.

This law enforcement degree will honor the experience and existing specialized training required of police officers. Credit for military experience will also be included in this degree.

This proposal does not create an alternative to the Montana State Police Academy but provides college credit for individual police officers' experience and training. Academy training will be translated into college credit, which will become the foundation of this degree.

Who Is Eligible

This degree program will be open to all law enforcement officers from Ekalaka to Eureka and the Bitterroot to Glasgow, Montana.

This program will be open to all current law enforcement officers as defined in the MCA¹.

Officers may opt in or out when they enter the Academy. Should they opt out, they will have the opportunity to opt in at any time during their service.

Montana University System/Tribally Controlled Community Colleges

This proposal will require the Montana University System University (MUS) and the seven tribally controlled community colleges to build a formula for evaluating an individual officer's military service experience, police officer years of service and expertise, and all specialized training.

All MUS/TCCC institutions will have similar evaluation processes that fit existing degree program requirements or build individually structured programs as agreed upon by the institutions and the police officer(s).

The model for this type of programming already exists. It is called the Two-Plus-Two Model and is offered by several MUS and TCCC colleges.

Objectives and Benefits of this Program

Objectives	Benefits
Promotion and Career Advancement	A degree will assist an officer in department promotions and career advancement when openings arise.
Salary	A degree can equate to a high salary.
Recruitment	The possibility of obtaining a degree while working would be a great recruiting tool for smaller, rural police departments.
Academy Trainers	The Academy needs a pool of trainers who have experience and credentials. This would help create that pool.
Civilian Career	Should an officer leave law enforcement, they will have a degree to assist them in their civilian careers.

Additional Training Suggestions

Suggested training courses for this degree include administrative and management courses necessary to manage a police department. These courses may include personnel management, federal and state contract management, fiscal management, federal/state/tribal law, etc.

Existing Law Enforcement Degrees

An internet search for an existing law enforcement degree program in Montana and nationwide resulted in only online courses.

MSU offers a Bachelor of Science degree in Sociology with a Criminology Emphasis. MSU's Criminology Emphasis focuses on law, the system, the social structure of criminal behavior, and society's efforts to understand and control crime. According to their website, the program offers students the ability to "...understand social differences and stratification, criminal law and procedure, the sociology of deviance, and inequality." There is no mention of cultural awareness in criminal justice, reservation of contemporary issues in criminal justice, or technology in criminal justice.

Suggested Degree Programs

- Criminal Justice / Sociology - Cultural Awareness in Criminal Justice - Reservation of Contemporary Issues in Criminal Justice.
- Criminal Justice / Public Administration - Leadership and Management in Criminal Justice Organizations - Effective Patrol and Community Policing, and Crisis Intervention for Police.
- A combination of the two depends on the individual law enforcement officer.

Example of One Tribal Police Officer's Experience and Training

This is an example of one tribal police officer's experience and training. Non-tribal officer training is not available.

Military and Law Enforcement Service

Military Experience
(Four years 20 weeks)

War of Iraq
War of Afghanistan

Law Enforcement Service
(14 years)

Tribal Law Enforcement
BIA Law Enforcement
Criminal Investigator
Drug Investigator

Montana Public Safety Officer
Standards and Training (POST)

Montana High Patrol Training

Continuing Education Training and Specialized Training

- Montana Public Safety Officer Standards and Training (POST)
- Montana Peace Officer Advanced Training

- Montana Peace Officer Supervisory Training
- MDOJ Standardized Field Sobriety Training/Intoxilyzer
- MDOJ Traffic Radar
- MDOJ Impact / Expandable Weapons
- MDOJ Oleoresin Capsicum (OC) Spray
- Montana Law Enforcement MPAT Proctor Certification
- Montana Highway Patrol NHTSA Advanced Roadside Impaired Driving Enforcement Training
- Distracted Driver Training
- Speed Monitoring Devices and Doppler Radar Certification
- DOI, BIA Office of Justice Services, Opioid Overdose Prevention, including using naloxone to prevent death from an opioid overdose.
- DOI NSC Defensive Driving I & II
- Street Survival Training
- Blue Courage: The Heart and Mind of the Guardian, IADLEST Certified
- Leadership and Mastering Performance Management: Phase I & II
- U.S.A. Department of Homeland Security, Federal Law Enforcement Training Center - Indian Law Basics
- U.S.A. Department of Homeland Security, Federal Law Enforcement
- BLES Taser Conducted Energy Weapon X-2 Certification
- BIA Search Warrant Writing Training Program
- TASER Conducted Electrical Weapon Certification
- SANS Security Awareness Training (STH-2)
- Training Center – Active Shooter Threat Instructor Training Program
- IACP Drug Evaluation and Classification Program
- PPCT Defensive Tactics Basic Certification
- CEVO I & II – Police Certification
- US Marshal Assistance
- Drug Enforcement Assistance

Tribal police officers - specialized training:

- Indian Country criminal investigator training
- Death investigations
- Child physical and sexual abuse investigations
- Domestic Violence, adult physical and sexual assault investigations
- Gang and drug trafficking investigations
- Crime scene management and evidence collection
- Crisis negotiation and tactical training
- Child forensic interviewing
- Interviewing and interrogation.

Presidential Initiative for Indian Country

President Biden's initiatives for Indian Country recognize the critical role that tribal police departments, courts, and victim services agencies play in addressing crime on Indian reservations. His administration looks to increase funding for the tribal justice systems as part of this initiative. A Tribal Criminal Justice Program will fit into his tribal initiatives.

Sen. Susan A. Webber
Sen. Mike Fox

ⁱ The definition includes “a police officer, deputy sheriff, undersheriff, highway patrol officer, an investigator appointed by the Department of Justice, fish and game warden, park ranger, or other public safety officer certified by the public safety officer standards and training (POST) council, or a sheriff.

Timothy,

Thanks for the call today. As we spoke about, many of the classes that are specific to Public Safety Bomb Techs are only open or advertised to those people. I have several of these classes listed on my POST transcript such as Hazardous Devices School (HDS) which is only available to a sponsored person from an agency with a certified Public Safety Bomb Squad. I also have International Association of Bomb Technicians and Investigators (IABTI) conference, Electronic Design and Defeat, and Advanced Ordnance Recognition for Law Enforcement (AORLE). Several of these classes are actually advertised on websites, but still restricted to currently certified bomb technicians. The specific course that brought this issue up was the Advance Electronics Course taught by instructors from HDS in Helena this past summer. Due to its nature and the limited number of people eligible to attend, it was not publicly advertised. It was put out by email to bomb squads and military EOD units in this region, specifically Billings Bomb Squad, Missoula Bomb Squad, Lewis and Clark County Bomb Squad, and Malmstrom AFB.

If you need me to speak with the POST Council, I am certainly available to do that.

Let me know if you need anything else.

Kenny

Kenneth White

Lieutenant Special Teams

Bomb Squad Commander

Missoula County Sheriff's Office

(406) 258-3840

kwhite@missoulacounty.us

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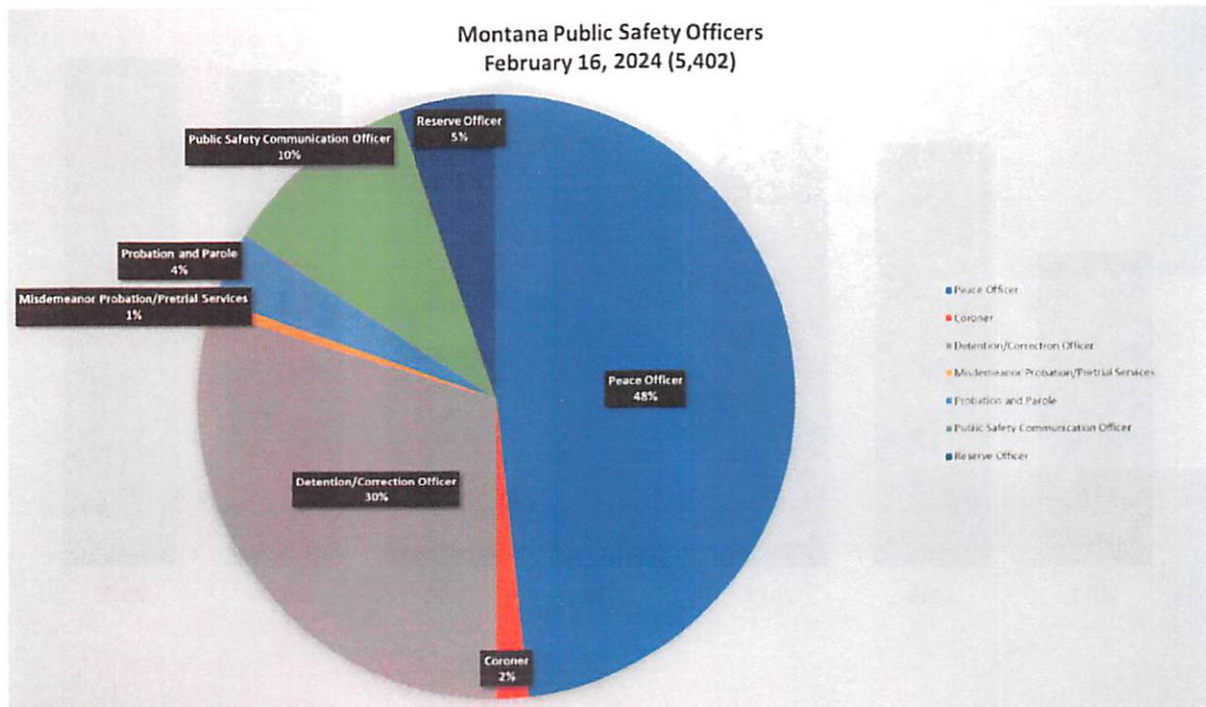
Introduction

POST creates and maintains records of every public safety officer's employment, training, certification, education, and complaints. During its regularly scheduled, quarterly Council meetings, POST staff provide the Council with a "snapshot" of the number of extension requests, equivalency requests, training courses approved, and certificates issued. The Council also receives a report from the Case Status Committee on allegations received, investigations open, and case closures. POST staff also provide a more in-depth annual report of data to the Council each year, and the same report is available on POST's website. This helps the Council oversee the day-to-day operations and its staff's activities, along with providing necessary transparency for public safety officers and members of the public.

Public Safety Officers

Public safety officers are defined in § 44-4-401, MCA, and they include peace officers, coroners, detention officers, corrections officers, public safety communications officers, probation and parole officers, misdemeanor probation officers, pretrial service officers, and reserve officers. POST maintains records of all active public safety officers in the State of Montana.

Public Safety Officers in the State of Montana 2024	
Coroners	93
Detention/Corrections Officers	1,606
Misdemeanor Probation/Pretrial Services	34
Peace Officers	2,609
Probation and Parole	202
Public Safety Communicators	574
Reserve Officers	284
Total	5,402

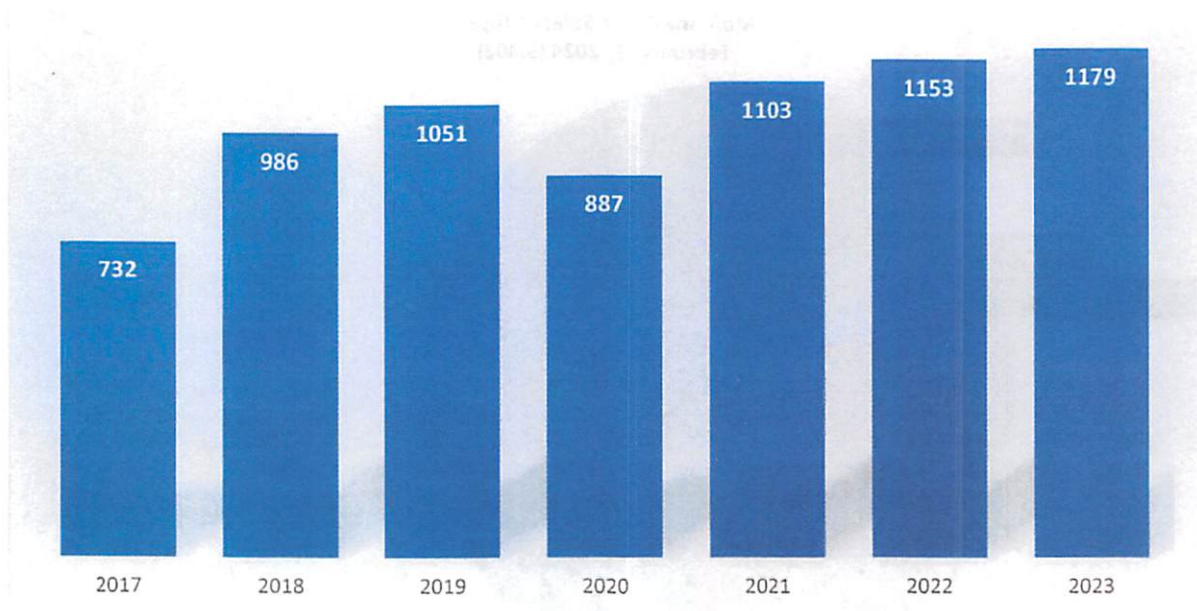


Certification

All public safety officers must be certified or eligible for certification. POST issues Basic, Intermediate, Advanced, Supervisory, Command, and Instructor certificates to public safety officers in the State of Montana. Each certificate type has specific training and experience requirements. Certificates are issued for the purpose of promoting ethical behavior, professionalism, education, skill, and experience necessary to perform the duties of a public safety officer. All POST certificates remain the property of the POST Council.

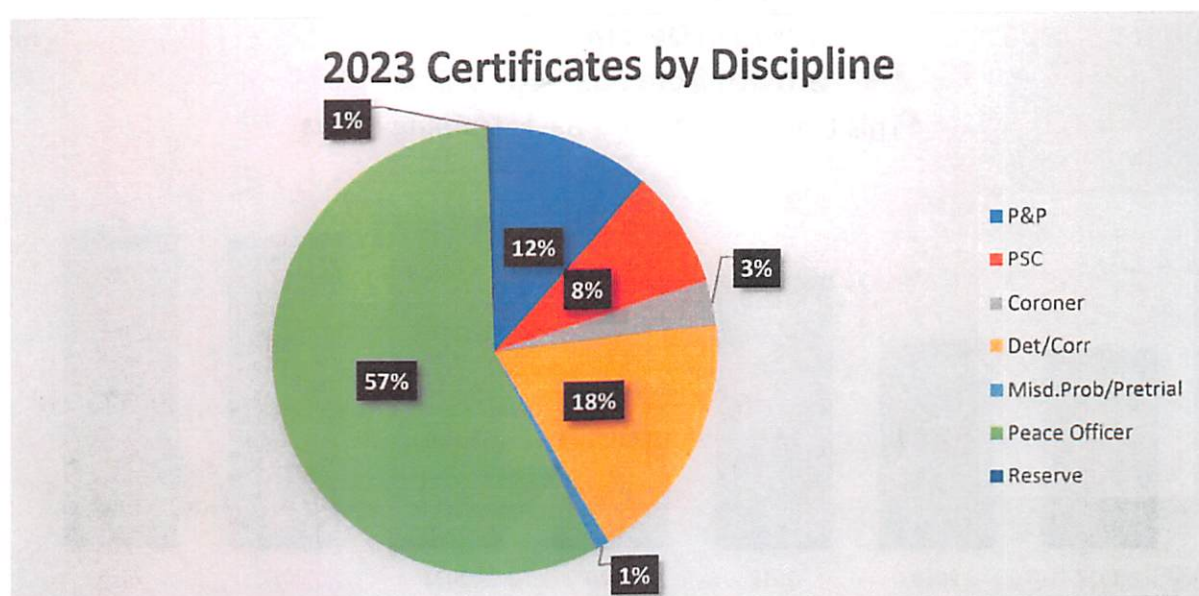
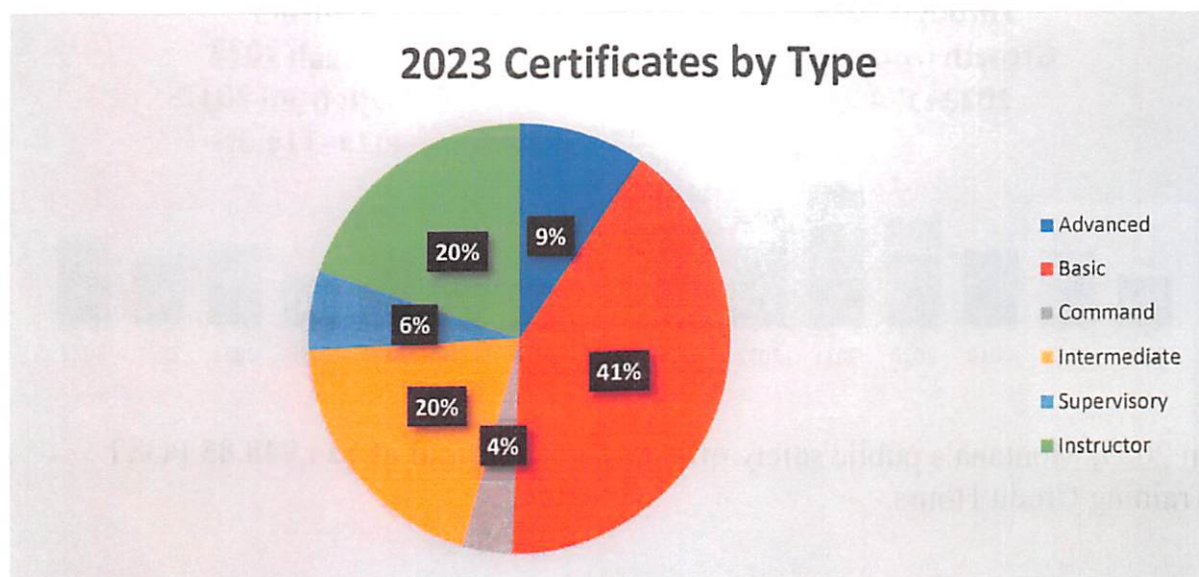
POST has seen consistent growth in the number of certificates it issues each year.

Certificates Issued Through December 31, 2023
Growth from 2017-2023 = 61%



The POST Council issued a total of **1,179** certificates in 2023.

2023 Certificates by Type	
Basic	482
Intermediate	233
Advanced	114
Supervisory	71
Command	45
Instructor	234
Total	1,179



Training

POST provides POST Training Credit Hours for non-basic courses that meet the minimum standards established by the POST Council. POST continues to see growth in the number of training courses it approves each year.

In 2023, POST approved **2,452 courses** for POST Training Credit Hours. POST recorded **10,285 completed** POST-approved courses.



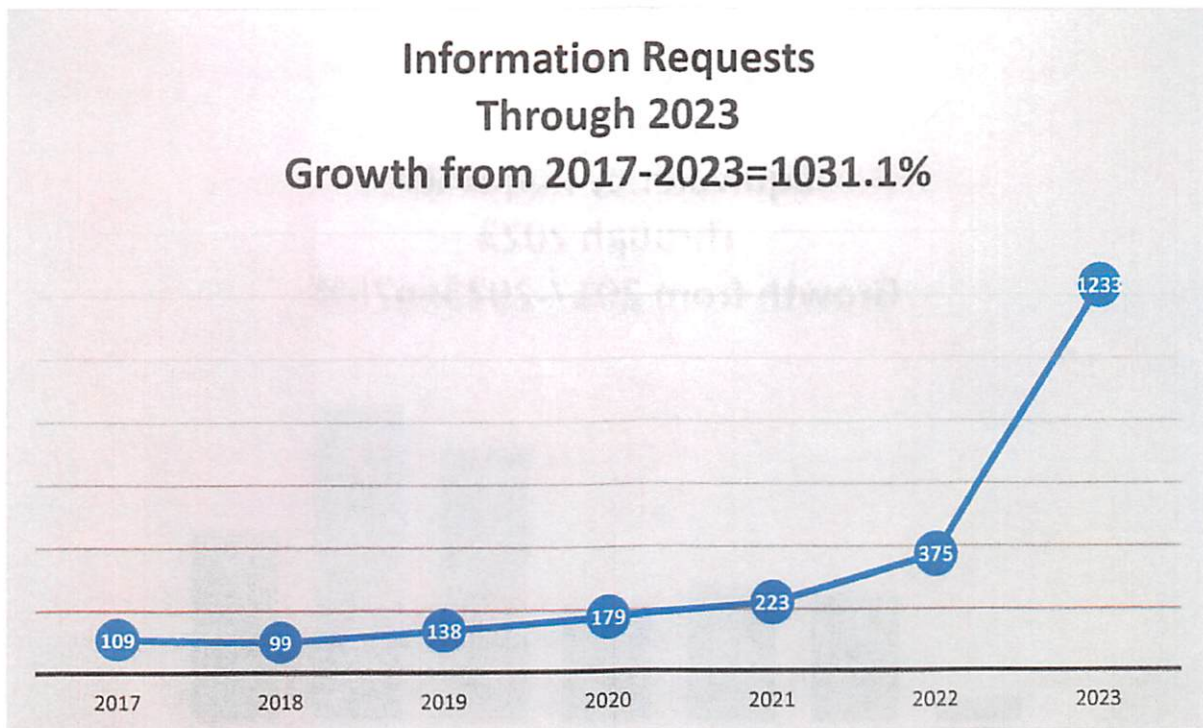
In 2023, Montana's public safety officers earned a **total of 124,948.85** POST Training Credit Hours.



Requests for Information

POST processes requests for information in various forms. POST receives public information requests, requests from officers for their information, requests from public safety agencies pursuant to background investigations, and requests from attorneys or investigators regarding pending litigation or other matters. POST has experienced sustained growth in the number of requests it processes each year.

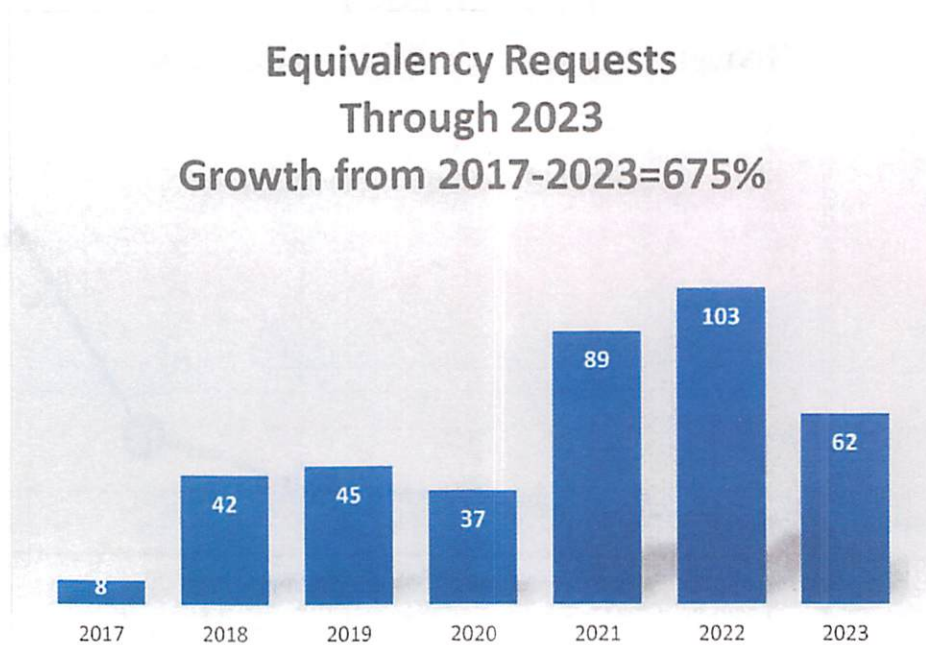
In 2022, POST responded to **375** separate requests for information. As of December 13, 2023, POST has responded to **1200** requests.



Equivalency Requests

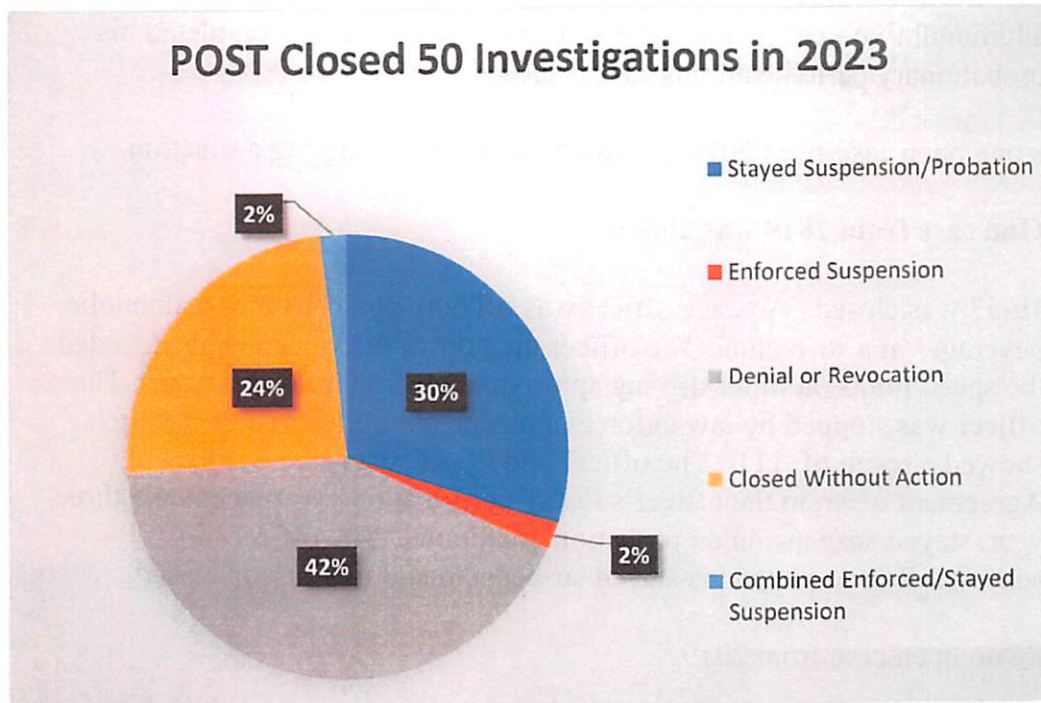
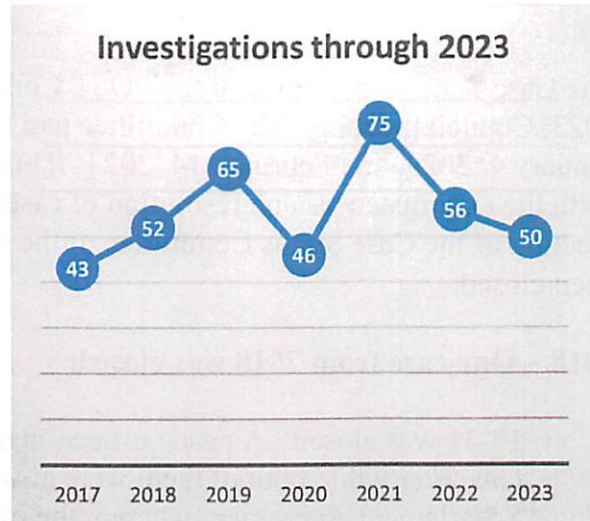
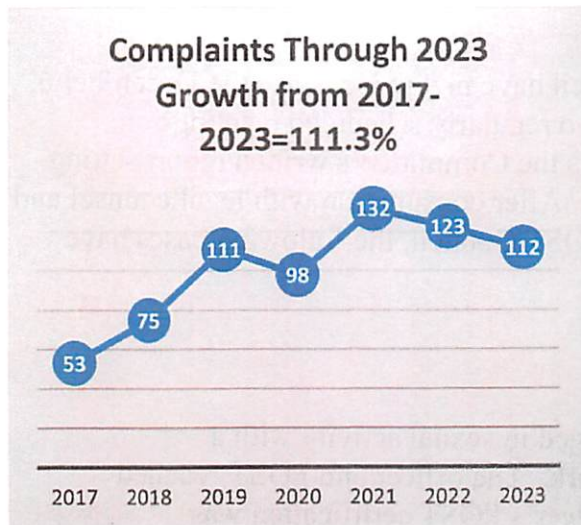
When peace officers or a detention/corrections officers come to work in Montana, and they have already attended a basic academy, their employing authority may request equivalency from POST. Upon receipt of a Basic Equivalency Request, POST staff conducts an investigation of the officer's training, employment, and ethical background. Upon approval of an equivalency request, a peace officer may attend a one-week legal equivalency course in lieu of the full academy. A detention/corrections officer receives study materials and must pass the final examination that Montana officers take. If an officer successfully completes equivalency, he or she will become eligible for POST certification upon completion of the legally-required probationary period.

POST has seen a great deal of growth in the number of equivalency requests that it processes each year.



Complaints and Investigations

The POST Council has been entrusted with the authority to sanction officer certification in § 44-4-403, MCA. If an officer's certification is revoked by POST, the officer may no longer work as a public safety officer in the State of Montana. Any individual may submit a complaint to POST. Every complaint must first be reviewed by the appointing authority before POST will conduct an investigation of any allegation. POST has seen an increase in complaints and investigations.





Montana Public Safety Officer Standards & Training Council

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DATE: FEBRUARY 20, 2024

TO: MONTANA POST COUNCIL

FROM: JIM THOMAS, COMMITTEE CHAIR

SUBJECT: CASE STATUS COMMITTEE REPORT AND CLOSURE OF CASES

The Case Status Committee of the POST Council have met twice, since the December 6, 2023, Council meeting. The Committee had two regularly scheduled meetings on January 4, 2024, and February 14, 2024. This is the Committee's written report setting forth the circumstances and resolution of cases. After consultation with legal counsel and meeting of the Case Status Committee of the POST Council, the following cases have been closed:

2018 ~ One case from 2018 was closed:

18-31 was closed. A peace officer engaged in sexual activity with a coworker while both of them were at work. The officer and POST reached a Settlement Agreement wherein the officer's POST certification was suspended for thirty (30) days, and placed on probation conditions for an additional five-year period. The officer has successfully completed his probationary period, and this case is closed.

There is one open case from 2018, in which the officer is serving a sanction.

2019: One case from 2019 was closed

19-57 was closed. A peace officer was off duty and consuming alcoholic beverages at a strip club. The officer then drove his vehicle and exceeded the speed limits, at times driving approximately 105 miles per hour. The officer was stopped by law enforcement, and submitted to a PBT which showed a result of .111. The officer and POST reached a Settlement Agreement wherein the officer's POST certification was placed on a three-year, stayed suspension on probation conditions. The officer has successfully completed his stayed suspension and this case is closed.

There are no open case from 2019.

2020 ~ No cases from 2020 were closed:

There are two open cases from 2020. In both cases, the officers are serving a sanction.

2021 ~ One case from 2021 was closed:

21-49 was closed. A correctional officer had multiple inappropriate interactions with inmates and staff. When questioned, the officer was not honest about the interactions. POST placed its case on hold pending other issues. When those issues were resolved, POST decided to close the case without taking any further action.

There are four open cases from 2021. Of those, two cases are on hold pending other matters, and two officers are serving a sanction.

2022 ~ Three cases from 2022 were closed:

22-12 was closed. A correctional officer was convicted of DUI twice in the course of approximately three months. The officer and POST reached a Settlement Agreement, wherein the officer's POST certification was placed on a one-year probationary period. The officer successfully completed her probationary period and her case is closed.

22-21 was closed. A correctional officer violated prison policy when he allowed a general population inmate to enter a restricted housing unit. The officer and POST reached a Settlement Agreement, wherein the officer's POST certification was placed on a one-year probationary period. The officer successfully completed his probationary period and his case is closed.

22-07 was closed. A peace officer no longer met the minimum standards for appointment. The officer and POST reached a Settlement Agreement wherein the officer's certification was suspended until such time as the officer can demonstrate that he meets the minimum requirements for appointment.

There are fifteen open cases from 2022. Of those, two cases are active investigations, two of them are on hold pending other matters; and in eleven cases, the officer is serving a sanction.

2023 ~ Six cases from 2023 were closed:

23-26 was closed. A detention officer used her personal cell phone to take a photograph of an inmate appearing on the video security system, then shared the photograph on SnapChat. The officer's certification was revoked when she failed to respond to POST's correspondence.

23-28 was closed. A detention officer was on duty when, without any provocation, he pulled his Taser, armed it, and aimed it at another officer. The officer's certification was revoked when he failed to respond to POST's correspondence.

23-29 was closed. A detention officer engaged in inappropriate, sexually graphic telephone calls and messages with an inmate. The officer used a false identity to communicate with the inmate. The officer used the false identity to attempt to get the inmates P&P officer to release the inmate to her home. The officer's certification was revoked when she failed to respond to POST's correspondence.

23-31 was closed. While law enforcement was investigating other matters, it was discovered that a peace officer was using cocaine, and attempted to sell cocaine on at least one occasion. The officer's certification was revoked when he failed to respond to POST's correspondence.

23-11 was closed. A public safety communications officer was alleged to have lied about completing her duties appropriately one multiple occasions. After the officer and her agency reached an agreement, POST determined to close its case, with the caveat that it would reopen the investigation should the officer return to a public safety officer position.

23-22 was closed. A correctional officer repeatedly crossed professional boundaries with an inmate, even after being instructed to have no contact with the inmate. Multiple inappropriate letters from the officer were discovered in the inmate's property. The officer's certification was revoked when she failed to respond to POST's correspondence.

There are 33 open cases from 2023. Of those, 21 cases are active investigations, four of them are on hold pending other matters, and in eight cases, the officer is serving a sanction.

2024 ~ No cases from 2024 were closed:

There are seven open cases from 2024. All seven cases are active investigations.

Since the last Council meeting, POST has closed a total of 25 cases.

POST currently has 25 active investigations.

POST currently has 3 new allegations to present to case status.

POST currently has 14 cases awaiting information from agencies.

POST currently has 8 investigations on hold pending other matters.

POST has a total of 50 cases which it is currently working on.

POST currently also has 25 cases in which officers are serving sanctions.

Budget as of February 21, 2024

	0.00	311,881.80	(311,881.80)
	0.00	313,103.36	(313,103.36)
61101 Regular	0.00	133,516.91	(133,516.91)
61103 Sick Leave	0.00	11,258.21	(11,258.21)
61104 Vacation	0.00	11,347.37	(11,347.37)
61105 Holiday	0.00	9,427.14	(9,427.14)
61158 Compensatory Time Taken	0.00	353.42	(353.42)
61401 FICA	0.00	12,510.51	(12,510.51)
61402 Retirement - Other	0.00	15,213.30	(15,213.30)
61403 Group Insurance	0.00	33,728.00	(33,728.00)
61404 Workers Compensation Insur	0.00	1,016.99	(1,016.99)
61410 State Unemployment Tax	0.00	248.88	(248.88)
62102 Consult & Prof Services	0.00	1,515.00	(1,515.00)
62108 Legal Fees & Court Costs	0.00	32,944.31	(32,944.31)
62113 Warrant Writing Services	0.00	29.43	(29.43)
62114 HRIS Service Fees	0.00	587.36	(587.36)
62114A Workers' Comp Program Fees	0.00	56.74	(56.74)
62134 Honorariums	0.00	5,600.00	(5,600.00)
62148 SABHRS Administrative Costs	0.00	351.57	(351.57)
62162 Witness Fees	0.00	10.00	(10.00)
62187 Records Storage	0.00	445.50	(445.50)
62191 Printing/Other Provider	0.00	47.72	(47.72)
62203 Clothing & Personal	0.00	64.00	(64.00)
62216 Gasoline	0.00	450.04	(450.04)
62224 Maps Charts & Pamphlets	0.00	79.38	(79.38)
62226 Fine Paper/E-Market	0.00	51.48	(51.48)
62236 Ofc Supplies/E-Market	0.00	2,027.20	(2,027.20)
62241 Office Sup/Minor Equip-NonStat	0.00	608.33	(608.33)
62245 Computer Hardware	0.00	1,695.00	(1,695.00)
62249 NonCapitalized Soft & SBITAs	0.00	26,190.00	(26,190.00)
62304 Postage & Mailing	0.00	6.98	(6.98)
62319 Cellular Phones	0.00	465.41	(465.41)
62322 Teleconferences	0.00	0.47	(0.47)
62408 In-State Lodging	0.00	115.56	(115.56)
62489 Non-Employee In State Mileage	0.00	1,438.40	(1,438.40)
62490 Non-Employee In State Meals	0.00	173.75	(173.75)
62497 Non-Employee In-State Lodging	0.00	3,068.38	(3,068.38)
62506 Postage Meter	0.00	392.19	(392.19)
62519 Photo Copy Equipment	0.00	1,797.18	(1,797.18)
62801 Dues	0.00	400.00	(400.00)
62809 Education/Training Costs	0.00	279.00	(279.00)
62817 Meetings/Conference Costs	0.00	408.63	(408.63)
62823 Licenses & Permits	0.00	51.50	(51.50)
62886 Procurement Card Default	0.00	2,339.92	(2,339.92)
62888 Statewide Indirect Costs	0.00	752.20	(752.20)
62891A DOA Access\ID Card Fee	0.00	40.00	(40.00)

- **Montana Legislature 2023 session**
 - **HB77 – Clarified that all Public Safety Officers may apply for a 180 extension.**
 - **HB78 – Public safety officer time may be stayed if ordered to state or federal military duty and has not completed the minimum training standards.**
 - **HB697 – Placed POST staff back under the Council, providing for quarterly reporting regarding POST's investigations, and requiring an interim study of the POST Council and its staff.**
- **Memorandums approved by the Council**
 - **CDOB Equivalency**
 - **Convictions**
 - **School Marshalls**
 - **Law Enforcement Basic Courses at Colleges**
- **Video conference set-up for meetings/hearings**
- **Stats/Graphs**
- **Modified compliance investigator approved and hired**
- **National Certified Training Program**
- **Teams file Case Status Committee built**
- **Established a budget 44-10-204**
- **Updated POST Information & Resource Guide (PIRG) and added to POST's website**
- **Updated POST's website**
- **Created and approved a business plan**
- **Updated POST's ARMs**
- **Updated all forms**
- **Created an executive committee**
- **Request for Information Policy approved**