KONTANA POST COUNCIL MEETING May 3, 2023

Mooting Via Toams 9:00 a.m. to 12:38 p.m.

Schengil machers present via Torns: Jesse Slaughter - Council Chair. Lee Sutton, Jim Thomas, Bill Smith, Jess Edwards, Kristine White, Mark Kraft, Matthew Saylor, Mike McCarthy, Kimberly Burdick, Conner Smith, Wyatt Glade

Council Members not present:

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Staff Hombars Prosent: Timethy Allred, Executive Director; Estrins Bolger, Paralogal/Investigator; Glen Stinar, Investigator; Tina Granmer, Administrative Assistant; Brooke Standish, Administrative Assistant.

PORT Logal Comment: Stuart Segrest, Esq.

Bank Mobb Alexandra Holmes Jool Wondland Ken Broom Sam Martin Megan Mooro Shawn Visintin Joromy Hillirons 10 Chad Vanisko Michelle Districh 12 13 14 WHEREUPON, the following proceedings were 15 16 17 CHAIR SLAUGHTER: Good morning, 18 everyone. Everyone hour me chay? It's 9:00. 19 Timothy, is everyone there? MR. ALLERD: We can do roll call when 20 you're ready. Everybody that was going to be in 21 22 the room is here. CHAIR SLAUGHTER: Okay. I was mostly 23 worried about staff. All of our staff thoro? 24

1 Guests

CHAIR SLAUGHIER: Okay. Cool. I'wo got like a paneramic view of the room, and I can see everybody, but some people got really small, 60 it's hard to see.

Good morning, overybody. So we'll call this mosting to order. It's now 9:00, 9:01 is the time that I'm showing, on tay 3rd, 2023. And this is the POST Council meeting that we're going to do wis video conference, so we'll much how this good moving forward.

So first things first is Timothy, I'll have you do roll call, please.

MR. ALLRED: We'll stort with the Goungil members. Mark Kraft.

MR. KRAPT: Procent.

MR. ALLRED: Joss Edwards.

KR. EDWARDS: Horo.

HR. ALLRED: Hatt Saylor.

MR. SATLER: Present.

HR. ALLEED: Wyatt Glade.

(No response)

MR. ALLRED: Connor Smith.

MR. COMMER SHITS: Boro.

MR. ALLRED: Josso Slaughtor.

CHAIR SLAUGSTER: Horo.

MR. ALLRED: Bill Smith.

MR. ALLRED: Yes.

MR. BILL SHITH: Boro.

HR. ALLRED: Eimborly Surdick.

MS. SURDICK: I'm hore.

HR. ALLRED: Jim Thomas.

HR. TECHAS: Horo.

MR. ALLRED: Los Dutton.

MR. BUTTON: Bero.

MR. ALLRED: Eristino Whito.

MS. WEITE: Sore. Could you hear me?

MR. ALLRED: You, I got you. Thank you,

Rristino. Jim Anderson.

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(No response)

MR. ALLESD: Hike McCarthy.

MR. McCARTHY: Boro.

MR. ALLRED: Wyatt Glado.

(Inaudible)

MR. ALLED: Wo'll move to POST staff next. I'm Timothy Allred, Executive Director of the POST Council.

MS. CRANNER: Tima Grenmor, administrative assistant with PGST.

22 administrative assistant with PGST.
23 MR. SINAR: Glen Stiner.

MR. STEMAR: Glen Stiner, investigator with POST.

HR. SEGREST: Stuart Segrest, Counsel

for POST.

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MR. ALLRED: Thank you. Those in the room, please just state your name and your agency. MR. WEBB: Hank Webb, Dopartment of

Corrections.

ME. HOLMES: Alexandra Solmes, Department of Corrections.

MR. MEMPLAND: Jool Wondland, Montana Law Enforcement Academy.

MR. BREEN: Kon Broom, Lowis & Clark county triminal Justice Services.

MR. ALLDED: Thank you. Wolcomo. Those enline, please introduce yourself.

HR. HARTIN: Sam Hartin, attorney for Shawn Visintin.

HR. ALLRED: Thank you, sam. And just a reminder. If you're on mute on your phone, to unmuto yourself you need to push star six.

HS. HOORE: HL, this is Hogen Moore, attorney for Rovin Gillilan.

MR. ALLRED: Thank you.

MR. VISINTIE: Good morning. Shown Visintin.

MR. ALLRED: Good morning, Shawn. Jorday, I think I hear you speaking. . You need to

MR. DUTTON: Mr. Chair. CHAIR SLAUGHTER: Approvel of the minutes. So did everybedy look ever the minutes,

MR. EDWARDS: I'll motion.

and can I got a motion for approval.

MR. GUTTON: I'll second.

CHAIR SLAUGHTER: All those in favor, signify by paying ayo.

(Rusponso)

CHAIR SLAUGHTER: Everybody, wo've got to do our host not to talk over each other, so I will be the first one who will violate that.

KR. ALLRED: This is Timothy. I also think that we should introduce ourselves, because that would help Laurie out. She heard the motion, she just didn't know who said it.

CHAIR SLAUGHTER: Introduce yourself whom you give a metion.

MR. ALLERD: And when you're speaking. Sho's not in the room with us, and she can't see the face all the time.

CHAIR SLAUGHTER: Great reminder, Timothy. Thank you. So overyone, before you speak, please announce your name just to help out unmute yourself. Or see you.

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MR. MILLIRONS: Joromy Millirons. Whostland County Shoriff's Office.

MR. ALLRED: Thank you. Anyone class coline that has not introduced themselves, or an the phonor

(Na response)

MR. ALLEED: All right. Thank you. Hr. Chair, we do have a quesum.

CHAIR SLAUGHTER: Thank you, Timethy. I approciate that. So I would like to start today with the invocation, please. We'll start with that, and then we'll do the pladge. Sheriff Dutton, will you please start us, load us in DESTOR.

MR. DUTTON: You bet.

(Invocation)

charp stangeren: Plones remain standing for the Pledge of Allegianus, and please stand and join me in the Pledge of Allegiance.

(Plodge of Allogianco)

CHAIR SLAUGHTER: Thank you. So tho first item on the agends -- Shoriff Dutton, thank you for that nice invocation, by the way. I approviate that.

our recorder. So all those opposed of the Pebruary 2023 meeting, signify by saying ayo.

(No response)

CHAIR SLAUGHTER: Hearing none, motion carrios.

He at this time we'll move to public communt and quest issues. In there any public comment or quest issues? And again, please before you speak, state your name, and what it's regarding.

MR. ALLRED: And I have a coript to read at this time, Shoriff. So public commont script for Council meetings. Under this item the Council will offer an opportunity to members of the public in attendance to commont on any public matter under the jurisdiction of the Council that is not on the equads on this meeting.

While the Council cannot take action on any issues presented, the Council will listen to commonts, and may ask staff to place the issue on a subsequent aconds. The Prosiding Officer may limit the comment period in order to proceed with the Council meeting.

CHAIR SLAUGHTER: Thank you, Timothy. Any guest issues or public comment?

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(No response)

CHAIR SLAUGHTER: Oray. Hearing none, we'll move on. Timothy, I'll turn it over to aquivolency request.

MR. ALLEED: Tos. So on Page 34 wo received an equivalency request from Sheriff Minner in regards to Jercey Millirons. At the time we started the investigation for the equivalency request, we contact the states that they've resided in, asked if there was sanctions, or suspensions, or revocations against their partificate.

And as you can see in the letter response, we received responses back, and you can see some of the concerns that were brought up. I brought those specific concerns up with Sheriff Misnor. I gave him a mall to discuss these

Shoriff Misner said that he was not aware of them at the time; and them he also told me that a failure on his part is he did not conduct the psychological evaluation before he hired him.

I called back -- Wall, so we sent a letter to Jeremy Hillirons denying his equivalency request, and saying that he had to take the full Basic.

Since that time, Officer Millirens requested that this he brought before the Council for reconsideration. He's whoe provided -- and here you can see -- several letters of

I did call Shoriff Minner lost week to ask if he's secoived his updated psychological evaluation, and he said he hasn't. And it's not a fault of Officer Millirons. He said they've had a couple cancellations.

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So in my conversations with Sheriff
Hisner, he said he does not facilitie he needs to
take the full Basic. He facils that the
equivalency would be adequate, but he has concerns
himself, too, and wants to see the full
psychological evaluation completed before he would
respondent equivalency moving forward.

So I know that Officer Millirons is hore, he can give you information, but my recommendation -- after speaking to Sheriff Misner, and considering all this information, and then it was no fault of Officer Millirons that he didn't receive his psychological information

before he was hired. That was part of the hiring process that should been done by the agency.

My recommendation is that once we receive the updated psychological evaluation, if shoriff Misner agrees, he can put in again for the LEQ, and I can review that with the psychological evaluation. Sut I know that that's just my recommendation after speaking with Sheriff Misner. And I know Officer Millirons is here. So Chair.

CHAIR SLAUGHTER: Thank you. Thank you, Timothy. I guess at this point in time, my question, Timothy, to you that I want clarification on is your initial -- Basically your initial assessment of this was you weren't going to give him EQ because of these issues found in background; is that correct?

MR. ALLRED: Chair, my initial was to call the sheriff to discuss it, and to see if he actually looked at these things and knew about it. And he said that he was not aware of them. So I forwarded him these concerns, and basically concerned at the time that because he didn't have a psychological evaluation at the time, we would dony his equivalency request.

And thore was seen real concerns. I

noah you can go through and road incidences that happened in 2010, and then information was provided for 2016, 2019. And you can also see in here Mr. Millirons has provided some additional information including that.

So the answer to your question, my initial thing was to speak to the Sheriff, and then I found out he didn't have the psychological evaluation either. So that's why. All that tegether is why we desired his request at thet

CRAIR SLAUGHTER: Thank you, Timothy. I roally appropriate that. That's actually what I was looking for.

so I would like first to open it up to the Council, because I'm sure everybody has reviewed the materials that the Executive Director provided to us. I'd first like to open it up to the Council, but I'd like to separate issues.

I would like for us first to discuss the initial denial, which is based on multiple background issues that sheriff Misner was not aware of, and I would like to discuss those issues as grounds for denial of EQ, and then we can talk about the psychological thing as a separate issue.

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And I say that because I agree with the Executive Director. If there's appointment issues or stuff like that, that's a different issue. But it appears there's two neparate issues here as to why we would dany his equivalency. As I want to separate them so they're not confused. So let's talk about the background issues first, and I want to open it up to the floor for the Council. And please -- I haven't done this yet -- state your name before you speak. Thank you.

HR. ERAFT: Hr. Chair, thick Eraft. I'd like to just state for the record, having reviewed the material brought before the Council in this packet, I think that I agree with the Executive Director. I think there's some real concurns related to Deputy Millireas' background that I do not believe those concerns were addressed in the supplemental natorial that he provided. And I would support the original decision of the Executive Director.

CHAIR SLAUGHTER: Thank you, Chief

Kraft. Any further comment on this part?

HR. COMMER SHITH: This is Conner Smith.

I agree with Chief Kraft's assessment there.

CHAIR SLAUGHTER: Thank you, Conner.

Anybody plan have anything that they want to eay about just the background information which there in what the Director provided us?

(No response)

CHAIR SLAUGHTER: Obay. So Stuart -corry. This is Sheriff Slaughter again. Stuart,
I have kind of a point of order. I'm guessing at
this point in time we're going to hear from
Joremy. Would we take executive action on this,
and then open that up for him in discussion, or
would we allow him to speak for discussion? I
just want to make sure I'm correct.

MR. SEGREST: I actually don't know that you need to take executive action at this point because all parties are in agreement that the background psychological test wasn't undertaken, so that has to happen first anyway before there's a reapplication, and then that reapplication would be considered by POST staff. And then if it's denied, he could challenge it to this Council, and then you would take action. So at this point it's nore informational.

CHAIR SLAUGHTER: Thank you. Stuert. But at this point it's appropriate to give Deputy

Millirons an opportunity to speak on this, correct?

MR. SEGREST: I think so, you. CEAIR SLAUGHTER: Thank you. I just

wanted to make sure we weren't in a discussion.

That's exactly what I need to know. This is
Shoriff Slaughter again, and at this point in
time, I would turn it ever to Deputy Joremy
Millirons to speak on his own behalf.

MR. MILLIROMS: Ladies and gentlemen of the Montane POST Council, good morning. This is Doputy Jeromy Millirons, Wheatland County Shoriff's Office.

There's just a few things I want to go over. The first one is you should have your supplemental materials. I do have a letter that I got, received an enail from the director of certification of Georgia POST stating that I was never sanctioned, that the case against me was dismissed, and that I'm in good standing.

But I would like to address singly each and every issue. I know that there was two things that were written about no towards POST that I did not know about at the time until the issue with the Department of Juvenilo Justice, which again,

the Georgia Department of Labor stated that I did
my job as I was prescribed, and as I was trained.
They just didn't like what happened.

But I would be note than welcome to answer any quantions and give an explanation.

CHAIR SLAUGHTER: Thank you, Doputy.

Does any member of the Council have any questions?

MR. DUTTON: Mr. Chair, this is Lec. I have lets of questions, but I am demonstate reluctant to ask right new, because if this is going to come back to us. I don't want to -- I don't know if this is prejudicing us for a decision we have to make later, because if we're asking questions and seeking fact finding new, does that -- if you guys dony it, if POST Council denies it, and it comes back, is it just redundant? I'm asking that as a point of clarification.

MR. ALLRED: So Shoriff, that's a great question. My understanding right new is that the POST Council can make a motion to deny this request and support the original denist.

If you fool like you're okay with the information, if the opdated psychological evaluation comes back favorable, and it's sent to

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re-evaluate, we could do that.

So there's two different things that I see. You could support the denial letter, because the denial letter is specific that we're denying it based on the information that was provided during the investigation that POST did for equivalency. You could support that, or you could state that you're fine with getting an updated psychological evaluation, and having the Dissector review that at that time.

MR. HILLIROWS: I den't mind -- Again, this is Doputy Joreny Millirons, Wheatland County Shoriff's Office. I den't mind at all taking the psychological profile. I do believe that will come raverable. I'll be fine with that for reconsideration.

(Wyatt Glado present)

CHAIR SLAUGHTER: Director Allred, so what I'm gotting at here is you're wanting to sack a motion for us to busically upheld your original donial letter, and then we will deal with -- then that would create a donial engway regardless of the psychological, because it's beside on different facts.

HR. ALLRED: You, Chairman. And if you

uphold it, then I would not reconsider if I got a new application, so this would be a deniel because of the facts that are in the letter that he was

No that's the way to look at it. If you want to uphold that and just say he needs to go -To be close here, he's denied the equivalency basic. So if he's denied this, then he would be required to go to the full Basic. It's not that he's not going to get to be an efficer. We would be required to go to the full Basic.

So you could uphold what was in hore, and then also state that you're obay with the new application if we wisw it with an updated psychological evaluation; or you could say it's denied flat out, and he needs to go to the full

CHAIR SLAUGUIZE: Thank you, Director Allrod. And I view this so two totally superate issues. There's the initial denial letter, which has nothing to do with the psychological, and then there's the psychological, which is a whole different issue.

I think we have to -- In my opinion, we have to deal with this denial lotter that the

Director sent initially first. So I quess at this point in time I'll ask for a motion to either uphold Director Allred's denial letter, or to deny Director Allred's approval letter. So I quess I'll open up the floor to a motion on the depial letter that Director Allred wrote.

MR. COSHER SHITS: This Conner Smith. I make a motion we go along with the POST Director's original letter.

 \mbox{MR} , $\mbox{MRAST:}$ This is Chief Rraft. I second.

CHAIR SLAUGHTER: Connor Smith made the'
motion to uphold Director Allred's original denial
letter, Chief Ereft second. Do I have any further
discussion?

MR. DOTTON: This is Lee. I guess I have some reservation about what did Georgia 2057 say. I know what you found here. Was there a revocation in Georgia 2057? I den't see that. I still -- I want to hold what's correct, but I'm schowhat -- I want to use the right word -- but ambivalent about taking this action.

I guess it doesn't produce him from being a peace officer. What we're talking about is equivalency: is that correct? MR. ALLRED: That's correct. This has nothing to do with the MAPA hasring process. In fact, it states clearly that you can only follow the MAPA hearing process if you deny, revoke, exaction, or suspend. This is just a denial by the Director, and brought back for reconsideration to the Council. This is limothy Allred.

MR. DUTTON: Mr. Chair, follow up.

CHAIR SLAUGHTER: Yos, Shoriff. Just
make sure you state your name, please.

MR. DUTTON: This is Loo Dutton. If we dony this, then the equivalency is ever? I want to make sure he has the full Basic, correct?

MR. ALLRED: That is correct. This is Timothy Allred. That is correct. Chair. That's correct. However, I think what the Director is caying is he wants to take it on this new, and if he upholds it, then discuss the psychological after this. He wants to separate those right new.

MR. DETTON: And then demploting it.

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CHAIR SLAUGHTER: Further discussion?

HR. SEGREOT: Mr. Chair, this is Stuart.

I just have kind of a procedural question.

Segause we now know the psychological evaluation

I wasn't done, was the request for equivalency properly submitted in the first places If it wasn't, I wondor if it's appropriate to take notion on it, or if we should allow that to happen firet.

I just don't went up to got sort of tho cart before the herse, if it wasn't fully ready to be submitted anyway. If that makes somme.

ME. BOLGER: This is Ketripa. Wo're back in the back. Bistorically we have approved folks for ognivelency whom they have not yet been appointed, and that psychological evaluation is a requirement for appointment. So it's kind of a superato thing, if that makes sense.

MR. SEGREST: That doos, and that answers my question. So I thun agree with the Director that you could take action on it as is, or wait, as the Council sons fit. I just wanted to planify that.

CHAIR SLAUGHTER: This is Shoriff Slaughtor. Thank you, Stuart, Thank you, Ratrica. I approciate that insight. Any further discussion on the motion before us?

(No response)

CHAIR OLAVORTER: Chay, Engring none,

all those in favor, please signify by saying ayo. (Rosponse)

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CHAIR SLAUGHTER: Opposed, same sign. (Response)

CHAIR SLAUGHTER: Sorry. Who was that? Bucause we're on the phone and I can't see it. MS. BOLGER: That was Eristing White.

CHAIR BLAUGHTER: Oh, thank you,

because I can't -- Sorry. I can't moe her, so thank you. Okay.

So Director Allred, I can't remember how many people we had in the quorum today, but I know 13 the eyes have it, so motion carries.

so at this point in time, the psychological evaluation, Director Allred, is still going to have to occur, but Deputy Millirons will have to attend the full Basis; is that correct?

MR. ALLRED: This is Timothy Allred. Sheriff, yes, that is correct, unless the Council wants it to be reconsidered with a favorable psychological evaluation.

MR. McCARTHY: This is Mike McCarthy. I have a guestion about the Basic that Deputy Millirons attended. I den't see it in the

donuments.

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MR. ALLRED: This is Timothy Allred. Chair, Mike, we received that, but it's not in this material right here.

MR. McCARTET: Did bis Sacio compare to our requirements for Basic?

MR. ALLEED: Shoriff Blaughtor, Mike, yes. This is Timothy Allred. Tes, it is equivalent to Montana.

CHAIR SLAUGHTER: This is Shoriff Slaughter. Director Allred, I think the psychological is -- we can open this up for discussion, but I think it's a most point right now for reconsideration, because my ourse is -and this is why I want to discuss this -- is wo did it off the basis of his background, not off the basis of his psychological.

His psychological will still be required for his appointment, still be required for him to attend the Basic, but the Council reled that he's going to have to take the Basic, and equivalency wouldn't count in this situation. Does anybody disagron with that assessment, or have further commant?

MR. ALLRED: This is Timothy Allred.

Chair Slaughter, I agree with that as well.

CHAIR SLAUGHTER: Thank you, Director Allred. Okay. So thank you. Deputy Hillirons, you now have what your future path is moving forward. And Director Allred, I take it you'll reach out to the Shoriff in this matter as well, correct?

HR. ALLRED: This is Timothy Allred, Chair, yes.

CHAIR SLAUGHTER: Thank you. Moving on to old business, and Director Allred. I'll have you start with all of logislative updates, please.

MR. ALLRED: So I'm excited to be able to discuss this. I'd just proface it by saying that I was told by a handful of populo this is the busious session that POST has bad, in regards to all of the bills that pertain to POST. I'm going to go through in order just kind of sum up here.

So as you know. POST had two bills that have already been passed. I'm not going to discuss those again. Those were discussed at our last Council meeting. Wo've also covered bills that were tabled that pertained to POST that was proviously discussed.

So I'm going to discuss House Bill 697.

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Bouse Bill 697, the sponsor of that was Representative Moreor, to generally revise laws related to POST Council. Initially when this came forward, the bill stated that POST would be actached administractively to the Board of Crime Control. And then an amendment was put on it that it would be permanently under the Department of Justico.

And then Boung Bill 916 stated that post would be, the sunset date would be extended by two years. And then another amendment was put on it that POST would be attached administratively to the Department of Justice only, and part of that bill required a study of FOST, and it also put language in it that the POST Council new would be funded in 44-10-204 as a State special revenue

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And then it also stated that if 915 passed, exceeded the sunset date, that it be void. That was brought before the Separe and was passed. It was brought before the House and concurred by the spensor, and it's passed speems and third reading, and moved forward to enrollment.

What that does -- and I just want to state this -- is that puts the POST staff now on June 30th, the termination date, under the Council. The temperary 2+15-2029 and 2-16-2028 are done as of June 10th, 2023.

so offentive July let, 2023, the POST staff are under the Council, and the Council may hire its own personnel independent administer the conduct of its business. Post will now supervise the staff and eversee the budget.

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In House Bill 697, the study is going to focus on a few things. It's going to examine the logislative history of the Council structure. staffing, and duties; roving the surrent structure, staffing, and duties of the Council; compare the Council's current structure, administrative attachment, to similar entities in other states; and the State's Law and Justice Intorio Committee shall consult with Council members, Council staff, the Department of Justice. local law enforcement agencies, and other stakoholdors the committee considers necessary.

I'll move on to the next bill unless anybody has any questions on that. There was a lot that wont into House Bill 597.

MR. ALLEED: Going on to Squato Bill

232, and House Bill 580. Those bills work together. They're companies bills. They're both about requests for public information, and donumentation, and reporting. It's going to require POST staff to have a notice of who, on our website, who they request information from, it's doing to require that we keep track of who requests the information, if we charge them, timolino, doedline, those kinds of things are thore.

Squate Bill 232 would require us to give CCJT information within 90 days, unless we're unable to do that, and all we need to do is articulate to the requester that, for example, if the Council had to review to request, we just say we haven't had a chance to bring it to your Council for roview yet, and then you have up to six months to provide that information.

POST staff has not several times, and has already propared a spreadshoot, and is discussing submitting both those to make sure that wo're in compliance with those changes.

Representative Dusam, revise laws relating to state lettery agency investigators and

coforcement. This law wanted them to be defined as orininal justice agency, and as peace officer status. That was tabled.

House Bill 802 was brought forward by Representative Kerns. What he did was he codified our language speaking about mental health from our Administrative Rules. And what it states is that the Council may not revoke a public safety officer cortification solely on the basis of public safety officer mental illness, due to mental illness. unless.

So POST cannot rovoke just for montal illness only -- this is what's in our administrative Rule basically -- unless it substantially limits an officer's ability to perform the essential duties of a public safety officer, or poses a direct threat to the health and safety of the public or follow public safety officers. That one is currently in carollment.

House Bill 314. I'm hore to announce that every member of the Council will get a raise. This was brought forward by Sponsor Brockman in the House. This language states that qualified judicial boards, that they will receive instead of 850, \$100 for each day which member is actually

House Bill 450 was brought forward by

and necessarily engaged in the performance of board duties.

So when they're engaged in board duties, and it goes up to \$100 instead of \$50 = day, and that has an offective date for July 1st, 2023. and I put a fiscal note on that, and it was signed by the opensor. The fiscal note was just the increase of Council members, if we're going to be mnoting as frequently. I took basically last year statistics. Our fiscal note was for \$9,100. That was approved and signed, so that will be attached to our budget.

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Then Sepator Friedel brought before 3026. What this language states is that the first -- he struck out that three Montana citizens at large. It's two Hontana citizens at large who are informed or experienced in the subject of law enforcement. This in regards our POST momburship Council.

He struck out that there would be three citizens on the POST Council, moving to two. and added one Hisdomonney Probation Officer, and that offective date is on passage and approval.

I just went to state in conversations with Kimberly Burdick, this makes it so every

member of the public safety officer has a representative in the 44-4-402 except for dispatchers.

Kimberly Burdick would like, not now, but in the future, for POST Council at a future date to possibly consider semewhere that, if we could put it in numbership of the Council that disputchors that have a place that is defined in law thoro so well. But that's just for the future. I just want to state that.

So that's the legislative update. It was busy, it was good, a lot happened, and we have a lot of direction moving forward. And so anyway, does the Chair or the Council numbers have any questions for mor

CHAIR SLAUGHTER: This is Chair Slaughter. Thank you, Director Allred. I really approclate that.

Sunt as a point of order, that sension is closed, and to my knowledge, our new appointers were not confirmed by the Senate. In talking with the Lieutenant Governor, everything is good with that. It just will happen at the next squaion, ossentially to when that will occur. Sound mombers stay intent until that process occurs, or

until appointment dates are up moving forward.

Thon also a question, Director Allred. Wo'll need to open it up for a new appointment for Protrial Services, correct?

HR. ALLRED: Chair, this is Timothy Allred. You, I am aware, and I know that Ken is hore as well, that they're already submitting applications in that process and submitting that to the Governor.

CHAIR SLAUGSTER: Right. Anybody olso have any other comments or questions about logislative updatos?

MR. ALLRED: Chair, I do have one thing to say. This is Timothy Allrod. House Bill 2, the Senate amendments were concurred last might and passed reading, reading two, and reading throo, and House Bill 2 was approved, and so it's going to carellment that we have an official budget.

CHAIR SLAUGHTER: That's great. MR. DOTTON: Mr. Chair, this is Loo Dutton.

CHAIR SLAUGHTER: Go abond, Shoriff. HR. BUTTON: Mr. Chair, thank you for your work, and others, who have testified, worked bahind the scenes tirelessly to get this Council hank to whore it can effectively make decisions without undue influence, have staff that actually work for this board -- something that I was in favor of.

I think we'll do woll. It was a lot of work. And I hope there's no real casualties, we can come together as a board, understand that the business is still the same. We're still doing the same job, and just that we have staff now. So I hope that if there's wounds, that we can lick our logislative wounds over the interim, and talk about how we can do the business of POST, and holding overyone accountable, yet upholding the rights of all.

So I'm ploased, and I just want to say that, and thank you, Mr. Chair. Thanks for doing that. I appropriate it. That's my continent. If I was home like you wase, I'd say bank on mute.

MR. ALLRED: Shoriff Sloughtor, I have to say this. It's everyone -- it's my intention 100 percent to reach out to every stakeholder, and igvolvo overy single stakeholder. I've already been doing that. This process of whon the study comos, and when it otarts, every single person is

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going to be involved.

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There's a lot that's going to come from this study, and hopefully we can start to discuss specific issues, resources, working with stakeholders, training, those kind of things, whatqvor it may be. We want to work with every public safety agency. That includes law enforcement, that includes probation and porole, that includes dispatchers, protrial, everybody that's in there. So I just want to say that.

CHAIR SLAUGHTER: Thenk you both. Sorry. This is Chair Slaughter. Thank you both for your comments. Any further comments about logislative updates?

(No response)

CHAIR SLAUGHTER: Chay. Next on our agenda is a break. After the break, we are going to hear --

MR. ALLEED: This is Timothy Allend. Wo have one ARM update right before the break.

CHAIR SLAUCHTER: Ch, sorry. It's kind of pushed into the bettem there. I'm serry. So up next is the ARH update. Wo'll turn it ever to Stuert.

MR. SECREST: I think we would have been

1 fine if we skipped it. It's protty basic actually. There was no one to comment, either in written communes or in person, so we just kind of sat in the room for five minutes.

And then the ARM, the two ARMs. 23.13.215 or the amondmonts to those, and 23.13.702 will be amended as proposed by the Council. I don't have anything else on that unless there are questions, or Matrice wents to add something.

MS. BOLGER: We need a notion from the Council to submit the adoption notice to DOJ for timelines for filing with the Secretary of State.

MR. SEGREST: I thought wo had alroady submitted it.

MS. BOLGER: Not yot.

MR. SECREST: Then I guess yes. If Katrina thinks we do, we do.

MS. BoldER: That's what we've done in the past, whother we need it or not.

MR. SECREST: I'm not sure we need to do it again, but I don't have a problem with the Council directing staff to send it for adoption.

CHAIR SLAUGHTER: Stuart, what ARM is this? Doos it have a number?

MR. SEGREST: It's amonding 23.13.215 and 23.13.702. The notice itself, we put the prior amondments in there. It would have been in probably one meeting ago or two meetings ago, when the Council --

MS. BOLGER: The amondments themselves are the change to the firearms instructor cortification requirements, and adding marijuana use to the alcohol grounds for sanction.

CHAIR SLAUGHTER: Okay, Thank you, Can I got a motion to send the approved amendments to the staff for busically update with DOJ?

MR. DUTTON: I would make that metion -this is Los -- to send the updated amendments to staff for the changes.

MS. BURDICK: Kinborly will second. CHAIR GLADORISK: I have a motion on the floor by Shariff Dutton, and Kimborly Burdick seconded that motion. Do I have any further disqueston?

(No response)

CHAIR SLAUGHTER: All those in favor, signify by saying aym.

(Rosponso)

CHAIR SLAUGHTER: Opposed, seme sign.

(No response)

CHAIR SLAUGHTER: All right. Motion carries. So staff is directed to do that. This is Shoriff Slaughter again.

MR. THOMAS: Mr. Chairman.

CHAIR STAUGHTER: You.

HR. THOMAS: This is Jim Thomas. I notice that Item 8 here is supposed to start at 10:00, and I'm not suro -- Counsel can correct me if I'm wrong -- but I don't believe we can do those before 10:00.

MR. ALIRED: I think we're about to have a brook.

MR. TROWAS: So I would suggest that we skip to, after the break, skip to Item 10, and continue on until 10:00, because assording to

MR. ALLEED: Chair, the only thing that

MR. THOMAS: Wo're good? We're close onough?

MR. ALLERD: Chair, this is Timothy Allred. The only reason I would say we have a break now is because we have to move everybody who is -- Actually wait until ten. I don't know what

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CHAIR SLAUGHTER: We're going to take a break.

 $$\rm MR.$ ascrest: I think $\rm Sim$ thought we had more time left.

CHAIR SLAUGHTER: So yes, there's a scheduled broak right now, right on time. So we're going to go on broak. Sut hore's what I wanted to say.

50 we have oral argument at 10:00 a.m. in Holan, which at that point in time, I will turn the Chair over to Chief Eraft because I have a conflict after that. So when we come back from the break, we will have Chief Eraft take over as the Chair.

And if there's no further comments, and we're right on time for a break, we'll take a ten minute break until 10:00 a.m.

(No response

CHAIR SLAUGHTER: All sight. Thank you.

(Recommend at 9:51 a.m.)
(Vinintin, Wolan, and Gillian
Transcripts bound separately)
(Recommend at 11:24 a.m.)

what I kind of see as -- not an issue, but not quite giving the dispatchers the information that can help them do better at their jobs, and that's that eight hour course of mental health and first sid.

It's a cannod course, so you're locked into eight hours, so it takes up more than 10 percent of the instruction time in the PSC Badic program, and it does a lot with early intervention at very, very, very hase lavel introduction to some mental illnesses, which is awaseme if you have more time. However, most people who call 911 are not in the beginnings of mental illness, they are in crisis mode.

Bo taking out that oight hours of mental health first aid, replacing it with kind of a boiled down, dealing with just the crisis mode, but also discussing the background behind some of the more predominant classifications of mental illnesses that dispatchers interact with, and then that would be a four bour course that for the time being just does crisis incident call taking, so they still get the background on things like schizophronia, what it is, and bipolar degression, primarily discussing also swicidel callers, kind

CHAIR SLAUGHTER: Wo're back on the record after our break, and wa're going to move to now business. And so I'm going to turn it back over to Director Allred for our new business.

MA. ALIRED: Thank you, Chair. At this time we're going to hear from the Public Sefety Communicators. They're going to present their basic syllabus.

MR. MEMPLAND: I'll introduce mysolf.

I'm Jool Wendland from the Montana Law Enforcement
Academy. I'm the new Bureau Chief there. I will
be presenting information in the future to Timethy
Alired. There are a lot of changes we're going to
be recommending for future academies, but I'm new
going to take a lot of time on that right new.

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I will introduce the subject matter expert, which would be Kim Much. She's one of our truining officers and does our communications for classes. Thank You.

ME. HUCE: I'm Rim Much. I'm the program manager for the public safety basic, and we're going to make a couple changes. I've been around almost a year, and in that time I've sat through every course, and I've taught what I can teach as the subject matter expert, and I've found

of handle those on the front end and the back end.

And then also the other four hours of nental health is an introduction to HG911 coming to a com center near you, with the new Logislature passing the money and funds, and in the next eighteen menths we're going to be relling out some yory fun new stuff.

But it's a fairly complex system. It's not as simple as just texting 911, so bringing in some of the people who have been working on that for yours, and having them introduce what is MG911 to dispatchers.

And the coolest part of that I think is for the first time over dispatchers will have backup at the flip of a switch. With the whole state MG911, dispatchers could pop their 911 calls to the counties surrounding them. So if they're dealing with an incident that's critical, like an antrack dersilment in Liberty County, they could pop those 911 calls so people aren't -- you know, a person having a heart attack in WalMart ign't missing out on a 911 call.

And then the second one is enother two hour block, and unfortunately it's not the funnest thing to tench, but I think it does need to be

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taught in basic, is active shooter. This is becoming more and more provalent. My sen is in kindorgarten, and ho's alroady been knocked down

So just discussing what is an active shooter, what to do in an active shooter situation, who to call for holp, who can holp, and just kind of holping counties out, especially some of the smaller ones that maybe don't have policies rogarding that, gotting them connected with agonoids that do have policies that are willing to holp, and love you guys foundation, and then I am extraordinarily fortunate that Bureau chief Wondland is an alort instructor, and has that emparience, as well as potentially being connected with the Sandyhook investigator as well, and so really bringing in some active shooter stuff to equip those dispatchers with what they need.

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So I hope that that stuff collects cobvebs. I want that policy to collect cobvebs. but to loast have an introduction to it, and so be able to react -- (inaudible) --

MR. DUTTON: Mr. Chair, this is Loo, if I may.

CHAIR SLAUGHTER: Sorry, Shoriff. My

mic was stuck on muto. Go should.

MR. BUTTOM: The bost speech you ever Uave, too. That's mine, too, when that happons,

So I'm looking -- it's probably in here. I just don't son it right off, so you can point it to me -- is just some mental health gosilioney training.

> HS. HOCH: Okay. (Insudible) MR. DUTTON: Yos.

MS. HUCE: They got two hours with Carel Bortles (phonotic). It's also talked about several throughout. It's sprinkled throughout a lot of the dispatchers. I know I've sat through a lot of that, the teaching, and making sure that that's a priority.

The other thing they get is two hours of health and wollness, so we can address both physical and taking care of themselves, and the montal health ends as well. For sure.

HR. DUTTON: Thank you. And just a quostics. The Highway Patrol sends their dispatchers to this, correct?

> MS. MUCS: Uh-huh. HR. DUTTON: Okay. Very good.

MR. ALLRED: Any other questions for Kimr

(No response)

NR. ALLERD: Mr. Chair, it looks like a motion could be put forward at this time.

we approve the syllabus as changed.

I second.

second. Any further discussion on this matter? (No response)

(Response)

(No responso)

Probation and Parole syllabus on Page 131 through 133. Jim Anderson is not able to be here today, so be's asked Alex to come, and Hank Webb, to

present this on behalf of the Department of Corrections, Probation and Pasole Division.

No. WERR: Thank you, Mr. Chair, Timothy Allred, members of the Council for allowing me to come here. And I think Jim's -- (insudible) -in.

We have any changes for this year's Academy, and up here with me is -- (inaudible) -ho's also my training matter export --

> (Indiagerpible conversation Intersupted by Court Reporter) KR. WERB: Hank Wobb. I'm tho

Department of Corrections training supervisor. Sorry. I should have announced that before. If wa're good, I'll hold this a little closor up here. I'm not used to having a mis in front of me. I'll have to start singing protty soon.

So our first change is we are pulling out the tour that usually comes at the end of the Academy at MSP. He have some manning issues, and we just need to fit some other time in hore.

so wo're pulling out this year the tour, and in that place we're adding three courses. One of thom is STG. security throat groups or gange, and the other is courtroom testimony, and these

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MS. MUCH: Highway Patrol, U of H, MSU.

CHAIR SLAUGHTER: Okay. Can I have a motion to approve the syllabus.

MR. THUMAS: This is Jim Thomas. I movo

MR. CONNER SHITH: This is Conner Smith.

CHAIR SLAUGHTER: We have a motion and a

CHAIR SLAUCHTER: Hoaring none, all those in favor, signify by saying aye.

CHAIR SLAUGHTER: Opposed, same sign.

CHAIR SLAUGHTER: Motion carries. Thank you, min.

MR. ALLRED: Nort on our agends in

two are protty self-explanatory. Of course, can answer quantions if you have any.

The third one might have some questions. It's a doxing class. This is going to give our officers protection or information how to protect thomsolves against blacksmil, extertion, from online, from unline throats, people using their information from social modia accounts, that sort of thing. We're trying to get into the now contury horo with all the social modia, and this is going to help us.

So those are the three that are going to take the place of the tour. And then we've got a flip-flop. Wo're going to change demostic violence classes, going from three hours to five hours, give us a little bit more time there. And that's going to flip.

Victim sorvices is losing some time. They're going from six hours to four hours. And we and up with another one Fatigue to Fulfillment. We got Rim Lahiff back for one more Academy. She ratired in May, the Bureau Chief for PSP, and she's going to be going from eight to seven hours for Tatique to Fulfillment.

And then the last change is we are

exchanging BPRG defensive tactics for Gracie Suggistal Tantias, using the same amount of hours, same time framo -- (inaudiblo) --

MR. ALLRED: Any questions for Hank or

(No response)

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MR. ALLRED: Any questions enline? (No response)

MR. ALLRED: All right, Chair, it looks like wa're ready for a motion.

CHAIR SLAUGHTER: Thank you, Director Allred. Can I got a motion to approve the Probation and Parolo syllabus, please.

MR. DUTTOR: This is Lee Dutton. I make a motion to approve the Probation and Parole syllabus as changed and recommended.

CHAIR ALAEGRIER: Do I have a spoond? MR. McCARTHY: Mike McCarthy. I'll second.

CHAIR SLAUGHTER: Any further discussion on this motion?

(No respense)

CHAIR SLAUGHTER: Hearing some, all these in favor, signify by saying ayo.

(Rosponse)

CHAIR SCAUGHTER: Opposed, same sign. (No response)

MR. DUTTON: I'm not used to sooing Eank with a board. That's all I've got to say.

CHAIR SLAUGHTER: Notion carries.

MR. ALLERED: Thank you. Rost on the agenda is consideration for Executive Committee. I actually have something I'm going to goad. I just want to make sure I'm able to articulate myself, and why I'm proposing an Executive Committee.

So one thing that become apparent during the legislative seasien was my lack of ability to speak on behalf of the Council, and where they stand on specific bills. Similarly, the Chair and the Council lack the ability to speak on specific

In contrast, I participated in wookly mostings with the AG's office and DCI. They would discuss bills, and how they would affect their agonay. They would decide whether they support a bill, opponent, or informational witness.

I monitored bills that portained to PGST. I would forward them to the Chair and the Council's Counsul Stuart. I updated the Council at Council mootings. I was able to speak as an informational witness for several bills.

Howover, there were some bills that I had no idea where the Council stood. I was asked by the AG's office and the Legislature where the Council stood on bills. I couldn't answer their question, but I did provide information.

I'm concorned that bills will be passed that directly affect the Council in a negative way whom I need Council input on key issues or on structure. And if we don't have an avenue to dingues these bills, they will cause the Council to be reactive pero than an active part of the Logislatura or interim committees.

post is similarly hampered regarding litication decisions. Last Council meeting, for example, Stuart had a deadline to respond to a settlement offer on behalf of the Council. Fortunately the Counsel meeting was scheduled at & suitable time to discuss the case. If this wasn't the case, wo'd have to find mother option to disques this care with the Council.

Likewise, other than the Case Status committee which only directly eversees disciplinary matture, there is no committee that

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eversoon the business decisions of the Executive Director and other PGST staff.

I spoke with Stuart, and asked if there were options to address my concerns. Stuart mantioned an Executive Committee that he is on for the State Bar of Montans. He explained their roles and responsibilities. They meet weekly during the legislative session to discuss bills, and continue to meet outside of the legislative session to provide direction and oversight to the Bar's Executive Director.

In addition, I resulted out to the Board of Crimo Control, and they also have an Executive Committee.

Chair, I'm proposing that the Council form an Executive Committee for the reasons I mentioned. Hr. Chair.

CHAIR SLAUGHTER: Thank you, Director
Allred. Are there any quantions for Director
Allred?

(No rosponso)

CHAIR SLAUGHTER: Society no questions, dan X got a motiony

MR. DOTTOM: This is Lee Dutten. I make a motion that the FOST Council form an Executive

Committee, and I believe the attendance or the people that are picked for that would be at the Cheirman's recommendation, but still voted on, but my recommendation is to form a DOST executive equal.

(Insudible conversation)

CHAIR SLAUGHTER: Bold on. We have got people talking over each other. Who seconded the notion?

Ms. Buppick: Kimberly.

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CHAIR SLAVESTER: Thank you, Kimborly Burdick. I have a motion and I have a second. Do I have discussion?

MR. THOMAS: Mr. Cheirman, this is Jim.
I just wented to say I think this is a really good idea. Trying to got you to contact all of the FOST Council members on every issue that concerbefore the Lagislature that involves FOST wouldn't be smart. And I can say that Resolution 23-002, I think we should go that way. So I'm in support of this also.

NR. ALLGED: Nr. Chair, just a note, clarification. This motion is to discuss only first to establish the Executive Committee, and then we'll go to the resolution, just to make that

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CHAIR SLAUGHTER: Correct, Director

Allred. That's the way understood it, and I

believe that's the way the notion was stated; am I

correct?

HR. ALLRED: Correct. '

CEAR SLAUGHTER: Thank you. Any further discussion on the consideration of an Executive Committee?

MR. SAYLER: This is Matt. I think the only difficulty I would have with this is that we already represent a large amount of stakeholders and individuals. I think when you condense that down, maybe you've taking away some of the representation that we're supposed to be providing. I just don't know if that's a concern that anyone also would have.

CHAIR SLAGGHTER: So Hatt, to that, I think what we're talking about, though, specifically is we're talking about -- Well, the two examples I could think of is, one, giving Director Alired permission on our behalf to speak in front of the Legislature regarding issues, so that POST is adversated for.

This year during the session that was

really, really difficult. For example, if we couldn't have an actual Council member down there, hecause ve're currently under BOJ, and BOJ wouldn't allow him to do that, then he could go sit and watch, but he couldn't speak.

And what we want to do is just it's a permission. "Do you have permission to talk on behalf of the Council?"

I think if it regarded a thing where we had to have like a major decision, we have to have a veta anyway. Like we would call an emergency meeting like we've done in the past, and get it done, to give Director Allred some direction. But to carry out our -- To be able to testify and do that I think is critical.

The other thing would be -- and semeons correct to if I'm wrong, if I'm thinking of thin wrong, but I den't think I am -- if Stuart's prosented with a settlement agreement, and we need it approved, it would get approved, but then it would still some before the Council like it did today for the vote. So it wouldn't necessarily like out anybody out of having a say, but it would allow --

Thoro would be ovorsight, because if you

ls advenated for.

remember, Natt, we changed the ARMs that the Director cannot act on his own behast, he has to act at the direction of the Council. So this would just afford him to do that. And Director Allred, did I speak that sorroutly?

MA. ALLRED: So Chair, we're speaking a let about the resolution. Right new we're asking me. I think the motion is to create an Executive Committee, and then with the resolution, with Matt's, I want to address that, because it's specifically in the resolution, but I do want to address that.

It's a great concern, what you brought up, too, Jessa, speaking about the resolution of the notes will be provided at a Council meeting and approved. All those things are in there, but first we're discussing just whether to adopt an Executive Committee. But I do want these things in the next part.

CHAIR SLAUGHTER: Thank you. Matt, does that help?

HR. SATLER: Yos.

CHAIR SLAUGHTER: Any further

discussion?

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MR. KRAFT: This is Chief Kraft, Mr.

Chair. I also support this. I think that having a number of voices that are overseeing PGST staff is a good thing.

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And to Matt's point, maybe this is something for discussion at the resolution, I agree with how the appointments to that are made.

However, I might suggest that in the interests of ensuring that our voices eventually have an opportunity to serve there, that perhaps the Council or the Chair appoint these Executive Committee members like every two years, or semathing along these lines, just so that there's some opportunity for a solution on that dommittee. That's all I have to say.

CHAIR SLAUDHIER: Thank you, Chief Mraft. Any further discussion?

(No respense)

CHAIR STATUSTER: All those in favor of the consideration of creating an Executive Committee, signify -- sorry -- the motion on the thing. I'm all ever the map today.

se all those in Eavor of ereating the Executive Committee, which is the motion on the floor, please signify by saying aye.

(Rosposco)

CHAIR SLAUGHTER: Those opposed, same sign.

(No response)

CHAIR SLAUGHTER: Motion carries. So Director Allred, we'll move to the recolution new, that we tried to go too fast for, for Executive Committee.

MR. ALLRED: Well, I appreciate that, and I approxiate all of the interest and questions, because it was something that I found would be very, very helpful, and a good thing for this Council.

So the resolution is on Page 134 and 135. And I looked at Stuart and Eatrina to write this, and Stuart has a few comments, but first I just want to discuss what this resolution is.

So this resolution, it states in hore that the Chair of the Council will be the Chair of the Executive Conmittee, and he will appoint four mambers. Those four members will need to be approved by the Council.

This Executive Committee could meet weekly, it could meet -- especially during the session or during the interim -- there needs to be seven day notice because it's a public meeting.

There will be an agenda made, an agenda of the minutes, and the minutes will be sent out to the council, and they will be approved at the Council meetings, these minutes.

And I guess to address one of Matt's . questions -- I approciate, and it's very important here to state this. If the Executive Committee was considering a bill that portained to POST, and we'd look at them every week, because trying to get together the whole Council, as Jim was talking about, every week is not going to work.

And so you could have an Executive committee of five, and it states in here that if five can't make it, then if three make it, then you have a quorum with three, just because of time, and everybedy class running around during the legislative session.

But you'd have this Executive Committee, and they could state that, "Director Allred, we want you to testify in support of this bill." If I went and testified in support of a said bill, I would say, "On behalf of the Executive Committee that was approved by the Council."

So this is not the full Council stating this, this is on behalf of the Executive Committee

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approved by the Council. The Executive Committee approves this bill. So I would be making it very clear that it's not the full Council.

And the Chair would have the same opportunity to say that as well, "On behalf of the Executive Committee," not on behalf of the full Council, but on behalf of the Executive Committee that was approved by the Council. "Executive Committee supports this bill."

And so with that being said, that's how we get here. Stusst, did you have anything to add?

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MR. SEGREST: I think the place -- so it's really the first two full paragraphs there that are setting this up. The first paragraph talks about sotting up the Executive Committee itself, and the members, and how those members themselves have to be -- like the Director was saying -- consented to by the full Council, so there is eversight by the full Council.

And then under the powers and duties, the decisions, the type of decisions that the Executive Committee can make include informing the Legislature or the legislative committee of positions adopted by the Council, so that's when the whole Council has voted on; or providing advice and direction short of ultimate decisions regarding legal matters in which the Council is named a party, directing action of POST staff.

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So that's enother I think advantage to this, is not just the communication espect, either legislatively or logally, but it's additional day-to-day or at loads wook-to-weak oversight of the Director and yest staff.

So the Executive Committee may, as was discussed, direct POST staff to provide information to the Legislature, and the committee may direct POST staff to appear and testify before the Legislature or its interim committees in furtherance, again, of positions taken by the Council, or on behalf of the Executive Committees.

When POST staff is representing a position of the Executive Committee only, it will disclose the fact that the Council has not taken a position on the issue. Additionally, the Executive Committee may call a special meeting of the Council, and may make recommendations to the Council at a special regular meeting.

so that's another advantage, is if something needs to happen, if there's a group of

five on the Executive Committee that can decide, "We need to get the whole POST Conneil involved, and we need to call a special meeting."

So it's basically everything -- (inaudible) -- but there's the specific points within resolution 23-902, just for your information.

HR. DUTTON: Hr. Chairman, by way of background, can I give a short soliloquy? CHAIR SLAUGHTER: Please, Sheriff.

MR. DUTTON: I jest when I say "short."
This is Lee Button. I am the Chairman of the
Board of Grime Control. We have an Executive
Committee. I ask these people to some on. They
have to consent. Then these names go before the
board before that's formed to say yes or no. They
wete on those to be a representative. Then ence
they're appointed, here's what we handle is -- we
approve grants.

And to get the full board to move quickly is difficult. There's 18 of thus, and it's very difficult. We'll get tegether. Executive board makes some decisions, and they're tentatively approved. They still have to go before the full heard where everybody has a voice,

but at least we can got some direction, have some fact finding issues, and present a well decumented decision before the full board.

so the full board -- and Wyatt can join because he usually does -- but the point is it handles a lot of the day-to-day issues.

I do want to speak to this proposal, in that I don't see the one part that we are governed by from Board of Grime Control, is about testifying. Yes, you can testify, but I represent the beard, I don't represent the working file, the people who are actually working, like you would.

so you could speak operationally, "I represent the board in front of the Legislature." However, we always confer with the Governor's Office because he's the one that appointed the board. And I think there needs to be some provisions, or if we're going to get creat threaded with the Governor or the appointing entity, that could be problematic for our lengevity.

I think we need to make sure that we float that by, hecause the Gevernor's Office may say, "This is semathing that is very special to us." Even though we might have a contraindication

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of that, I think it's wise unusual to say we would confer with them, because that's the governing person that put us on here. Se in Beard of Crime Control, we do confer with the Governor's Office before we lead in. Thank you.

CHAIR SLAUMHIER: This is shoriff

Slaughter, Ghoriff. I do that. I handle all that
any time we're going to be testifying, or if

Timothy is going to be testifying, except for if
it's semathing anecdotal like, "What's your
budgett," or semathing that we, you know, is
public information, but so just need to say it out
loud. I contact the Lieutenant Severner on all
those matters and staff those with her, and have
done it as a practice ever since I've been the
Chair.

HR. DUTTOH: I know you do it. Mr. Chair, I know you do it, I just don't know if we need to numerialize it in this document to make mention of it. I've been there when you do it. So I just didn't see it here.

MR. ALLRED: Chair, Shoriff Dutton. I read the Executive Committee for the Board of Crimo Control, and I don't believe that is in there for the language. That is the practice that

Manette and you follow, but I don't boliave that language -- I mean Matalia. I beliave a -- I don't remember that in these, but ih's the practice that you follow.

CHAIR SLAUGHTER: I would also argue that that is my responsibility as the Chair, is that I have to keep the Severner apprised of all that stuff, and if I'm not diligent about that, then I'm not doing my job.

MR. OPERREST: I would add that whether or not -- this is Stuart -- whether or not it's in the resolution, the Council can direct that to either the Chairpan or the Executive Counittee.

MR. DUITON: I wanted to bring it up.

CHAIR SLAUCHIER: Great point, Sheriff.

Anything else regarding -- Any other questions
regarding the resolution?

(No response)

CHAIR SLAUGHTER: Are we ready for a motion on the resolution?

MR. THOMAS: This is Jim. I move that we approve resolution 23-002.

CHAIR SLAUGHTER: Do I have a second?

MR. Hecharter: Mike Hecarthy. I'll second it.

CHAIR SLAVOHTER: Any discussion on the

MR. ERAFT: Chair flaughter, this is chief Eraft again. I would just like to roitorate. I think it might not hurt to have some language in there, just a sentence, that members of the Executive Committee are subject to appointment every two years or semathing, just so that's it -- it's not there has to be movement on that committee, but that at least it's examined periodically.

CHAIR SLAUGHTER: Thank you, Chief. Any communits regarding the Chief's comment?

(No response)

CHAIR SLAUGHTER: Chief, my take on that is I don't disagree with you at all. I completely don't. I think it's rectified in the fact that as the Cheir, I get to appoint four numbers to the committee, and those members have to be voted on by the entire council.

So if at that point in time, or if a year and four months want by, you could make a motion during a Goungil meeting, you know, "I so move that we elect new members," or that we review the current members on there, and we could just

handle that on an agenda item. I think that could be brought up at any time.

or lot's say that we thought thore was issues with the members or whatever, that could be brought up at a Council mosting and rehashed well before two years.

I think that so far as having a hard and fast rule as to when that should occur. I mean I think that's going to happen during the natural course of business. If we feel that the Executive Committee needs now blood, that's the full Council's job to make a motion and go for it.

That's my take on it. If it makes the Council fool better to actually delineate it in there, I don't have a problem with that either. I just think that we're all going to be paying attention to this all the time because we're going to be voting on issues and staffing issues that are brought up from the committee at any single meeting.

so I think it's not screening thut's going to like run in the background, and we're going to forget about, so that's my take. But I'm good either way.

MR. ERAPT: I appreciate your comments.

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This is Chief Kraft again. And you very well may be right that it's kind of handled in the normal course of business.

Ecovor, this is a new committee, it has some powers and duties that are fairly significant, and I den't think it hurts to include language that from the beginning that says at the very least every two years, or whatever specified period of time, that membership is re-examined.

CHAIR SLAUGHTER: Chief Kraft, this is shoriff Slaughter. What about we propose this, that in the first paragraph, that we do an amendment -- which obviously we'd need an amended metion from Jim Thomas on this if we were going to do this -- that we amend that every year at the, I would call it the last meeting of every calendar year, so that if you have a session coming up, you are ready for your dession with your new Executive Committee.

So your like December secting, lot's eay on an annual basis the four members of the Executive Conmittee will be discussed at the Council Scoting. Is that fair?

HR. ERAFT: This is Chief Kraft. Yes, X think that's fair.

HR. ALLRED: Shoriff Slaughter. CHAIR GLAUGETER: Go aboad, Director

Allred.

NR. ALLERO: I printed off the committee members right before this mosting, just because I slwsys review them. Like I don't think it would be a had idea just almost separate from this resolution, the Gouncil to make a motion at the end of the last exeting of the calendar year, just response all the committees, to releak at them, and make sure everybody still wants to be on that committee or is active.

Because there's five committees, and this would be six, and some people are more active than others, or are interested in other areas, so I just think that we could do that on a separate motion, that we just review all the committees at the end of the enlandar year.

CHAIR SLATGHTER: Director Allred,
that's correct, but we don't have that item on the
agenda. So I think what we're specifically
telking about with Chief Kraft's request would be
to make that happen as an appendment. We'd approve
-- if voted, we'd approve this resolution with
that amendment that Chief Kraft is talking about,

so that we can move this forward today, because I think that's the correct, like Rebert's Rules regulation on how we have to do that, because otherwise we'd have to have a spot on the agenda to do the committee meetings, like you just eaid, for all of them.

NE. THOMAS: Can we put that on the agenda for the next meeting?

MR. ALLEED: Jim and Mike both soked that we put it on the agends for the next meeting. We could do that if we want to discuss that.

CHAIR SLAUGHTER: Okay.

MR. McGARTHY: This is Mike. I gooss where my head is we go with what Jim's proposal is on the resolution, and then add for the next meeting the review of all committee, and that would take care of this committee. You wouldn't have to change the resolution. It would be a separate one. And we could do that at the next Council meeting.

CHAIR SLAUGHTER: Yos, I know we could do that. Chief Reaft, does that address your concern?

MR. ERAFT: You, that would address my concern.

CHAIR SLAUGHTER: Okey. Any further discussion on the metica that was seconded by Jim

(No response)

CHAIR SLAUGHTER: Okey. Hearing none, all these in fever of approving resolution 23-002 forming a POST Executive Committee, signify by saying aye.

(Response)

CHAIR SLAUGHTER: Opposed, same sign.

CHAIR SLAUBITER: The motion carries. Director Allred and staff, make ours that we have that -- that's a great idea. At the last meeting of every calendar year, we recovaluate all committees, or however we need to word it to do a good motion for the next meetings.

Howing on.

MR. ALTRED: So our next discussion is going to be ARMs committee, dafine all committees and purposes, and Katrina just reminded me that actually at this time, because it's on the agenda, we could discuss that very thing right there, how to define all committees and the members.

The reason why I'm bringing this forward

is bocause Retrine -- find the paper real quick -currently in our Administrative Rales, it defines what Caso Status Committee is. It's the only committee that's defined in our Administrative Rules.

Matrina's been working proviously with counsel to draft language that would define what all of our committees are in Administrative Rules.

And so all I'm asking for today is that the Council consider approving that we define all of our committees in our Administrative Rules. And we would be working with the ARM Committee to do that, and then bring it back to the Council for roview and consideration.

CHAIR SLAUGSTER: Okay.

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HR. DUTTON: Mr. Chair, is that the ARM Committee itself? I'm looking at the committee reports. Arm those the ones -- I just want to be specific which once we're going to dofine.

MR. ALLRED: You.

MR. DUTTON: Curriculum, Caso Status.

Coronor, Business Plan Policy, and ARM?

MR. SECREST: And now Executive.

MR. DUTTON: Executive, yes.

MR. ALLRED: Yes. Mr. Chair, to follow

up on sheriff Dutton's question, what committees would we be looking to dofine in our Administrative Rules other than the Case Status Committee? It would be all of them, the Administrative Rules of Montans, the Business Plan Policy Committee, the Corener Committee, the Curriculum Committoe, and now the Executive Committee.

CHATE STATISHTER: Okay, So do we bood a motion for this?

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MR. ALLRED: Wo folt like it was bottor -- aspenially when we discussed this, Chair. This 13 is rimothy Allred. We thought it was butter just bocause staff were under DOJ at the time, and we still are until June 30th. New we're attached administratively. But I just think at this time it would be closeer to have a metion.

CHAIR SLAUGHTER: Okey. Thank you. So can I got a motion to have a committee to define all committees and their purposes? Sorry. It's the ARM Committee, correct?

HR. ALLRED: You.

MR. SECREST: This is Stuart. I think the romost is to direct the staff to work with the AUND Committee to create Administrative Rules

to define all of the committees as we tust

CHAIR SLAUGHIER: Thank you, Stuart. MR. DUTTON: This is Lop. I make a motion with what Stuart just said.

MR. THOMAS: This is Jin. I second it. CHAIR SLAUGHTER: Do we have any discussion on this item?

(No goodonse)

CHAIR SLAUGHTER: Hearing none, all those in favor, signify by saying aye.

(Response)

CHAIR SLAUBETER: Opposed, same sign. (No response)

CHAIR SLAUGHTER: Motion carries. Go aboad, Director Allred.

MR. ALLRED: So Stuart was asked to draft a mome in regards to school marshals, the school marshal program, so I've asked Stuart to give an update on his memo at this time.

MR. SEGREST: Woll, it's in your packet at Page 136. And this went through -- You'll see it says revised, and then the date -- went through a couple of itorations with good foodbank we got.

But basically this law providing for a

school marshal was passed in the 2001 session, and it's sort of -- what's that?

UNKKOWE SPEAKER: *21.

MR. SECREST: 2021. Thank you. Hot one. Wo're delayed, but we're not that delayed. But it wasn't on POST's rader. He action was takon on it until recently a Sheriff reached out, and basically said, "What's the deal with the school marshal program?"

And so because it was sort of confusing as to how it would work, and the legislation didn't fully define all the parameters, I was asked to provide a memo on how this would work. both on the local level, and then in regards to POST and POST's oversight requirement.

so at the end of the day, I think the hev is that to serve as a school marshal, an officer has to meet the requirements for a law enforcement official -- I'm not using the corrout vorbiago.

MR. DUTTOM: Posco officer. MR. SEGREST: Poaco officer, yes, oxectly -- under Title VII.

And so what that means, boususe school districts cannot appoint poace officers, that

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another agency such as a Sheriff's Office or the local police force would have to deputite or ethorwise appoint the person that's going to be the school marshal.

They wouldn't have to pay them. In fact, the point of this law was to be able to pay achool termines out of the school budget. You could also have a split payment plan where the local law enforcement agency pays for half of the budget, and the school district picks up the other half.

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But the main point was that they have to be deputized, otherwise appointed by a valid low enforcement agency. Game deputized, the person would be subject to POST everyight and contification, and that responsibility would flow through the law enforcement agency, not the achoel district. So their employing agency for purposes of POST contification and review would be the law enforcement agency, not the deheel district.

That's the basics. I go through a bunch of situations because it allows both active and rutized efficers and in-state and out-of-state efficers to be eligible depending, so there's different circumstances depending on the state of

the officer. And these are laid out on the comes two to three, your pages 137 to 150.

And then I point out that school marshals, after they're deputized, have to continue to be deputized. They can't just be deputized and then turned over to the school district. That sutherisation has to continue, because under 7-32, they have to qualify under 7-32-303 as a peace officer. So I think that's the basics.

one other thing that shariff Slaughter brought up is that appointment as a reserve or an auxiliary officer alone would be insufficient because those officers don't qualify as a peace officer under 7-32-303. They are defined as a peace officer under fittle 46, but the law regarding school marshals in specific that they must qualify under 7-32-303.

With that I would open it to questions.

HR. MCGARTHY: Mike McCarthy. I have a question for Stuart.

Tou said qualification. Will it be incumbent on the appointing law enforcement agency to have the school marshal qualify every year with fireagens? Will they be the --

MR. HCCARTHY: So it will be required by -- okay.

NR. SEGRECT: Anything that's a POST requirement would go through the law enforcement agency. You could require, if there is a cost to that cortification, you could require the school district to pay it, and the idea I think is that there's going to be an HOU or some type of contract agreement between the law enforcement agency and the school district, and these payment details can be worked out there.

But the obligation to ensure the officer is properly cartified would remain with the law enforcement agency.

CHAIR STAUGHTER: This is Shoriff
Slaughter. Stuart, first of all, really good job
on this. This was a lot more complex, and it's a
really waird bit and piece of legislation. So
it's very difficult, so thank you. You did a
really good job. There was a giant email you
read. It was a pain.

Anyway, my question I want to know is: If a school, a school board, a board of trustees of a school decides to ARM staff, totally unrelated to law enforcement, but then they reach out to law enforcement and say, "Hey, would you help us with training?," which something like, for example, if that occurred I would say absolutely, and "Would you help us? Could we be involved in your training?," because some event occurs we didn't know what each other is going to do, because we have armed law enforcement coming into a school that has potentially armed people in it that are not law enforcement officers -- I want to make that clear.

But lot's say as law enforcement we assisted, for example, if they had aroud teachers, we trained them, helped them out, helped them with some training and stuff, equipment and stuff like that. Would that in any way create an issue -- if we did not in any way swear in, pay them, they were still a school employee -- does that create an issue, or are those two separate things?

HR. SEGREST: I believe they're two superate things. This mone in this law is just about school marshals, and it is protty -- it is confusing, but also specific in some ways about what you have to do to be a school marshal.

so in that situation, arming non-law

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enforcement temphore, that would not fell within the subcol marshal law, and nor would this mamo address that oiscumstance.

CHAIR SLAUGHTER: Thank you. Any other questions? Sorry.

HR. SEGREST: I just wanted to say I appreciate -- this was a confusing low to work through honestly. Thore was a lot of read blocks, and Matrina roelly helped me. She and I applyed it together. She had some great perspective, and she always does, and her assistence was invaluable in figuring this out.

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CHAIR SLAUGHTER: Thanks, Stuart. Thank you, Katrina.

MS. BOLGER: Thank you guys.

UNERDWE SPEAKER: Sho's a blossing.

CHAIR SLAUGHTER: No, this was a heavy lift. This was a runlly heavy lift. It was funny bocaum I've never understood this, even when it was being proposed as legislation. And I'm for as much school safety as we could possibly get, but I've always been confused by this, so I'm really, really happy that we took a deep dive into it.

Do we need any action on this, or is this just an on-the-record understanding of what we had?

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MR. SEGREST: It was just a logal analysis of my porspective, and my direction, I suppose, to POST stuff on how to implement this low. So no motion is morded.

CHAIR SLAUGHTER: Thank you so much, Stuart. That was awosome. All right. I'll turn it back over to you, Director, for committee roports.

MR. ALLRED: So the Curriculum Committee, Connor Smith, do you have an update? Anything on that?

MR. COMMER SMITH: Nothing to roport. MR. ALLRED: Caso Status Committoo, Jip. Thomas, do you have an update?

MR. THOMAS: Tos, Director Allred. Pages 141 through 143 is the report. It is what it is. You'll see at the end the numbers.

Thoro's one number you don't see there. and that number is 680. That's the number of pages, when we met last week, that we went through, and that doesn't include the video that we watched also. 680 pages of decuments at our last menting last wook. 24

And I have to give a lot of credit to

the staff of FOST -- Glum, Matrima, everybody -the work they do, because I know they pero that down. I mean that number would probably be over thousand pages.

But anyway, I think wo're gotting a lot done. And the addition of Glen I think really holps also. So anyway. Thank you,

MR. ALLRED: Thank you. Coronor Committee, Sheriff Dutton.

MR. BUTTON: Coronor Committee. This coming wook, starting Sunday, next Sunday, will be the coronar's conforence in besutiful downtown Amaconda. So we'll be mosting there, and all the Coronors from around the state who are needing resertification will be there.

And I think that you've been talking to Andy Lebrum -- I can't remember his name semetimes -- but we did have some legislation passed that aided in the Department of Corrections being able to be the Coroper, a sweep law enforcement Coronor, and still do the investigation of a law anforcement agency.

But it was problematic that they were sending their geriatrie -- I'll have to say it properly -- people who are going to die over to

Bouldor, and thon they would die, then Craig, or 2 now Top, couldn't do, go a Coroner couldn't 3 investigate, because law enforcement on law enforcement. So they had to call around, get different people. So the idna was to correct that to allow other law enforcement agencies to be able to do that. Do you have enything to add on that?

MR. ALLRED: Woll, not specific on that, but I have something to add for Coroners. I was speaking with Sheriff Dutton.

And so mince 2018, there have been 325 officers or ditixens that have wont through the Coronor Basic. And in 7-24-2905, it pays, "The Council may adopt rules to establish standards and procedures for basic and advanced education. The cost of conducting the education must be beene by Department of Justice from memory appropriated for oducation."

So historically POST has not paid for like officers that are going to the training. They pay for their own salary, mileage, per diem, but POST has covered the hotel cost for the instructors. POST has had a more favorable budget, and we were talking, and around 85,000 between two basies a year and the edvanced

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I have seached out to the Department of Justice, and there is not money appropriated for the education, so POST has continued to pay for it. We just had a Coronor Basic last week, and we paid for the instructors.

In speaking with Sheriff Dutton, and Daputy Andy Lobrum who is the President of the Coroners Association, and also the Academy, Joel, the Administrator, a lot of classes at the Academy, if you take a week long like supervisor class, our instructor development is \$400 for one week.

As this is an update, not a motion, but this is just -- we're going to start charging \$100 to attend the Corener Basic, and \$50 to attend the advanced. Basically all that does, it's going to offset the cost for the instructors, and a few hundred deliars to the Corener Basic, like Andy Lebrum and those who teach it, to actually have a little bit of budget to buy stuff for Corener Basic that they've never been able to buy before. We feel like \$100 was -- you're just looking to offset the cost. So an update. Any questions on that?

MR. ALLRED: That's going to be a good thing. It will holp our hudget, and give a little bit to Coroner Basis to add 100 bucks.

MR. SUTTON: Thank you. I forgot about that.

MR. ALIMED: Thank you, Shoriff. Thom Business Plan Policy, Jons.

MR. REWARDS: Mathing to report, but just set up a menting soon. So whenever the other suys on the board -- (insudible) --

MR. ALLRED: So Chair, I spoke with the Chairman of the Susiness Flan Policy Committee, Juss Edwards, and we're going to hopefully set up -- we're going to set up a meeting in the near future to start discussing sems of the business plan and policy and goals of POST.

CHAIR SLAUGHTER: Chay.

NR. ALLERED: Then administrative Eulop of Montane. Sheriff Dutton.

MR. DUITCH: We have not had a meeting, but I look forward to working with the other members of the other committees, and to detablish the rules that we want for the Executive Committee. So we'll have a meeting, but no

meeting to report, unless you have something.

HR. ALLRED: No, I don't. Thank you,

Heat is the Director's report. I've said this before. We are ever budget. We're actually maintaining, which is good. For the month of March, we're \$46,000 ever budget, but that's where we have been for the last few months. So we're working really hard to make sure we maintain that.

Now that POST is administratively attached to the Department of Justice, I just need to emphasize, more so than it's been, that we need to make sure that we stay within budget.

As I stated, the budget was approved in House Bill 2, and second and third reading, so it's moving forward. And some good news on that, too. I'm just waiting for all the specifies to come through, but PGST's annual budget looks like it's going to increase \$235,000 annually.

That was what I put in for the fiscal note when it was originally under House Bill 697 regarding the Board of Crime Control, if they were going under General Fund, and when they put it in House Bill 2, they included that language.

So this need to have, but I slee pay it approhensively, a little bit of hesitancy, just because we need to make sure we live in the hudget, and we've been spending over budget. So that's a good amount to have, and we're at a good place going forward, but we need to be very careful that we open the box of everything we want to do nowing forward. So anyway, that's an update on our budget.

You can look through the statistics on hore. We have continued to moving forward with all of our training and cortificates. POST continues to do a briefing for every basic, from LBOB, to PSC, Frobation and Parole is going to be at the center, same with Protriel is going to be at the center, same with Protriel is going to be at the center, and CDOB.

I was able to instruct at the Mentana Executive Leadership Institute, and give an update to all these classes about POST. We were able also to meet to LEQ classes, and give a briefing

Glen has traveled quite a bit around the etnic and mat with several Chiefs and Shoriffs; the same with Katrine. We've met with Chief St. John. Chief Highels, and many others, Mineral

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County. We went out to Townsond and not with Sheriff Nick Rausor out there. We've also not with Sheriff Lee Butten here in Helena, and Chief -- and Great Falls Chief Petty. And we've going out to the Highway Patral to get a hour nort week of their famility.

I'm going to MSPOA this Friday to give an update on POST et Fairment. The following Tuesday I'll be in Ansoends to give an update to the Mentans Correctional Officers Ansociation. Then this summer I'm on the agends to give an update of POST to MACOF and MPPA at their association.

office updates, we've had quite a few, and one of things you can see in this ~~ Woll, just an update. This whole room right here was a vision, and it's come together after quite seme time, but it's very offective. And it was a vision that we had to have this room for investigations, for committee meetings, for Council nectings as much as possible, and so we're all very happy with that.

Continuously just -- I don't know how to explain it -- just overwhelmed and grateful for the steff at POST. It was difficult.

So talking with the Lieutenant Governor about it, just so everyone knews, it's not like -- Once you've been appointed, oksy, Senato confirmation happens when the Senate decides to do it. So those of you that weren't appointed, you're still appointed by the Governor, and we will just wait until the meat session to appoint you, and darry on.

I don't think it has any impact on your torm limit. In fact, you can go over your torm limit in that fachion as well. So I want to say it out loud. I've talked to the Lieutenant Governor a couple times about this, and she was not even remotely worried about it. She's like, "Well, that's the pleasure of the Sonato."

MR. ALLRED: Thank you, Chair. You're creatly right. That's defined in law in 2-16-213, it says, "An officer shall centinue to discharge the duties of the effice although the term has expired until his successor has qualified."

And that's all X have for Director
updates. Before I state our next Council poeting,
does anybedy have any questions for mo?

(No response)

HR. ALLEED: It is my understanding that

I explained Nouse Bill 697. When and minute staff thinks they're under the Heard of crime Control, one minute they're under BOJ, one minute they're staying sunset, and then one minute they're attached to the Council, there are just a let of neving parts.

And I think -- I don't think. We did a great job of just pressing forward, and moving forward the mission of the Council, and I just want to say that I approciate the staff -- (insudible) -- that was difficult, and it brings atreases that are sensitives hard to deal with, but without the unity of our staff, I don't think we would have moved forward as well as we did, so I'm grateful for that.

32 |

shariff Slaughter mentioned the 909T Council mechans' term expiration. I myself have called the deveror's Office last week, and have not heard back. So it is just moving forward as of right new. I don't have any other information on that, just gratoful for all those who continue to serve, not knowing the outcome, and I greatly appropriate that.

CHAIR SLAUUSTER: Director Allred, I just want to say it out loud, just reiterate this.

we would like to have the meeting in person, the

CHAIR SLAUGHTER: Hy understanding was

MR. ALLESD: We will still have the frame option. We'll have the meeting over at the Ohn Building at MLSA, and we'll bring the Owla and everything over there, so we'll still have the frame option for those who might have to travel, but the goal would be able to have that meeting in person. So that's what we'll nove forward with.

So the next Council meeting will be September 6th, 2023 at 0900 at the Ohe Building. That's all I have for the Council and the Chair.

CHAIR SLAUGHTER: Great. 2 don't think we have anything else. So do we have a motion to adjourn?

MR. BUTTON: Motion to adjourn.

MR. TEOMAS: Second.

MR. SEGREST: There was a lot of outhursteam.

(The proceedings were concluded at 12:33 p.m.)

~22~

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10:25, 19:5.	CC:25 - 183	#1:88 'CI:00	2:11 61:21	'01 H+ [2]	- nellemillas
10:20	01:01	15 2:48	191:21	CONVERTERISE	21:01 16:15
17:22, 14:2,	. 59121, Fd:7.	'41:22 G:00	***** 10:4	E:35 'CZ:CD	[Z] sonstaine
12:41 13:21	Comicalom [3]	5:21 12:50	61:0 01:0	61:4, 61:24	7:19
10:53' 13:3'	2:69	90174	91:0 61:5	29123 6019	"Z:10 "SE:09
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	26:14, 63:25	.02:10		01:75	- gallaubas
C:PI	20113	61:33, 55:45	1811 1111	+ 1estinos	
- befanntleb	[C] Janitus	64:14.	[111] [3unm	52:09 -	[2] toubas
64:14	21:09 - Ettas	'S:+3 'CE:E9	2:25	contraindicating	CE:15
- afanaliab	STIES 'STICE	.05:10	'Z:Q0 '5:25	01154	- stuspus
3215, 7215	erittent (2)	62:12	7:26 9:51	- 11E11U03	S1446 "12:57
(z) pelajop	25:01 '41:60	'E:85 'CE:85	Cunjqua [2]	C2:50	13:55
G:00 - EBRITED	71:6C	12.05	17:10 '01:54	- Ajtnosugtan	(c) passages
41:40	1-1	'61:05	10:22,	C1:>0	72:10
'StirL 'ri69	S:11, 28:2	'91:85 'C:85			
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[2] bunitab	E:30 ,111,CS	'02'45	5:05	[2] pasulines	.20:01
33:13	51:1, 51:24, 53:21, 86:3	61 62 8145	· Yiiianiaa	86:24, 47:16	'SZ:II
10:14 '61:01	6:09 21:65	'4:45 'C:45	61:56	2415, 7417,	*12:11
101 13 10:3	'Etite '5:52	1:45 '+2:95	E1:59 '2:09	4:61 91:90	"91101 '0116
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	20:16, 76:18	22155	2:68	21:02	25:10 , 61:15
- avluneteb	'SZ:0Z	'OFFES	22:10, 40:55	- Iluanos	ct:cz
CC: 44 - damp	12:55 '22:21	'S1:05 'C:05	11:06	02:92	91:19
59:23	CLERGE [2]	12:25 '8:25	2:10 01:53	Considers -	ancein [4]
21:15 22:15	12:5	"2125 '2510S	9:15 5:15	(2) 10:31	22:12
22:45 1:61	7:12 4:31	'5105 'SEIST	9:15 '5:15	100:01 [2]	- mallame
22:2" 40:20"	[c] semesan	49:12	2115 21 21 5	Countdering	mt 54 2:01
(41 tuejajana	1:00 - 41913	22:99		14:50	[7] Teldus
23110' 2013	24:22, 60:22	'11:10	22:20 24:7	- perepianes	02:03
10:13			T. br orier		4
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13:13	\$2:25	40:12	30:10	'61:95 'D:15	91:19
decision [4]	- Weestisses	'01:01 '6:01	'51:DZ	't: Lb [b]	- Ajajajdme
#140 'SZ191	11:77 - H143	'9:00 'r:00	20:14	Consideration	31:0:
decides [2]	64:23	43:52 48:1"	11:02	30:69 9:00	- pajajdus
1165 12129	- 491,1502	91:47	13:52 30:1	(2) teblenes	PT 92 '5:E2
[z] espep	65:3	'p 5: 40 'p: 27	13:20	61:15	Izl sandwe
02:50	"01:79 '1:57	'S'SE 'CE PE	'2:51 'C11et	- pattatuan	2:13
O a combar -	01.79 1.57	3.95	91:11		- unjundune
	12:6E .0:0E	34:15		51:65	
2:95 - rlanb	12:24 39:4	3511 3410'	[BE] isertes	- Statues	13:3
30:17, 40:1E	[4] essnes	2012' 30:14'	27:3	C1:06 11:00	melaslavama
(S) Unitabl	T1:18 '91:14	29:21, 30:5,	'6:00 'F1:61	101:10	ot:se
21:00	36:22,	59:19	Cottanger [3]	'D1:CF	analtasia amme
18:25, 72:8,	'21:at	0 62 12 02	24:54	21 61 2 61	9:05
112:51	[a] olquan	27 17, 22:0,	- s'isnetes	13:25, 19:3,	nelisalitumme
[b] lanb	1:52 '51:07	13:12	41:52' ES:4	12:53	12:23
11:81 6:11	17:12,	30:10	'61 ITP	123, 13:23,	T=14 '0Z=04
[2] outibasb	61.21	91.92	61116	122.5	1-12 02-02
	12:13	20122	91:12	1:3' 3:55'	1:07 II:00
61:45 - 120	C:9 '11:5	26:13	'5:12 'f1:02	Conner [13]	2:69 \$2:29
9:09 7:15	[4] Atunon	76:11.	79:21, 60:2.	41:10 'O1:17	CZ: 19
day-10-day [2]	3:17 '£1:07	5:92 5:97	107:54	[1] pelanens	91:29
1:1E - stiep	[2] seilines	'2192 'CTIGE	01:07 ,0:07	1111 12:01	91:19
17:1/ '9:00	22:52 - 1unus	24:52 '52:3'	'0.0/ '77160	101:02	21:99
****** *****		23:20.	Cornant [13]	(c) Bulanjaes	'ET: 99
11:92 '61:52	1:69	02:55		The section of	,02:33
01:55	't:19 '81:3>	22:20	£1:D#	11. TT 0: CI	
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[7] stab	1:20' 4:22'	16:21, 20:7,	1:E - 1:00	23:12	'r1:17 (ST
	[4]	121:31	29:24	- folilaro	188711 mme
D	Z1:79 '5Z:27	12:01 10:51	[3] fc:13'	12:00	GE:SI
	191:92	14:51	COURSIDEROUS	- semilines	162:29

	[01] Inemmes	121:11	.51:16	13:25, 14:6,	111:55
19110.	11:64 0:94	35:14	9:19 '01:65 'F:45 '11:55	11:11	6:11 6:22
0 64 11111	to:1, 65:17.	3116	11:55 5:35	::::::	(9) 7,013
'a ne 'stict	41:05 '61:27	'01:41	1:55 11:05		52-60
30:37	22:22	******	51:05	'at:11 '6:11	- 6161163
51:02	162197	*12:01	701165	** A P7 0	51:00 '01:00
10:01 10:01	91:91	11111	23:52 23:50	W: D . C 2: F	C100 91159
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.b:07 .11:04	7:05 - W03	charging +	2:15 22:05	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
69:4, 69:12,	callacia -	3: (5 - agrada	11:05	6:12, 6:18,	
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. 31 EE: 59	- bafibea	22:42	51:61	[881] 1683	22:57 (1:17
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11:19	citser - 44:15	'at:00 '6:10	12:23 43:1	- bafillina	Z1:05 'D1:05
161:09	cissed - 10:20	cpeuliq [a]	46:20	PICE STICE	91:50
,01:08	CICE - 36:20	mitten ferten	48:33	73:25	'attec 'star
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, 65:13	11 94 1 45	01:00 7:50	43:50 44:3'	95:5: [9]	1:9 4:3
11:65	11:15 12:01	cypels [2]	43:10	delfasilitres	Burdick [9]
1:65 11:05	[1] 41112	- 57:15	'S1:E*	11:12	15:61 - danud
20:13	FE:07	14:21	PICY '9:EP	- sefelilites	(z) auspilne
21:05	61:45 -	- Italied>		- efelilitet	6: 50 '5: 50
'D1:99	Els safficetions	C:05	1:00 '02:46	di:th	P3:10' 61:00
27:24	DZ: 95 '61:98	Chaleman's -	'SL:CE	- Ainten	'51:00
57:23	21:10	Ctitt, Stits	51:50, 25:5E	97:70	-1100
57:9 57:16	91:57	21:05	5:7C ,55:2E	St: 12 'e107	T: C0 .2 .C0
1:45 52:95	20:10	10:65 PT:05	10:00 '9:0E	[E] Jejus;	E:25, 12:18
22:95	C1 18 1:57	CPPREMED [2]	35:22	21 12 - 1133	,01:04
21:05	[K] an sia	ZZIES STIED	12:11	CEIRP - MENTS	'Z:CZ '11119
11:95	01:5 - RIVE	"HT:00	'01:51	2555	61:15
2195 22:55	CITIZ - AIRITI		34:24	- estitiones:	(41) 10 19ng
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24:23 55:75	(2) ct.11).	101128	33:10	69:21 10:3	+:20 - sand
161:75	21:07 '11:62	3111 11 11 11 11 CT	11:11	22:27	'61:19 'S:29
111:75	198 62	C1:44	33:11	TIT: 05	'2179 E11ES
22:15 21:15	29:11	"T'44 '91'54	37:54	40:20	19:13
6:15 PZ:05	[5] susziaja	14:12:	31:23	12:51	20:22
't:05 '91:67	52104 -	,C1:37	112:15	[4] ates	. a: 05 , E5: 75
11:67	ENDUR MISSERS		11:20	C: 15 - 5163	12:52
S:67 SZ:37	riccumstance -	70:12, 71:3,	11:13	3:10 .51:52	10:4, 13:13.
111:47	Chiels - alaida	6:04 57:60	's:tc '91:00	Ctitt '21:00	9110 '5116
"C: 27 'DZ: 92	11:19	91 69	30:10	\$111 '11:09 \$1:2' 22:5	[91] IUDnosa
. TI: 32 (TT)	chial's .	51.69	30:14	02:10 1:00	Tit - manning
se Himmes	1750	· 20:15	24:9, 24:10,	161125 2:13,	22:22
E3:10 E1:C9	C:S0 S1:00	01:00 5:09	24:1, 24:2,	[8] zelttes	oteckinen .
51:55	67:21	67:21, 41:1.	53:3' 53:10' 55:2' 55:8'	Cite(a) - 1413	tt:99 - seujaq
23:16 B1:50	192:99	61:12	21:25, 22:3,	45:19 91:29	'41:15 '6:05
'E1:00	11100	"2:50 'QL:59	31:20	[z] uses	[c] durdujes
E::10 ,01:4	76.59	21:19	30:52	\$2:22 '2:05	4-92 11:69
commute [8]	GE:59	751:29	20:22	22:27 2:02	25:114
£1:09	11:59 '61:59	*** ** * C * C ** C **	11 02 6 02	[5] Jannes	91112
Sinc besica	1:1:19	T110 T2:29	"B : D 2 " 2 1 : E 2	1:41 - bennas	[9] geltd
13:11	The Co. Letter	61.29	101:01	21:01	02:13 61:50
'SI:0 '22:5	12 25	95:20 93:29 91:35 93:2	15:18, 16:0,	- analfallanna	[5] galteltd
21:0 51:0	12.54	91:35 93:2° 91:38	14:24, 15:4,	20:14 34:52	01:5
	6	31.19	Tree Print	*****	01.5

[gunn [3]	24:22, 27:1,	1 126 22 18 01 10	\$1192	61:65	,31:5
33 11 2 32	61:76	61:10	· fasmitastis	\$1197	[4] Londs
22:22	41:12	detite	5192 21162	10:51:05	32:10
12:14	[st] mina	S 118 SE 08	'51104	DIEP 2117	- IJUMEL
11 4:10	1:92 '57:02	10113	*****	[p] bagtden	3:20
28:54, 37	22:00	12:00 30:01	affached [6]	CE:62 7:51	- Auseus
'S1:90	23:9, 83:16,	"tz:er 'a:ec	(el naugente	[1] Jis' Jid	61:00 12:5
E1:85	2 25 12:95	"tipt 'ttitt	£1:59 '01:50	fall transder	izl janus
22:20	26:20	***********	'6:10 [c]	£:£9	****
.71:00	'e:95 'tt:27	S:EE >2 22	REITEIDEER	'(1:00 (Z)	- passassi
23:13	31:15	*****	\$1:94	patenteride	25, 26, 20
		50:13	- 24111111		(Z) usuneur
Brank [13]	28:20,	121:01		(2) 14:25	01:1
2 - 20g		10:11	4:11	36.71 121	
penuq - 1	27:23 ZB:4.	6:61 6:01	101:1 '41:1	alainq enque	- istebber
- TeblueB	22:11	'51 01 '2 01	[C] inafetten	7:58	61:1
55:00	26:25, 27:1,	21.01 2.01	11:22	- pestaggs	3:15 41:6
- matted	26:23,	[az] piseq	- manafelten	2.10 -	IEI API
barns - 50	26:21,	Oc:86 - 9888	12:02 ,05:21	Tipvis hadsinges	3:24
23:12	25:14, 26:9,	11:6+ - H,18E	, 11:11 [2]	CE 92 '01:20	'CI:7 'CI:
SC '6119C	'6:52 'F:52	3:01 - 348	Thimsaissa	C4:25, 77:34	(c) nommeb:
91:00	"1:52 '32:9C	(:34 - 54d	6:05 - 13mqsa	2195 6185	5:4
22:7, 34:	12:2 1:3	51:07	6:59	0 55 01 20	. pazija
1:12 '51:1	rest ferl ma	peckap -	'4:C5 '41:91	10:12	E::0
	TT:04 'T1:04	22:19	16:14	22:22	- zjelje:
polied - 16	39:14 64:14.	29 22 24 9	[9] gnians	121:21 15:12	6:50 'CT:6
58:54	[b] mittet	30:10	55:14 42:0	[ro] e:11"	[El apuesat
- spreep	25:9	53:16,	[2] etaluatina	minijaidde	61:0
83:23, 86		2111			
11:00	45:15	'2:pt '91:C1	25:07 ,05:00	9:95 -	- 33435#
11.29	11:4 [2] Rif	12:22, 22:21	1:05 5:01	afnamfnloqqs	2:1
75:24	45:13	21:11 [11]	IN *HAA	24:12	21:15 2:9
15.24	- Esiting	35-11 [111]	32:36	11:09 'C:10	[E] BUREU
62:23	\$1:00 '1:20	bautgraud	· çalmıa		71:5
19 '41:09	[2] baldad		£1:34	'ti'tt 'ci'tt	"t t : SE '9:5
'F1:09	2:CS - Isbung	B	8:96 '0:BC	12:21 [2]	£:5£ 9:7
11:09	91125	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	(E) bomia	78.8m7810EES	'S1:10 I
109 4109	'Z: 25 '5125	E1122 - 10Au	EFTER ! 17:01	CC:PE '53:39	#1nambaan
29:25, 60	'S:45 SE:95	11:14	22:69	[1] Outiniotqu	62:53 (62:52
12:65	22:95	0:00 **2:55	'91:65	20:20	'C1'S
20:30	'B:25 '22:15	*72:97	21:69	- seejujefds	111.5
91:65	101:00	TO THE PARTY OF	24:24	9 49 '5:12	9:57 1
£1:65	71:47	122.20	S:PE 'EZ:EE	"CLAP "CTLCE	SASMBARC
'21:6P	"1:09 "5:51	11:27 77 8	13:20,	31:09	1:5
25:4' 25	[zt] meung	'0 4 5 ake	(e) HYY	*81:65	- duppueu
OC 'T'67	19:13	19:12 30:1	01:45	721:12	£1:59 '4:4
52:2, 29	- addjuujbag	IZ EWOTONO	- 115000000		
00 3.30		ISI amaiawa		It I beanlotes	[2] papues
beard [25]	4:59	(1:5>	2:53 - mugia	4:12	51:59 - puen
sa - beald	- galanig # 6	- HAUDAP	05:05 - 1'AA16	72:25, 73:3,	9:55
T . maseld	2:17	£2:35	21:00 - sesta	63:26	- Inelaylda
11stk - 40	- galmes så	- Yallixee	01:69 9:39	61:55	61 2
91:22	21:2+	1171 -	[5] galverqqe	*01:15	- yaneyı
- prissaid	- amesad	ReliegiseAfes	2:45	[9] şujıda	21:1
9:51	21:62	2:14 2:50	- I BABIdde	3116	file 'elie
Clarados14	- tultrennd	alterney [2]	51:00	- sucht salltge	2:23,
24:2 04:	+: 49 - pusse	74:17	92:65 '0:45	18:2' thile	1:10 DE:/
m1:51' 85	57:08 '01 P/	- nolinalita	11:75 '57:05	[2] uentengede	1:50
'61:5Z	.15:27	55:52	'E:95 '12:55	*:E1	[4] Apres
So [al ais	[c] sajing	- papuelle	131:05	- sitteda	CE-14 - 111
72:60	41:12	1:01	102:25	21:13	£116
- Jujudia	10:27 152:37	- ettebnestit	22:20	- 1106da	3:3" 10:4"
9:67	'+:65 'Z1 SE	51:1	111:50	21.12	[1] 1,000
40:0, 40:	50 14' 59:8'	- pauspungge	21:15		5100 '5212
22 2 48	17:30	\$1:10 '91:EE	11:62	DIAB C.CT	2.34 25.5
47.23, 48	02.21	22:20,		B188 T 67	91.4
102:27	11:31	22:20	101:17	Sitt C2 54	6:24
GE-ET	(11:11	21:55	[PT] PRADISSE	11 25	3:10, 91:15
11:17	basically [10]	[9] pussis	PE:39 'EE:99	tt or	151:5
	C1 -00	12:07 - 13:11	62:22,	17:22, 11:8,	1:11

12:55 ,0:03	'stip 'ttip	(c) trateps			c:21 - 410
3:62 91:84	B + 2 +	Sift '61:17	[2] ppv		11:00 - 110
191195	15 4 15:4	(Z) =,5Y	44:07 .41:00		C:21 - 170
'D1= 12	3:24, 4:1	1:C2 - bralte	21:00	1:22 - 111	2:21 - 010
41:12	3:20' 3:22'	61150 4112	21.90	0:90 - 1	1:24 - 100
21:10	31:E '31:E	[Z] Dolla	12:12	N.	41:4
70:22	2:25, 3:13,	PZ:15	41:15, 41:17	8	- ELE-91-
11:04	1:14, 2:20,	- balaserba	SCHAG [E]	Market Co.	7.9
11:02	[451] taillà	S:EE . Balybe	72:5, 77:24	21:12	- 620T-ET
52:69	55:55 - amella	72 15 S 15	11:35 21:12	24:5 74:15	2:9
D1:64	1:77	[S] agsinarbs		1-32-303 [2]	- BZ02-51
61:39	- grimolis	41:11 25:00	19:22, 21:4,	1-15 - 74:0	\$7:00 '01:r
E1:33	3:05	20:12	'stiri	£1:00	4111
6:19 61:99	PE 25 1 25	(C) beansybs	'p1:pt 'st:0'	1-24-2905 -	'p1:1f [1]
, b: 68 , E: 68	14:12 21:41	34:12, 14:23	forl unita		
, r: 88 , £5: C8	[2] Walls	[S] nolleabs	2:25	L	2
61:95 0:55	6:23	21,25	't'ES [2] 194	CHANGE (1970)	7.2
'S:SS '9:CS	02:9 51:9	- beigabs	2:25	Ct:88 - 414	516
5:05 81:25	[C] sanstgellA	Ptibl 'Aties	. signeine	£190 '£2:C0	'r:92 [2] 10
21:0, 51:22.	9:5 'C:2	[5] fqabs	15:14	20:3' 20:53'	12:65 - 1
.E::12 S1:3.	[S] athaaxelA	D1:02 -	accountable -	"t:52 '52:92	21:86 - 11
. 05:62	5:91 11:EP	serentefalmbA	30:10	tel ces	21:01 - 1
61:61 9:27	[1] zelA	TT: EE 91:04	- Bujplexor	70:20, 70:23	2:11 - 11:5
21 97 6:97	41:10 - Itale	23:12	11:11	[2] 011	2:26 - 41
T.91 1.95	e:et - ledesle	'S: 52 [9]	's: 10 '12:50		22:14 - 91
, s: s. , £5: C.	Di.Ot . babie.	lavils Helafmbs	40:5, 44:20,	9	PT:55 - 51
C1:00 11:00	39.30	61:50	111:00 6:5		£1:55 - 25
Je:85, 25:85	91:14 1: 99	SEICE .2:05	Acadamy [7]	1:42 - 015	+2:5+ - tt
36:22.	11 25 42 15	'e:51 'r:69	21:10		11 - 41:52
	THEY COME	23:14, 69:2,	- sesumpane	5	E:: - BE::
11:90	[9] prege	2012 2017	7:94		PZ:00 - EE:2
51:50	Sitt - thuide	777:0 '21:3	- Approprese	110 - 31:53	52:4E - PZ:1
	01:54 61:25	2111 [91]	01:02 '61:10	91:54 - 95	B1:50 ,D1:5
12:20	[C] Justies 121	avilla ti tinima a	21:00	2:00	'D119
'P1:1C	9 25	2016	12112 '41123'	- 201-1-11	411:91 .0:0
11111	"tiet 'at 12	- tad tinimba	8116/ G:CC	22:12	[5] 00:0
'9 11 '5:10	11.21	22:00	11125 '1:0b	- +02-01-11	2:22 82:4
20113, 31.2,	'etitt 'titt	+ pauinefpa	43:24 47:55		[2] co
52:92	[1] enide	P1:00 '41'88	122:10	7	1:6
54:12	11:51 22:09	tel winetpe	101:02	-	'S1:90 [2] 0
34:17 34:11	67.10.	21:01	[EZ] side	7:C - D1C	S
THIR' STIR	"D1/0 "w1/0	- manbage	91:27 'E1:20	5:6 - 15	7
TOTAL TERRET	"E2:06 "L:00	41:51	51:02	272 - 10:11	Section Co.
23125	**:95 **:05	- 014111001	Ec) Aquiga	314 - 58:50	CT:00 - 00
'taige '0:02	*4:49 *22:49	£3:54 33:3	32:46 .55:46	Stiny frier	
23 1, 23 7, 23 7,	1 10 10 10	727:43	13:12	2017 [2] 56:11	0
22:15 , 23:25	6:23, 1:17,	23:15' 20:2'	101:10	111 - 5	W
22:15.	fett tausde	21:10	Cit lef mit		01:6
22:12	22164 'STISA	12:51		E	- 001"
22:12	11154	12:51	A	0.370734	21:1
50:07	19152 '62194	[6] zenibbn	Security and the	11 42	*: 62 'SE: 9
'>::07	12:20	02:11	1:21 - 11:11	232 [2] 2322	121 01
10:1, 20:7,	21164	- YllanalilbbA	9:07 - TO:0	34.7, 35:2	72:0
12:10 10:C.	71125	1114, 581F	3:10 3:6	[1] 507,61,65	- 300,1
152 21	21164	IST landitibba	,t:t (E) an:e	1:50 9:00	1:1
101:41	orte tite	fzl ualtibbs	21:55	ISI SES.ES.ES	- 030,81
61 91	12:20 '2:21	TEL nalfibbs	6:52 [2] 516	9:55 61 05	£4:18 - 001
'SIG 'EE' 11	12:32 '52:42	ES: PY 2:50	40:20, 40:22	9:55 61 05	1150
2:12 9:5	fitt Cit	[2] gnibba	191:01	22-002 [4]	- 009'551
01. 6.6.	[LT] Asunde	25:05 - bebbe	'6'0+ CT 61		1:12 51:1
9 9 9 9	9:02 11:15	F128 6:02	121 224	E1:01 '5:67	A PC 25:18
2 11 2 116	14:15	, T:08 21:TA	11:75 - 08	26:3, 26:4,	[1] 001
91:5 21 5	[2] telanen	01:29	- 5	T. S. T. C.	Ś
1 5 61 7	'61:51 '11:5	21:25		202 [2] 1:20 2021 - 1202	_ 5

4:13, 8:6,	TE:02 F:07	(t) beneltnem	.01:52	74:4, 74:17,	.25:0 (E) timit
IEE! HAAM	maney [2]	02:19	0:49 4:99	21:11 11 2	
6:54 - ROH	29:14, 39:13	- nelinem	'5:99 '£2:55	2 4 31-12	- maiwaalia
1:22 '91:00	[E] ebem	61:21 9 21	.01:21	(2) sindatom,	01:11
'P1:11	C:09 - V3TM	'C:0+ 'GTISC	'91:55	10:34, 11.2	'er: 22 [1] am
terme fettite	0 90 - nalazim	feriar	102:35	1214 P4:24	21 72
\$11.00	40:22	****	"tred "trees	22:3' 12:22'	"1=48 "61 19
.41:04	- Bujerim	******	28:53 28:35	11:24 61:11	10:22
24.04	14:3	'P'65 '51 95	12:05	(el jayaram)	[+] jurusjnei?
.01:04	100 Sept. 100 Se			P1:10	11:5C - X3
.72:25	11:0, 12:22,	'at:st	52:53	Heit [2] 311H	
21:15	10:53 11:2'	[11] ternem	51:65	2:50	61 01
2:33 71:39	10:14	[SI] tarnam	21:25		- Yitadi.
C:09 '>1:59	13:0: 61:6	mamas - 74:3	'61:0b	- ssaulitam	31:2 + IIMI
21100	41.6 416	61:19	42:10	HALLEN - 03:1	P1:10 01:60
63:53"	Hitner [10]	- szilenemem	WILL SIAT	20:2 20:4	[5] lava
62:20, 63:2,	22:62	76:21, 77:2	1521 14:53'	HARA [2]	D: Ot - meste
C.I.S. OFICE	- Jensemstellie	72:12	113' 1115'	12:25 - dem	F1161 6:61
54:23, 55:4		******	3:6, 3:5,	44:20	9:61 7:61
DZ: 95 "E: ES	1195 Z:95	11:10	11.11	- Bujuuam	
** 15 'EZ: 05	2:95 9:00	77138			CIES S2 01
21:05	.E:7 ,E:4	[5] amam	[EP] gallsem	15:05	02:11 0:11
40:52 20:0	(a) sejnulm	6:59 4:01	32:12 24:20	- 10924 am	"12141 "+141
49:23	7:00	'21:67 (r)	12:55	1:45 'F1:29	'C'41 '91:51
'5:49 'TZ: 99	'b:92 '£:99	qiqataquem	18:55	(Z) Sulasmi	'SZ 6 'CL'6
'51:00	23:10' 00:20	21:53 25:55	4:40 7:40	Ct:19 'tt:65	[92] 18110
121:97	Itl sinuju	72:29	[0] 1sem	19:15	21:94
'01:97	52:10	'S 99 'IZ S9	01:51 3:51	2110 21114	"ar: 50 "fire
	- Intentin	P3152 04 4	fri upsu	Isl togew	.05 20 C143
43:20			*2:24 - 1V19W	or:25 - Jefem	
43:12,	C:50 - anim	63:24	75.55	9103	.a: 11 [2] p1.
'C: C# 'S: C#	11:41 11:41	61:19	2156 '02186	- qalalalalatam	3.11 (2) 01
'Z:10 '61:50	(z) puju	63:18	102:24		11:12 - EOI.
'411SC	13:25, 24:3 22:16, 13:12,	.0 10 ,71:12	C\$149	91:04	E:50
'C1:5C	13:10	57:17	******	- nialniam	"PILE LE 65
111:50	13:15	22:30	162:20	51:15 - niem	12.60
*****	111:61	'oz:ss	101 90	21:52	1 1 1 9 2
22:13	12:15	24:11.	10:11	- KDDAH	******
	'01:51	20:12	'S:C2 'C2:22		9 1 2 5 2
21:23		'p:pp 'SC:00	3-11	M	100.10
10:13	15:1, 15:9,	P-PP 50:00	4:12, 22:23,		
18:51 15:61	'51:CT '#:CT	19:E :0: 19:6E	198 4:24°	- A - A - A - A - A - A - A - A - A - A	11:01
2 81 02 41	10:54 11:8	.01 35 .56:10	MICEILLY [14]	ZI IT - DADI	121161
11 30 1813	10::01	"PER "PER	P 75	CE: 40 '52:91	10:91 '1:1
7:16, 7:19,	'11:51	112' 1:11'	'et:15 '6:10	'£1:13	's:: [et] es
'514 'Y'L	'E:01 '5215	members [22]	makes [2]	(c) pnot	
[25] unitom	1:6 7:9	2125	Matthew - 1:5	57:41	11105
we sett - 5:53	2:8' 6:2'	"LIOT 'SZIEZ	p1:19	- Assays	98125
		16:2 20:31	E:05 SE:07		122:15
11:51	(15) epetimin		1-15 55-17	6:51 1111	1 6 1 1 1
10.22 5.24	12:01	[c] Tedmem	mettere [3]	stife - dujee)	111:05
SIE 'ZE:	- agsellm	51 5 4:1	6:17 11:17	11:14	*1-01 5:01
[2] galatum	S2:13 74:20	[1] uegen	33:25	6:92 2161	'r:07 (6
61:5 '61'5	6:17 77:19	12:50 '02:51	31:16.	[c] squet	atplaltig#
Atte ferte	46:18	(21:19	9:12 51:0	E2:11	4:25
Tel along	23:22 '23:25'	'5:49 'P:95	[6] sellem	"FIRE "/11188	- Alexitatelalga
Muore [1] 2:7	2313, 23123,	47:120, 40:11,	5:95	13:14' 45:4'	PE:25
27:10, 40:6.	HIE [10] 1:0'	'9:5f 'CT:9	"P: 95 "OT: 55	fed Authors	'Zt:95 '8:61
		(a) stujasam	(c) same	12:01	'2 Gt 'E1:21
[1] satasm	2115				9-01 11-21
C. La - diaum	- silefalk	C 2 - 2 D	23:50	- Tilsagnel	\$1-01
01:50 '41:10	91:12	,01:35 ,8:55	"1:15 '01:15	8:9E - BRAJOI	,51:50
01:25 ,71:45 01:25 ,71:45 7:16 - 4161M	"t: 2+ [1] aju	T:05 . TT: TO	otits	6:54	21:10
diff. or as	C138	1:52 55:22	Hatt [2] 2:18	12:01 17:154	111:00
79:10	"t:50 "pZ:bt	12:22	91111 /11111	401152	111142
70:12	21:53	02:12	(2) elaitefem	[+] [4301	*21:02 [11
'6:E2 'EE:ST	112:02	92:10	pite etitt	21:11	WAIDUIGIO
0.15 11.51	12.05	19:11.	CE:EI	- nellegilli	21:64 20:4
18:5 1:1	61161		tel initial	- nettentill	
[II] snilneM	(a) Jem	105:07	[E] lattefam	et:t - usisis	61:51
£2:27	S:25 - 38318M	91:09	2134	CE:45 - sanfi	fal aettalala
	91:91	.05:70	**175 912	21:15 - itimil	[] a elialitigi
- basellnem	'et:6+ '5:6+	.81:10	(c) nimak	11:10 '01:45	ZERS - Appate

2.87	01 50 1 59	Tine IEI sent!	,5:5 ,4:5	91:19	ucinge [2]
"E:se '02:1	'S2 90 'P:E9	13:0	Itzl sons ij	19:10 'CZ:00	\$1:09 'tt:60
[clinter	C:15 '91:15	"pige fel Aine	61:94 91:94	lastructers [2]	[2] suspinu
02:10	21:12	52:52	02:05	21:10	1:21
79:12 21:62	23:32	- jajoipnt	'(1:05	P1110 2150	- IIIJUPPIJU
[c] uniqua	71:17	1109	'1:60 'E2:31	[E] 41 13 141 SWI	11:01 '11:20
1:59	72 12	'az p [z] ujet	12:24	28.0	TRIBE TRIBE
	19114	52190 - uuet		tasitucitas -	10 0 0 00 0 00 00 00 00 00 00 00 00 00 0
01:09 11:09	19:10	6:18	12:3: 12:22	24:11	161 b 617 b
8-82 55:15	14:10	'D1:00 '0:5	[LI] massi		40.014
(2) 10 8 01	122122	2001 [cl 3:4.		- fourtient	[ot] elaibenn
5:19	11111	C:65 - 10:5	# # : Ob - 3'mal	01:10	£2:52
11:+2		22121 2010	20:10	- atuttlent	- 01016-0
- qidetebass	3:12' 13:11'		- speisen!	1:62 14:02	9:00
ht:0 - bast	. A E . E . B . E	21:54	5:01	[I] bieten!	- quemelen
P2:22	Kraft (24]	121:19	1:65 1:00	21:12	6:49 - 138du
1:52 [2] EM #1	S:15 - swand	35:10 01:20	Invelved [3]	- JAglani	0.13
41:49	30:30	[5: 01 [7] del	52:23	Ot: 07 - Indel	(1) messen [1]
.b: 00 .E : 02	Lasminerra -	#1169 Sier	- sylote!	tisz 'liet	INT PRESENT
79:21, 80:3.	26:22	[S] s'mit	6:24	151 vilitilizat	11:60 'CT 00
102:61	- duimani	20:14	0:15, 6:13,	12:21 18:20	01:02
5:02 4:22	1112	9:11 2:09	innacelien [3]	2121 '41:11	
21:02 4:22 21:02 4:22 21:02 12:02	* bedrend	6:11 2:09	\$2:12	******	[P] szent
12:12 12:21 12:12' 12:12' 12:10'	6:42 - spulf	112:29	- 41015 plianvel	(61:11	5:00
'D1:96	14141	01:95	#: 23 41:10	[a] isiliat	8:25 51:02
90:04 2:06	- aeriegiebald	**1105	(2) 1:10'	12:25	10:56 51:05
11:04 '11:56	11:05 01:05	**2154	JUNEAU BURNE	- galmıəlal	[6] sat
101:10	11:50	BIR PIAC	02:50 *	(1:62	
SEEF TETINE	'D1:SC	"Z:01 "Z1:0	INVESTIGATED AND	- Demietat	I
91:16	"P 05 '52'67	\$115 412	12:61	2:89 'EE:47	CHENCOS TRANSPORT
61:00	T18 '413'	'9:1 [91] WIC	[2] 3:4: 12:6'	'cciet fel	9:59 - 1710
1/1:55	Esmbarty [a]	11:65 . tant	aulingiltanent	lancifami elai	5: C5 - 1Jn
32:10, 73:65	12:51 '12:CF	7 E : E 5 " Y Z E	£:05	'ct:19 'C:05	61:10
91C4 '01:24	20:20 43:3	'Sil fri annec	- ulubiltawant	120 19 16:05	- pajpun
'SZ:11	'41:0C	*T:20	11:44	150 5151	91:00 '9:50
bathe fire	Isl win	10:20 '91 E	- midabiavi	'4 Sp '515p	's ting '/:es
100 21161	41:44	"ger fel erec	12:19 41:09	7 45 22:00	'f: 10 '21:61
11:07 '61:37	'D1:00 (2) APT	11571	'11:6C [C]	111111	91:0
191:32	CESS - BIREN	21:51 0 51	Introduction	***: /* **: /*	[4] JURDAN
'6:5 Istl Met	2:02 - 1011X	9 25, 14:10,	5:3	27 27 27 27	2:11 C2:5
91:4 - spine?	2:10 '01:5	78 4 78 6	- pasapettul	15 21 72 91	61:5
CE:31 - Juini	'S 2 [2] 1 2'	(a) luning			*61:5
12:C1 4:65	9:09	Let Auguste	3-10, 31:00	10:22 'SE:D1	2115
4:59 9:55	· careffen,	141	'51:2 '51:5		2112
2:22 62:15	18:17 94:14	r		[22] [0:51	9112
	AC: AR 1:01		[1] asubetini		4116
29:24	32:90 77:00	Street Street	33:10	astlamielni	0:2, 42:10
11:11		71:72 51:22	- nellnevielni	12:20	"S1:66 4:6
9:1: '51:52	91:55	41 45 LISE	11:00	- 13feuilal	[TT]
[at] etendus;	24:10		- befquitefat	£1:15	PE-04-15-0
t at - bial	112 3118	71:24	21:05 "+2:55	- filaplatpul	ec [6] 100
TESSIL - MIREL	4:15 21:1	- anellateft	**t:19	11:55	55:00 - 1810
11:56 - seiba.	(S1) antitax	0:11 '02:99	121:12	- sldintsasibat	4:12 - 9110
43:12 43:10		0:17 05:99 1:19 91:91 10:19 01:00	21112	26:1	Price 'cit
[2] 3341	×	.0:00 ,C1:0	(2) mitatel		[2] Althjed
[91 - Jege7		, £ 2:0 [7] mell	2185	74:11	61:11 11:18
	52:51	21 19 21 79	- Minningel	- Insimusal	12:25 [2] add
T	- BIIUBASC	'h: 19 '0:09	51155	29:11 03:20	214
	21:52	Z: 09 'CZ: 15	- balamatalal	(2) prantiel	- Lilenn
4111 2111	"0:12 '21:02	'01:27	6:55	15:21	115 '9'5 'E:
4 4 7 1 2 7	10:02 01:92	102:11	- inetaini	- pnibalani	Ici sattit
Kristine [4]	01:05	18:20, 33:4.	OZ:EC	#:cc	11:1
77:54 10:55	'exice 'mice	13:4, 13:7,	· inenstall	11:CC .C:CC	- auspi
Kraff's [2]	11152 0:SE	12:22' 13:5"	12:21	[E] caphiau	
42:45 TE:49	farrice fra)	12:22	- 801189181		9:20
SE:25	91:2	15:15	52:0C - 1311V		
45:24	- deltalbeling	51:11	24:12	22:32	11:9
	- melenihaltat			66.44	
'+Z:50	25:3, 70:15	2:19, 4:25,	- Insidiffuent	19:50 '62:25	- Y1011

- neiftela	FIRE (9) #AII	20:11	61:01	happy [2]	61:00
01:51	int [2] 21:10.	101:21	9:16 ,SS:06	7128 C 27	(2) 21:10.
- babasix	29 10, 63:21	11101	Cayerner [8]	bappace [2]	Tilastatia
2:21	23.6 15.1	10:13, 18:9.	2:11	10:15	1:11 - Oullin
- neifenelqx	7:91 3:05	51:01	- psintavep	L: 31 E: S.	1:11 ,E5:0
1:90 9:51	111ct 141 22:3" 34:22	1:01 [41] Itul	8:01	(c) pauedday	tited [2]
[1] banfafen	25:44 7:25	#2:50 'D2:5#	geverned .	66:23	3:35 - #1I#
P2:51	[S] smiteill	[2] Jus milifita?	Gepe - 16:3	6:12 '52:05	21:01
- nfaler	1014, 6012 101 12:0.	PE:09 EZ:15	18:4	10:23	- Heamid
02:56	.c. fr [C] anil	'91:17 '1:0P	0 E [Z] 1000	7:12 21:71	\$150 '52129
- ballgt	16:14, 60:2	[11] lucil	21:20 - 11ea5	[p] undday	42:21
41:95	[Z] bulput/	51:62	01:59 - 100A	£:4+	(c) ATHUBIN
- uentriffe	Etite - Builly	· lababit	22:12 9:64	**100 '21:**	61:5 - IH
D: YY '52:01	11:00 - all!	2:50 - Inpite	1:52 '52'	'SZ: CY '915	HAYE - 16:1
41:00	21:12	6:67	'at:1 (s) unip	Henk [8] 2:2,	Z:DE - ATH
Itl Hedr	- galingil	Lisedneugh -	77:27	g: DD - seipusu	2:70
41162	11:06 - 11:1	C:91 - murti	3130' 4:10'	2159	pesitancy -
- papusjieds	BE:BE - Mellel	21:15	Ciade [4] 1:4,	- pripury	
51:1:	51:01 - 1[00]		12:15 2:65	1:19 2:19	11:02 8:11
	C2:18 '95:59	- nultabnuel			hare's [2]
- anniliaga		12:21	Giving [2]	40:1:59:12	£ 64 - Edjay
D1:12 72 28	64:10	- bebtemtel	E1:10 05:8	[9] ithand	helping - 41
T:01 . LE 65	CZ: 97	EE: 00 61:99	[5] nellilla	54:42	11:55
EZ:65	70:07	'71:99	15:25 - Insto	- Inthand	- Iniqiad
'A:99 'ZZ:59	[2] [sel	E:00 '0:90	19:24	40:12	8:22 'Y1:96
21:55	71:24	. E4:5, 34:11.	- alnfalten	- bataqmed	'91:36
'01:15	- 45 idbret	9:15 41:09	61:51 25:16	11:00	Pelbeg [2]
Titt Ct 154	Fabrusty - 6:2	22122	"1101 '01'51	ette [2] mes	Helens - 35:3
'cz 11	22:21, 40:23	57:00 1:10	[9] Itglepa	E-10-10-10-10-10-10-10-10-10-10-10-10-10-	1: 44 '41:44
*CZ: 65	91:21	'92:49 'S:29	01:51	H	PEPAL IST
*CT 65	10:31	"T: 10 "C 1:00	- semelinen		12:07 - 14114
"1:05 "12:15	[4] alderavet	222122	2:57	11:20 '51:21	37:10
21 12	11:11	11:53, 20:4,	- Altereund	41:17	21.10
91 10	'9:09 'tt:PS	11:23.	23:24		46:23, 68:5.
01 10	11175	12:41		12:40	51:50
01.11	10:00	14:SZ 32:41	- Intanol	10:12	57:12
,cs:41	91:07	3:10, 10:19,	C:21	[s] sánh	20:2, 20:4,
91 45 9 41	Party Party	faciment [24]	tere [2] 9:11,	tit - titens	2:6 1:0
2:45 '9:41	.zz:sc 8:50	61:11	+2:32 - #8uss	52:2 2:3	[6] Bujiesu
15:45 '52:91	LEAST [10]	- Tintenutio?		(:: [C] 319n5	61:98 91:4
	(DE) 18443	41:12	9	2:21	[2] pised
191:91	10:11, 10:24	Tartenale -	10 mm	- delttanb	6:00
122:01	(E) sival	1:33 - galmiat	32:34 95:30	C1:43	'erter '6iel
12:35 '11:5!	A5:24 ,D5:24	91:65	38:13.	TETOC TATTEE	Tria 33:10'
08:5	[Z] undijus	1 tormed -	'ot or 'stor	13:14	bane [6] 2:12
TOTAL TERES	0:12	2:28 - 71 (10)	34:4' 30 2'	12:11	
10000	'9:55 [2] 1111		Itl wantes	'91:61 '9:51	10 3 15:01
10000	11:02	Z:12 - 01J01	51:15	1:61 11:11	20 4, 19:16,
'01 25 10	- welutti	52.69			10 6, 25 17,
6:15 92:0	1:50 - Ella4	P:29 1 29	. sanetadttuf	(6) ssund	
2:05 51 6	1:44 - 1103	20 3, 20:6,	tunny - 77:18	44:24	[0] dalled
21.6	0 50		40:24	- sens10	96:09
	- Inomited	[2] Welles	- Semnut	52:15 - dnesd	'6ipr '52 Er
£1:6	- feemited	11:15 - 13101	2:35 - thinl	15:54' 32:4	'C:1+ '0E EZ
11:61 5:6	5:50 B:01	D1:02 - sumel	91:52	(z) spunes6	10:110
1:67 D1:6	[5] Yisin?	71:EC - MOIL	- paguaj	25:05	n:01 :: D1
'c-L+ '51:+	55:19	72:15	PZ:12 '21:52	- Illanip	6 01 5 01
01:0	EZ:59 [1] Jits	***************************************	Izl punj	12:11 51:90	ys,s [70]
.01:0	ESIR - alvillat	"1 [+] raen	4:07 - 481	PZ 50	4119
7:1:0	E:11 '92:41	CS. 03 - FASTI	21:24	grateful [3]	'ties 'Ezizs
2:11 21:2	[2] #13#1	11757	feite faf bliet	61:65 - squash	91:22
61: P P1:	Bacilily - 15:6	- doll-ditt	111:00 01:00	1:91 - 1 3112	10:51
[45] WATINDE	55: 4 - #3A8	21:59	'E:09 'SE:65	25:92	11:07
£1:0	STATE OF GROUP OF STATE OF STA	'51:0+ [2] diu	19:20	'+:19 'CE:09	10:41 't1:C1
- bella	a a	91:01 - 110	.05:52	St: 09	Tel Butter
1 9		C1:99	61:45		[8] BUINEU
- 64154140	Clitte .		'+1:25 '9:25	[4] 1'ientavell	31:75 P:Ct
61	Tilianibaesine	16165 21195	11.72 4.57	CE:12	PRASEUL [2]
		161:95 51:50	'F: 25 '+2:95	9:42 1:48	22:50 EZ:CC
	1:50		11:22	"t:20 'CT:16	

[Z] Ideaxe	152:0 '6:6	- plevilonits	- altzemeh	11:55 70:0	- beforti
61 57	9:6 +16 [51]	28:50 12:62	61:12	.02:28	PZ:01 'Z1:29
- papee lxe	Tansleriepe	5:67 1:97	dellets -	121:10	*C1:05
EC 15	51:56	[1] avisosita	C:98	13:20	*11:25
. seldmixe	- 1unudisbal	41:52 '6:50	'+T101 'C125	'C:CC 'SZ:12'	
£1:94 '9:94	pt:1+ - djeba	314 '211C	C:25 '21:50	12:12	[E] Jasuit
1:25 '21 00	13:54	10000 1000	21:15	1911192	2:20 - 1988
11:25 '21 82	'stitt [21 03	[4] spinmp3		'stitt	11:15
		1:12 01:02	[9] (00	10:10	- Alluailli
(2) sigmexe	DE: DB - Tilfne		23:1, 71:23	91.04	
01:19	51:52	01:02	decuments [2]	12:23	EE:90 SE:50
- benimisse	- sellifes	51:03	2:09	12:20	12:50
01:97	estite - elifes	[4] neifegube	- pajusunoep	'01:EE 'EE'B	*22:45
- salmess	17166		1:42 -	[61] senseip	*12:65 *1:25
48170	- weetengine	Ξ	a elf sinemuseb	61:55	Inl manun
			61:19	- stelatib	111
12:0 13:33° 12:0 13:33°	0:15	72 (20)		43:52	- Wattiel
[C] vibbene	- Dattuens	1101	- Jnamuzeb		
3 20 41+0	C1 12	- E,usjing	44:2	- Yraniiqiarib	12:08 - mel
20:22 20:4"	- 614289	01:12	Divinian -	27:12	1:01
+] AujutAssau	C1:12 '61:12	"2:50 '12:20	4148 - 21:23	- atisystip	'52:64 (2) el
23 28 82 22	'CC 51	'02:28 '5:28	32:22	23:23' 63:16	21111
35:14	[2] Jusmiletes	'4:12 'D1:02	- 8131/1210	[2] eastesip	- Jusmquiava
***** *****	18 1 18:1	01:44	TE:54 '8:54	19:01 13:41	21:50
2:18, 2:16,	[z] puduben	's:61 '12:25	13 30' 14 3'	Director's [2]	- sitale
fill ameticase	9100 'v:00	P. 12 PE 43	33:15	2:01 12:48	61:01
[Y] sacyteva	2.00 7.00	h. 17 he 43	41.66		
1:64 '11:99	18:55' 80:3'	12:63	73:10	26:24	- Insmitate
52:65	105.64	91-69	dieteict fa]	191:8L	0:11
'21:05	1:44 21:94	*1:23	42:12, 42:22	'g:02 '91:12	12:34 34:11
26:24	01:94	22:19	121:15	'E1 29	'91 2
15:12 '91:21	10:04 "1:04	71:19	10:10	61:95 7:99	21:41
*****	12:07 (01:07	21:05	*#: O*	6 85 21 25	9:91 '11:51
'SIE 'CIC	.06124	11:65	40:15	'61:95	16:25, 15:10,
3.12	'S:54 'CEIPE	40:54 20:0F	'02:61 '2:60'	'5:55 '+ E5	9116
[12] 2:21		0.00 LT-01	05.01 5.05	'z: 65 'c1:25	los) Ainds
Thetybody	71110	49:24	100 TT 0:00	'C: 65 'C1 '25	IGE LAGRES
E4:3	73113	C:17 . 47:35	E : OC 1221	22:15	9: >2 '5: >4
- Yilsulnaye	73:114	*****	dispalthers	"Z:15 '61:6"	13:24 74:4
9:94 - 14949	6:02 61:24	42:24	01:51	'gt:61	11:11
1111	101:00	DZ:20 6:20	- biseimzib	TT: 67 2:67	[S] patitade
71:27	'S CE 'B1:62	Zife Crite	21:0	30:4, 46:11.	2:1:
52:00	1 02 21 07	32:10	'61:39 'Z:39	THIRD TARIAR	- expade
	1 02 51 92	*******	'tics '011+5	TT PE '5 72	13:54
\$1:01 6:41	6-2 (921	92.26	23:54 24:5		- dalstatqu
52191 6:21	111 m 131 01 44	92.11	2:15 '11:05	C.PE ILLIE	32:54 32:58
E2:11 '2:88	61 25 - 8546	38155		21.25	SCAL BOTH
B: C1 '81:01	23:52	112:12	'0Z:3+	35:33	[i] galbangs
01:01	- BUJÁRIEWE	20:20	'E1:E1	71:17	21:0
1141 9:22	£1:94	10:11	12:50	10:01 30:10,	'Z:10 '41:0
DOLLERISON	- sadojema	20:0, 20:11,	121:02	10:01 10:12	'61:6.
10:14 65:53	£1:C0	'91 61 '1 91	22123	18161 "1161	C1-2
	· saltadems	1912 114	20:22	.1.61 ,11:51	":: 10 '01:9
+2:05		6:16, 6:23,	'Stiet	121121	'ETISE '4:5
[[] dalldatta	11:25	119 21	******	18:15 72:51	*1191 '5216
PEIDE	- Yanesteme	P1 9 2 P	'5:51 Zilet,	THE OZICE	'L'S '9:5 (C'
- Yllsifnerte	12:12 21:51	1419 1911	trist [at]		
23:10	fa] Hama	[49] notium		13:12	11am11sqs
- Islinbits	12:54	61 20 1:59	91729 21725	12:12, 13:21	7:41 52
trit - bus	- 01015110	29:3, 57:21,	'5:10 '52:6E	E112 '5111	It Dalys
21:0/	PZ: C9 - 130 0	2.05 31.55	39:10	[TS] JOIDBJIP	21:02 +:0
10115	ARTER SETTING	50:13	12:42	P2:21 6:21	"C:81 '12:9
[c] Allujandan	'E1:E1	11:25	[a] dujes narip	directly [2]	'61:0
52:9	9195 2105	lel semap	2:14 27:04	£:3£	10:51 92:5
	2:61 6 21		22:59	'1:09 '2:15	[c] Au
- Insistiupe	C.O. O. C.	Dutam - 27:24		'rice 'er : 15	21 91 - 1914
21:11, 23:21	[5] Tadile	01:55 - 115	111195	E:CS 'C1 25	91:0
20:12, 21:11,	9:01	St.11 1:00	42:52	01.50	taras tria
52:61	- nasingla	[2] 1341 2		10:12	13:31 ,5:0
2 0 1 2 2 2 7	gatte 'gater	FISH - BUIKBP	[3] bussuselb	[V] nelliseylb	's:at 'tt'p
C ET STILL	13:4" 13:11"	21:62	EZ:25 'EL:49	34:23, 58:46	10142
61:0:	[4] 14ste	- PHOTOMOD		directing [2]	[9] palu
10:10:	2.25	91:49	'CE:05	16:3	1:0

13:10		91:25	91:90	0:20, 14:20,	. 5: 52 . 61: 5
15:15	D:Or - Wegels	21765	* 5,01415	3:54' 4:11'	[51] Yata
'ot: 11	91:97 '61:97	unplott [2]	22:10 (22:00	10212 19111	2:17 - we
'Ot : 11	*2:CF 6:EF	tt: 10 '51:04	11:64	[ac] Tiese	9:50
97 B 97 1	10:01 43:11	51:06	12:52	12:11 - 15	- BIBERBEIG
C2:9 22:9	(a) ingriide	1:29 61:11	61:95 4:95	21129	12:61 6:01
01:9 0:9	DE:QL - Alema	'EE:10 '4:00	916+ 9110+	abijugied -	[S] ladwame.
'P:0 't2:5	STICE . UNIME	E:C: [a] Jinge	74:13	51:50	91:10
2:13, 5:16,	41:36 - 119H	1120 - 3201E	20:10	. IDBEIGIPIGE	- 1211WS
12:5 11:2	11.6	01125	55:57	1:49 - 1ads	6:65
sprug [e2]	- suejaundens	- 1,318mas	152122	1152 '22102	- Anheilio
Centing . 40:9	5.07	1:01 'C1:44	152:52	'22152 '1152	6:92 - Alete
52:77	- punting	21:56	101152	[b] seenede	D1:50 0:51
- Augustas	2:97	12:25	50:10	#8:20 'C:60	[2] isjas
6-19	- IRAILING	61116	'Et:01 '0:41	ebipe (5)	CTIPS TTTIES
.a:10, ot:03	41:07	21:14 '5:14	*21:61 '6:61	8:E4 - 1116s	01:0
[E] Sultilians	- Salbausties	10:12 2:01	6 2 1 5	7:10	131:0
01:09 'C1:05	\$1:15 '0:95	111:22	[12] -1111	- bulpunds	'2116t 'Ziot
'02:95	(Z) peastens	111:65	SE:20 - 81111	zizy - 4315	.5:21, 19:71
'PI 25		51:55	11:62		13:23,
[+] Allana	P.CT	*** SS ****		\$:50	14.61
12:05 52:15	- DERCENE	11:55 7:51	- galbrate	- pillings	. ES: C , SS: C
[2] poursess	6.45	C:05 51:88	B:E - befraft	01:10	120 220
(1:01 - 2001	- strettus	52:51	31:15 21:15	- apfittanga	6:1 '4:1
1:92	12:95 '02 95	45111	Tr:40 1:90	12:09 '11:65	[E1] dilm
	11:45 '02 05	11:54	24:13 33:3	'02:15 [1]	01:05 - Mem
- nalfanimiat	12:47 41:21	112:11	11:9 11:9	Yllesfilzege	P: 14 - 1allam
01:10 Of:TE	LE: 22, 23:3,	10:23	111.6 .t1:C	16:23, 30:8	22:00 51:00
.01:15	181181	42:41	[DT] 11 BAR	21:42	E:00 .+5:00
11:33	[P] fangqua	'cip1 '9:11	84:2 - 1878	61:69	91:98
[2] m1a1	91:51	lazi mans	41:1	5:55 91:75	01:10
12 65	'et:ca lel	[32] 1/11/15	- Aztbant?	13:1 47:12	.8:07 .72:55
- tlavitslast	lates maigqua	11:11	G::21, 15:30	1 61 71 6	1::66
11:11	11:12 '[1:99	21:11	[2] guiba sis	(ar) supseds	***** 21:52
25:35 [5] ne1	(Z) IIIINITEE	11:11	11:00	92:09	91:54
1.92	2:92	[P] BARADAJEE	- apas pu sta	T 65 CZ:05	111:04
· Vistegmat	. BEIADDERS	38:12 38:50	St:27 '81:9	112:05	51112
6 00 ,5:00	P:91 '61:52	seruce [2]	(z) puete	spacial (5)	15:112
'S:1 'E:1	'D1:52	21:55	21:15 '5:00	Epacial (5)	'D1:16 '4:16
[9] smist	Icl gasung	- 4124 1.76	(2) 26:20.	T:16 ,01:00	01:05 ,5:15
45:24	11:64 '11:64	9185 'F181	stabledes sta	98185	6:02 '51:69
. Culuses1	[2] Aupung	(2) pools	32:22	'G:FE 'G:G?	711:00
1:11 'C1:91	11:50	1771	[2] 35:55	***** *****	'D1:19 '5:09
ISI STREET	- 192021	1:10' 4:51'	seblede a ste	10 22 1111	1:22 12:49
10 '55:07	21:+2 - wes	(t) anuits	30:13 (4:18	[6] Supreds	
'52:0F	12:20	21C - 44-24	20:12		,e1:03, 51:50
teneh [3]					11:99 11:50
1117 '92:00	- plestiun	1:00 - Bultale	[C] milling [3]	(S) ABXASER	1.99 1.59
	29:25	10:25, 03:14	11:99	(1:09 2:09	01:59
teepht (2)	· isbisiua	IS] Yela	dt:38 't:98	C:00 2:52	51:19
21:15 - E3[22	L: 75 'P1 95	\$2:04 E:04	ST:28 1:67	\$ 25 25 15	,51:00 ,6:00
+1:15 'at:2+	(z) jesätna	tt::69 'E:88	"P:#2 '11:52	27:16, 48:15	.3:08 ,05:58
22:61	05:78	.CE: BE: 85	70:14	1 51 CE 1	61:19
39:15	- 101113311	[4] tufefa	10:07	14:12 12:11	51:19 5:29
15:151	25:15	15:10 34:10	61:59	01:11 7:21	4:10 9:19
Carried Carried	. Yllettasfedus	[X] sollellata		0 0 52 1	'01:69 '+:55
[4] gotifet	11.0	PE: 95 '81:51	21:05	(ST) gends	11:99 '81:25
T:00 - 10301	- tennberdus	izi futteta	111115	01:71	51:12
L' LL '61:05	BITE	CT105 "/ 1:55	111:05	12:24 12:55	22:23
\$1185	71:11 11:12	*****	TERRETHINE.	***** [4] 1222	53:20
Itl ander	(c) animimius	65:05	'2:45 '2:6Y	5:44 '02 04	'01:15 'L:15
2 9t '1:9t	21:12	10:10 20:5	'C:SC 'S1:SC	92.15	2:15 '11:05
[2] solitani	2112 2118	E:0: 6:1	11:50	775 77	'Z:05 'ZZ:69
24:23, 20:3	(c) pestimaus	(a) anjeje	34:33	52.10	'E1:67 '5:49
[2] boldes	21:11	CTIPS WIFE	J2:3, 32:10.	22:55	"SIFE "FTIGE
	- 11mans	TRAINE WATER	******* *****	33:51"	07:90
I	55154	101 papes	26:1, 26:15,	22.25	71:95
	'4:20 '62:05				

43150	21155	7:21, 31:17,	11:41	21:6	'51:42
111157	- dujäuja	fel seus	'52:92	- enettonss	20:15
'51:C+	6:01 - 11dwis	*2'5 'ZZ'S	102-52	51:51	11:10 11:10
21:0+	\$7 ST ST:48	'S1:5 '0:2	Isl stensk	· penellones	[II] moles
27 20 26 1	(S) Ymallmin	IPI VATUS	1:57 -	6 55 5:05	91:52
TIBE DEIZE	51:92	. 30:13° #1:70	tatan elçxe-lise	(S) nottonsa	- PRUBAR
35:20, 36:20, 36:4, 36:00, 37:2, 37:6,	+ 11111111	[2] Hada	13:50	at:a .s::a	45:22, 12:59
36:4. 36:6L	11:14	\$4:23	17:65 78:2	'9:2 [2] was	(z] pame
'2:9E '52:5C	L 39 TZ:15	42:12, 41:24	DE: 91 'P:56	15:03 - Viales	91:02
22:2C	02:05	etics 3:01	11:51 75:56	15:11, 17:00	3] 62:6,
41:SC	72:91	(2) tatavan	P1:21, 72:44	33:7, 18.6	Tillidlanugen
DIESE	43:36,	52:55 (CC:59	10:23	20:25	2:51
\$2:9E		(S) neven	12:69	13-16	e pillilitianagra
33:25	C 0 214	61185 'B110+	62:10		b1:6
33:45	(DI) Allaşlı	(2) feamailles	13:45 '1:61	2013, 20.95	- Inanigze
21:CC	3:59	91:45 '51:45	1:50 112:00	fori vistas	PZ:29
11:00	- In auffingle	[S] galties	21:11	S	1:10 01:14
DZ:20	11 67 9:62 [2] paulis	7:70	34:34		21:14 6:14
ESSEC	(Z) bengis	"t:24 'et:59	13:52	Mary and St.	11:10 6:29
Ditte	10110	21:59	'51:12	91:95	1-199 V1:C9
D1:00		21:95	12:02 12:51	- Onleast	91:29
11:0C	1149 '91:15	15:55	#1:55 34:14	LED - 84:33	2:55 52:95
91:00	12:52	52:15	1123 412E	AC. 28 21:18	41:25
22 11 24:10	"t: fr [v] nplt	01:61	Septent 111	11-01	12:69
1111 2411	T: [- galwans	. B: Et . Ct: Th	\$1:12 - 1886	52:01	C: 17 52 97
.01:55 ,7:55	T 1:65	30:23	P1-91	\$ 00 E 01	9:91 61:55
0:55 55:55	6 65 2 65	.et at	- galdane	tt:69 8:69	
, Erss 25:cs	(E) 11041 10:10:1111 10:10:1111	54.16	\$1:42 - 300E	15:69 2:69	41:07
12:02	44:10 5:10	[CI] notites	12:67 'Eich	2 69 4:95	91:09
23:20	0:15 T:15	***** "E1:5	[5] galset	[Lt] melal	E:C+ 61:4E
20:02	[1] tafaant	4.11.5	75:07	01:15 - belei	't:90 'ba:50
19:12 20:91	\$4:23	(E) ESSIMES	- Yilipase	2 19 21:02	12:50
101:00	- althed2	71:52 6 75	34:13	[5] als:	51:50
10:01 17:10.	1 2 2 1 2 2 2	11 61 6 15	- Malenes	11:15	2122 72 12
'£:51 '#:51	(a) aminada	111	2:19	- nettalen	C. C. FC. 12
9: 91 SECE		21.88	11:05 GE:5E	'et:50 '52:50	S-11 '11-6
	35:30 . C:20	- tedmatte2	[6] bebnesee	at an past	1:6 1:2
11:01	'tise 'cice	32.24	11162 - 920S	5:3, 7:21,	6:4 4:9
121121	DE:SB . G: EB	- Ylalsteges	21:2 'tt:8	2:22.3:2	3:21, 4:13,
13:10		12:01 61 9L	[5] Jeline	[4] moon	Inel asundee
1:6 41:3	10:61 '91:52	61 19	72:65 -	a:01 - pallian	41:07
3:23 ES:C	111111	91:99	alnathqasidae	31:0	- pusse
7:10, 7:15,	10:17 15:00	2199 *t:12	33:2" 48:13	(2) 2:20, Her	133:4
1:1 2:1		20:13	[1] betwhed 12]	1 Q1 - 19101	- 19311959
22 9 11:9	51:59	13:6. 18:19.	1 71 - 200432	2:19	9:13 21:29
3119 5110	'EE:19 '2:19	FIET 'SZ:Z1	81:18 CT:08	- c,DidaA	51:29
54:C 1:C	9:10 '01:65	15:19	11:23	B: CC - Daol	12:99
2:17, 2:23,	152:11	[21] equirdes	't:59 [+] slas	21:56 + Eldati	0:33 22:29
(134) 1:6.	15:12, 36 4.	32:30	22:55	21:12	02:20
Steughter.	12:20	- Inumifees	3:19, 51:10,	20:4, 20:6.	11:29
skipped - 34:	11:51	2:95	1:2 3:10	[E] edoyet	21:29
\$1:90 '51:90	12:10:11 2:0: 10:2:10:12 2:0:	11:51 '57:91	TEJ Talyal	11:6	9:65 '41:55
[5] 414	T.E. CC:55	, sant [4] annn	11111	- snallanaven	21:55
#1:99 61:SF	70:12 '5:07	*1:12 'g:12	.0:00 .0::12	£1:61	\$1155 SISS
23:12	01 91 6:51	(2) maves	72:25	- notisanyer	2:12 41:52
61:0 [4] Sita	[12. L: p.	12:25 - 20an	72.92	21:53	.11:52 .8:52
22:22	1 7 1 1	72:64	91:61	- be siven	11:05 6:05
. anottauffa		- palbara	12:53' 55:1' 3e:14'	25:22 23:24	
52:36	10:22, 11:5.	Prist trist	22:1, 74:14	[Z] I Elver	natfulten
23:22 41:55	.CE:01 .E:01	14:23	'41:02 '2:01	tritt Alest	9:21
[E] nettauffa	01.6 21.0	(c) puns	7:0 0:4	(S) bewalver	- Yaneliles
5:25 - 119	6:13, 6:23,	29:13	[CE] Builes	61:14 31:49	Ot:6 - Dables
IZ SI - AIDVIE	11.6 11.0	- 1state2	11:25, 42:11	.01:18	21:14
35:52 64:10	The litted a	51148 TILE	, s: at (E) 182	71:33	- BAIDER
12:22	11:12 31:11	31:12' 91:3'	91:10	.0:00 .55:00	41:61
[2] DIBUIS	45:23,	,15:01	Studybiok -	21:12	- Uniteditate

1:21 15:51	11:16, 15:1	71:6 9:4	- Ylasiup	27 18, 48:7.	21:00
(2) 52:0'	[2] papepes	[6] PRAIDING	1:69 - 231Ab	Diesice [5]	. Bulleszel
Inemellupat	62:52 22:52	11:54	24:11 74:24	5.51	61:25 '61:0
151 '51:74	[al mintaffen	'b:11 '52:01	duality [4]	- nalinatorq	[2] butanner
'tt:tz [m]	5:79	receive [3]	del Amenb	2:50 - 110101d	2:09
Inquitement	- paysequa	21:61	02:20 '12:02	51:61 '01 47	11:27 '4:00
		- 100114)	Itl paumenb	31.05 01.27	1-77 2-61
25:14 75:	£ 49	10:53' 00:52		[1] duitequiq	41:00 01:0
61:12	- nelfeluges	36.45 44.56	74:22	34.7, 77.20 present [2]	'S1 10 '9111
,01:12	CE: 25	(S) ant tan	- nellazfillsup	[2] passentard	711:5 5:1
1101 5121	- Jejniel	01:99		11:59	[B] tunsas
[9] pastupet	11:20 'DE:14	Tetpprove -	Ď	- atedoid	2:91
£:5£	28:10	61:01	The state of the s	+1:49 '4:09	- pugiszens
151 'tt:27	3:3' 54:30'	(2) 14:19.	\$2:52 - sand	[1] [predeid	02:27
21:2' 5:22	[g] epsetta	respalltation	11:11	52:62	- balaget
[s] sajabya	14.55	6101	- payand	1-11-1	
27:3 27:0		19:62 '57:52		21:3, 78:14, [3]	71:91
	- atalbiages	A. 05 44-55	atit - dang	fEl vinegere	· anibibuts ·
S] sitempet	24:23 63:23	33:22	B1167 ,05:07	6:24 '61:14 18:31 18:6	\$1752
71:12	63:12	101=00	12:29	0:61 TE:80	. #3#[#]
- 101tospe1	.71:50	16:21 117:51	[C] sasadant	[+] m tidesd	61:00
P:01	42:16.	61:54	22 27 '11:27	PI 21	- Junulmabat
- petcenber	'C195 107:15	11:52	Izl Summe	- eltiesd	66.61
10/ '77:99	48110	'PT-25 11-52	Pitte terice	white fairs	- spnjasi
27:6, 27:1	'at:t+ 'ot a	11125 51:05	30:51	'SEIDE 'P:02	11:9 - 1841
16:32, 21:	toti Duipingia	41:19	'0:0E 'c:cc	36.06 7.02	11.7
15:10		71:0c	1 05 '91'02	ff:5' sq:5'	\$1:29 SZ:15
01-61	6:25	'et:21 'E:C	1.01 91.05		51:15
11:54	- bebreger	Terl Anna	30:30	10:00	[C] saliasi
1:01 '5-6	51:00		38:92 28:36	'stic fel	5:59 '12:65
9.6 7.6	- sisulavess	1:62	27:3, 28:8,	# dulbesabit	IL TIANA
Fequest [12]	21:91	C:20 51:00	'Stie 'Stie	22.2	6194 51111
41.85	- quepunpas	11:25	4112, 8:14,	biecess -	[1] YHelinbie
Laptessauling	21:15	[] [] []	12:0 '9:0	51:00	ettre
30:5° 20:1	- pol/lipss	91:59 01:29	13:13 23:10	- smanpeapid	(11 1720
111 25:2	tie - Jepseses	01:35	#1:EZ 'ZE:EE	50:54	fel s ico
Tries let	11:15 30:5	2:21' 21:3'	21:12	- Isanbessiq	21:92 52:50
Delinestates	[2] passa	[s] Aprel	22.22		
		31:10 93:10	.66.66	73:23	21151
51:15 -	27:25		121.25	121 60:20,	18150 '12198
Jefancetight.	- brzewannek	91:10	121:12	pitemelderq	61:31
109 "11 09	12:21	51:15	192:02	34:55' 14:12	21:01
101 00	- batebingeset	11:52	101:02	[2] malderq	111:01
*21:15	23:14	[2] daibeen	10:55	#1111 S119#	21:21
langaiges	15:1e' 30:0'	£1:0+	18151	£1:92	
49:12, 78:	's:01 (+1	- BAISTERA	Stigt	43:23 44:2'	22:09
	racensideratibi	SE: 19 - 12801	17:23.	25:22 33:02	61.00
P 47	1111	1:10	17:24	fel ugjingrid	teres la
- dupiesis	- Jepjenesti	"LITE '1116"			1:07 01:00 1:07 01:00
		[E] pausau	6:41 92:91	12:32	D:27 01:21
11:00	- 30: 14		21:11	**** *****	31.11
	galbasmme3 17	24:4, 32:22,		pretebly [3]	21 ET T-30
4 CB 11 EB	91:9: -	CC.CT 4.95	EE 11 '9 11	51:22	"E'AS '21-05
30:11 85	bebnemmes st	[C] Asset	10:52 11:4	- Yalteliq	C1:05
.C1:04	52:15	6:59	'at D: '6 ot	Dillet - 22:3	111 95 6:99
(c) Bienna	2:01 [2]	- basimexs-et	(22) 0:22	pipp - pajujid	19:05 '0:09
91:6[44	(11 commende)	1:21	paychelegital	33:55	"E PS 'pZ:15
- Bulbuld sa	P: 05 'C:05	- eleblevs-mi	P1 22	- Almaming	'01:05
P3:48	11:11 'c:11	Yentet - 92:5	'e:ac (2) osa	9:69 'eriet	'41:05
. Appromes	[2] 10:55	teles - seist	21:09	breatenety [2]	"P 05 '57'6
	Habaamma sar	9:24 - 14pel	Stealtlant -	fel wie malware	C 69 51:0:
reminder [2					C. D. 3 1: 83
	61:01	H	ST.15, 11:1,	- Instantiq	35:51
15:11	- bnsmmesen			51:10	12:13
- bebniman	22:00	18/2/2/3	[C] gnibivote	E:CC 'P:TC	'S DE '12:62
1:52 90:0	- bersess#	31.95	\$1:E5 S121	It initiang	.81:05
(S) niemen	\$1:64 -	6:9, 22:13,	13:18 34:41	1:20	.51:65
10:10	#01342[111718.331	[e] wasenbl	12:4, 12:10,	- Sugrest	*51:41
- Instaulet	1551	22 96 2 66	'C: Et '5:01	12:0	"G:42 "4:92
10 - X00 0.2	· Annuani	127 DP 12:40	(a) papiantd	. Bujpjing	's: 92 'SZ: ST
		Transaction of the same of the	And handlesses		A. A. Se. 25

ratating .	'At:St '6:01	(9) ettab	'01:66	- Janalians	51151

721:52	111.0 .11.0	72:1, 79:18	[C] eciminalis	- e'tasiffe	2:58 - 121
12:47 72:37	'CT:9 'CT:5	21:10 49:12	\$2:78 \$1:99	32:13 03:32	52:41
11:57 75:51	113.613	25:22,	152:15	91:72	+ 1 a 43
24:12	[at] sezujd	32:50	of hera [3]	11:74	16:9 - 13
24:42	81:13' E1:13	761:52	13:55	CE: 42 '6: 42	11:01
98:02	73:00 ,0:05	24:20	+ Allenigine	72:22, 74:11,	'T1:0+ 'E:01
51:61	69:22, 70.5.	[a] basted	CT: 61	72:21	[6] 1115
'es:61 '0:61	[p] uniq	25:52	15:50 To:41	29:22, 30:3,	41:EE - 3MB
.2:72 ,35:81	66:52 - manid	- 1512114	.55:53	29:22, 30:1.	5:21
,21:41	01:11 - 11:10	D: 15 - Asted	.01:11	41:82	- DAISTON
151:23	2 DS - pagaid	91:21	[S] lenigine	20:0, 20:10.	11:19 (1:01
21:51	42:18	- 20/3149	24:12 30:12	19:24, 28:7.	55:25
111:51	physics:	81.74	0:51 22:0	101101	[b t : 5 5
14:20	12:21	. betafcipated .	Sit [E] Jible	.e:11 .b5:01	91:01
115 72:17	- alfanadq	P1:08 'ST:07	01:16 - 1830	10:10	. D: 51 . h 1:0;
4:20, 4:22,	F121 - 4214	11:95 '2:57	s: 65 - tosilda	111101	[4] apas
111 - C:C	47:23, 56:8	33:8: 43:23'	6:11	C 01 11:2	P1:64
	24:23	[6] platag	19:00 "12:00	sfficer (24)	- Sutpus
[12] 7201	[C] banletteq	2:41 - 9144	[E] natige	er:ta .11:05	2: af - baben
ISI Maleren	11:11	- staffmelag	11:11	71 52 11 12	02:92
ISI Midittee	- plafteq	51:5	13:17 00:10	11:09	- A18 88 82 8
12:50	2002		41:10, 47:11,	'S:21 '51:4P	112512
- aldissoq	00.55 151	PATE DE LE PATE LE	18:55	17:13.	Aprilian
11:05 'SZ:45	parintendered	- sydraBeied	Titt 'til	'Etist 'E:9	6:99 - [130] W
01:05 '01:05	- 110000111	\$1:53 'S1:45	Sids Eties	(ti) sollie	2:29 - 411414
Izl verment	22:3	brimbirby [1]	6:25 1:31	21:20 91:2	1:25
41-92 - sases	'2:25 '22:15	3.5	(2) 1:14	[2] Jagis	· stiens
01:07 91:07	(cl unitalmint	- ajmajaved	Annungsadde	30:11, 76:6	\$1:65 - same
IZI ded	4:52	22:54 - ujad	13:22	(z) sinasa	1:25 - pawa
	permanenty -	9:12 61:00	- 14sunden	1:94	,
62:13	11:59	beid [2]	12:11	- 90/18230	N
69:22, 70:8,	tationically -	P# 22, 25:44	- upjujde	30:54 64:8	
41:50	6:59 22:0	112:11	ET:09	22:10	f E:00
telley [6]	[2] pepad	41:26 7:16	- Alles elittete	[6] 10220	.01:15 (1:01
tt:15 '5:15	6:25	[s] suded	2110 01:15	11159	(c) mean
[5] anizitaq	batyebe -	12:54 92:51	10:12 21:01	- Atanalada	15:1
pellen - 23:2	1:67	[2] Izdase	34:51 "33:00	11:54	'61 25 '51 10'
5:65 - stufed	- Dan terrefing	18:24	"B: C: "C1: CC	· nellagilde	[2] ****
73:12, 74:3	22:16	E:1 (5) m.q	'51:00		12:21
. 8 ET . ZS: E8	- misting	25:22 - 449	(d) unde	0	- elditint
'51:29	32:22, 39:8		2:91	Marco Co	52:27 - 0S
'S: 09 'b: PS	[S] Innattaq	_ d	2:57 Z:51 5:9 E1:5	31:04	4:50 - VO45
11:11 42:5.	15:05 - 10q	PARTIES AND SOLVERS	519 6112	- midmun	02:11 - 45:
10:19	Stibe Plite	C:ss - zino	[2] aniina	*P:0F \$1.55	61:90 '9:91
.cr:cc	72:25, 24:9.	>2:51	61:49 21:47	"B:0E '2:5E	61 95 8 91
10:12 10:5	72:27	- bamledetave	Q:t. [2] annn	21:56 ,8:15	9:98 11:01
2:51 57:51	12:24	11:02 SEICE	52:44 -	rettee [3]	"B: PE 'ET-ET
14:22	pasce [8]	8:42 GE-51	broser-edf-nu	10:21 10:21	01:01
'S1:11 '6:11	6:56 - 4444	25:25	"L:00 11 20	(+) Buiglas	15:21, 31:3,
'0: p1 'tt:::	11154 'PIF4	OVERSIGE [E]	01:13 01:54	Befes - 23:12	'01:12 '9:10'
(tz) jujed	beameur [5]	1:6+ '92:11	affret (2)	77.74 777.00	10 10 10
17:9 "07:9	91:+9	ILI STREET	61-24 '81-15	26 25 25 25 36 2 36 2 36 2 36 2 36 2 36	[91] SULA
6:12 e:19	- Bullud	7:15	[2] rapius	'a:a: fel stan	6:00
In I adpend	#: E# '12:01	- Bulsestare	01:50 '02:02	C:59 - Ismien	- Justiavi
51:42	71:37	0192 - 0041010	21:02	3:44 - 10H	+1:90 'CZ:52
- winsunid		6:67 - aplelan	103:02	01:14	[2] 2040
21:20	'5: Cc [2] And	22:11	14:14	'S:87 'CZ:38	Line
- passaid	5:53 52:74	- sulching	, 52:27	12112	1:29 72:15
Ot: 55 'PZ: PS	5:50 SE:2+ 5:50 SE:2+	13:53	73:23	'SE:11 'Z 6	12:51
'C1:91	fri lenias	. siste-je-ine	152:24	[7] snen	07:55
21:12	MINE . Itself	51:1	'S: 50 '01:00	52:94	'S:55 'C:51
20 10, 22:1,	24:50 '02:45 [2] 2546	- EBALLEJAD	'61:17'	- Asl-way	"Z:00 "EZ:00
6 61 8 8	[Z] 1144	11:11	BHICE18 [11]	Estet triet	112:92
	Side - Suissed	"C:E2 '9:28	51:27		'r:4

			V 1	10	licenses and the second	
12:21.	81:22	4:21	77:19	VIEIIM - 45:14	59:22.	
13:25,	thing [17]	titalettly -		video (2) 3:9,	79:11.	
14:24, 15:4,	12:7, 12:25,	3211	undurtiten -	78:22	22:25, 68:6,	
16:6, 10:18.	21:14,	Title [1]	14:17	utem [3] 3:2.	22:7, 66:4,	
21:21.	31:13,	72:23, 24:16	undun - 32:3	18:14, 18:19 VII - 72:23	00:11	
21:21, 77:8,	36:15,	tonny [7]	unfortunately	VII - 72:23	Ma're [57]	
22:10, 24:2,	40:25.	5: 11. 22:12.	- 40:24	winista - 7:12	3:0, 14:9,	
24:3, 24:10.	42:16, 45:9.	43:24	ually - 36:13	visience -	16:13, 17:4.	
30:17,	47:12, 52:9.	52:22.	IZ] HWDANKU	45:15	19:24, 21:9	
31:24,	52:36, \$4:3,	54:21, 67:1.	71:3, 77:16	Visintin (5)	27:22, 29:1	
32:17.	54:23.	69:9	walass [7]	5:22, 5:23,	32:9, 36:12	
33:11.	55:11.	Tem - 80:2	22:20.	37:23	36:19.	
33:12,	65:23.	totally [2]	26:21.	vision [2]	16:20.	
35:1C.	74:11, 82:3	16:19, 75:25	28:11.	25:17 05:19	36:20, 37:2.	
37:20, J&:S.	thinking -	1our [4]	20:14, 34:9,	voice - 59:25	37:3, 37:17.	020
34:19.	52:17	44:22	13:1	volces [2]	38:1, 33:2,	
42:20.	1hight [2] 34:18, 86:2	45:11, 85:5	unmete [2]	S4:2, S4:5	38:4. 38:13.	
43:30, 44:3.	third [3]	tawards -	5:18, 6:1	veld - 25:19	38:22, 40:6.	
46:11. 47:5.	25:22, 45:3.	15:22	unralated -	vete [3]	44:15.	
49:18. 50:11, 51:7.	03:16	Tamasant .	75:1	52 11.	44:22.	
51:20.	Thomas [19]	85:1	update [15]	52 22. 59:17	44:23, 45:9.	
54:15, 61:5.	1:7, 4:5,	track - 27:7	30:11.	voted [4]	45:14.	
63:12.	4:6, 36:5.	trained [2]	33:20,	50:3. Sa:t.	46:10,	
30:18, 71:3.	36:7, 36:7,	16:2, 76:14	33:23.	41:19, 66:24	51:15,	
72:4, 75:25,	16:14,	training [11]	35:12.	veling - 64:12	51:19.	
27:4, 77:13,	16:20, 43:8,	11:5, 10:16,	71:20,		51:20, 52:3.	
27:15. 75:6.	43:8. 50:L4.	42:7, 44:9.	76:LL.	W	51:6, 53:7.	
77:15, 78:6,	52:21,	44:33, 74:3.	78:15.		53:17.	
82:5, 82:7.	55:14, 67:7,	76:6, 75:15.	51:14,	watt [3]	60:15, 51:5,	
83:2. 87:16.	55:3. 73:6.	50:20, 11:1.	61:24, 64:6,	21:15.	64:16.	
88:23	71:15.	84:12	84:81, 35:8,	38:25, 87:7	64:17.	
Thunks [2]	78:16, 55:19	Transcripts -	85:9, 25:12,	weiting -	64:22.	
32:17. 77:33	tpansy [x]	37:24	65:15	13:10	66.21.	
the manivas	51:19, 60:25	traval - 88:9	updated [7]	Walkert -	70:15, 72:5,	
[3] 6:5, 35:6.	thousand -	travaled -	10:9, 11:4,	40:21	72:5. 70:5.	0
47:10, 45:6.	79:4	84:22	16:21, 17:0.	mented [7]	81:15.	V I
57:18	threeded -	tried - 55:1	15:14, 47:25	15:5, 21:18,	32:14.	
thete's [21]	60:19	75:24	updites [5]	28:1, 37:9,	32:15, 31:5.	1
13:2, 13:4.	threat [2]	Tunsfly -	24:22.	50:15.	11:7, 23:9.	
13:15.	threats - 45:7	35:9	31.22.	menting -	14:5, 55:4.	
15 14, 17:2.	throughout [2]		33:34,	17:19	05:21	Di li
18:20.	42:12, 42:12	15:8, 33:23	45:34, 57:22	wants [1]	WE'84 [9]	
10:22, 32:7,	timeline -	37:11, 38:1,	uphold [4]	10:17	7:10, 24:22.	
32:11, 33:2,	27:9	73:7	17:20, La:1,	20:17,	14:19.	
17:6, 37:16,	timelines -	turned - 74:5	18:5, 18:12.	20:19,	45:13.	1
54:12.	34:13	trice - 41:4	19:3, 19:13	21:21, 34:9.	52:12, 84:4,	
58:25, 59:5.	Timathy [27]	1128 [2]	upholding -	66:11	84:24, 85:2,	
\$9:21.	1:14, 2:19,	57:22, 75:0	32:14	watch - 52:5	85:14	
66:13.	3:11, 4:19,		upholds -	watched -	Wabb [7] 2:2,	
73:24, 75:9.	6:10, 7:14.	U	20:18	71:23	5:4, 5:4.	
78:19	7:24, 6:24,		using [1]	Ways - 74:23	43:25, 44:3,	
they're [16]	9:1, 11:11.	Uh-heh -	45:7, 45:2.	Ma'd [6]	44:12, 44:12	
13:6, 27:1.	11:11	42:23	72:19	45:21, 56:9.	mabalta - 27:6	
27:2, 29:3.	12:11, 20:7.	ultimate -	Banatily [1]	65:13.	mash [11]	
31:7, 38:7.	20:11	58:2	44:19, 00:5	66:23.	10:0, 15:9.	1
40:17,	22:10, 23:2,	unable -	1	46:24, 67:4	56:11.	I.
45:19,	23:1, 23:25.	27:13	V	we'll [21] 3:5,	78:21,	1
59:18,	24:1, 31:5,	understand -		1:9, 3:11,	78:24	
59:23, 74:4,	31:14.	12:5	valld + 73:11	4:18, 6:12,	29:11, 82:5,	
76:20, 86:2,	33:19.	understandlag		5:13, 5:5.	11:11 .c.c	
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Jesse Slaughter, Chair	Sheriff	Great Falls
Wyatt Glade	Montana Board of Crime Control	Miles City
Jim Anderson	Department of Corrections	Helena
Anthony Hutchings	Local Law Enforcement	Bozeman
Leo Dutton	Montana Board of Crime Control	Helena
Shellie Brady	Misd. Probation/Pretrial	Bozeman
Kristine White	County Attorney	Forsyth
Mark Kraft	Chief of Police	Sidney
Jim Thomas	Public Representative	Canyon Creek
Bill Smith	Detention Centers	Kalispell
Kimberly Burdick	Public Representative	Fort Benton
Jess Edwards	Tribal Law Enforcement	Browning
Connor Smith	State Government Law Enforcement	Helena

CHAD R. VANISKO
Agency Legal Counsel
Montana POST Council
2260 Sierra Road East
Helena, MT 59602
Telephone: (406) 444-3029
Email: chad.vanisko@mt.gov

COUNSEL FOR POST

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

IN THE MATTER OF THE DENIAL OF CALEN CURTIN'S CERTIFICATE APPLICATION

Case No. 23-04

SETTLEMENT AGREEMENT

This Settlement Agreement (Agreement) is agreed to between the Montana POST Council, acting through its Executive Director (Timothy Allred), and Calen Curtin (Respondent).

Factual and Procedural Posture. Respondent was appointed as a peace officer for the Hardin Police Department on November 2, 2021. On April 15, 2022, Respondent successfully completed the Montana Law Enforcement Academy's Legal Equivalency course for peace officers. Respondent's application for his POST Basic peace officer certification was complete on November 2, 2022. Respondent engaged in misconduct in violation of POST's Administrative Rules on March 6, 2022, when he inappropriately punched an individual after having already tased the individual; and when he incorrectly wrote in his report that the individual's left hand was "balled up" in a fist, when it was not. Respondent further violated POST's Administrative Rules when he engaged in further misconduct on March 6, 2023, when he provided a subject with incorrect

SETTLEMENT AGREEMENT
PAGE 1

information, claiming that he had "run" the individual's name, when, in fact, he had not done so.

On June 14, 2023, POST filed a Notice of POST Action, denying Respondent's application for POST certification. Respondent submitted a timely request for a hearing to the Hearing Examiner.

The parties agree to resolve this matter through a stipulated settlement as provided in Mont. Code Ann. § 2-4-603, and Admin. R. Mont. 23.13.720. Based on the mutual covenants contained in this Agreement, and for good and valuable consideration, the parties agree as follows:

Acknowledgment of Rights. Respondent has read and understands each term of the Notice of POST Action and Opportunity for Hearing, and understands the various rights explained in that document. Those rights include the right to a contested case hearing before an impartial hearing examiner, the right to present evidence and testify and confront and cross-examine witnesses at the hearing, the right to be represented by legal counsel, the right to subpoena witnesses, the right to request judicial review and appeal, and all other rights under Mont. Code Ann. Title 2, ch. 4, pt. 6 (Montana Administrative Procedure Act), Mont. Code Ann. § 44-4-403, and other applicable law including rights and procedures contained in administrative rules, rule 23.13.101 et seq.

Waiver of Rights. Respondent voluntarily and knowingly waives the rights listed above and elects to resolve this matter on the terms and conditions of this Agreement and acknowledges that no promise, other than those contained in this Agreement, and no threat or improper assertion has been made by the POST Council, the Executive Director or by any member, officer, agent, or representative of the POST Council to induce Respondent to enter into this Agreement.

SETTLEMENT AGREEMENT PAGE 2 Admission of Violation. Respondent admits to the factual allegations stated in the Factual and Procedural Posture above, and Respondent agrees those facts support denial of his certification under the Assertions of Law contained in the Notice of POST Action.

<u>However</u>, Respondent challenges the denial proposed in the Notice of POST Action. Therefore, the parties agreed to resolve this matter through the negotiated agreed sanction set forth below.

Agreed Sanction. Upon issuance of his POST peace officer basic certificate, Respondent's POST certifications will be SUSPENDED for a period of two years. The full two-year suspension period will be stayed, resulting in Respondent's POST certification being placed on probationary conditions for a period of two years. ARM 23.13.204(3).

The terms of that stayed suspension include:

- A. During the two-year period of probation, Respondent will be ineligible to receive any additional POST certificates, although if he is working as a public safety officer, he will be earning credit for years of service, hours of training, or other qualifications during the probationary period. If Respondent successfully completes the probationary period, Respondent may thereafter apply to POST to receive any additional certificates for which Respondent is eligible after the probationary period ends.
- B. As a condition of this probation, Respondent must, at all times and regardless of whether on or off duty, abide by all federal and state laws and administrative rules, and his employing agency's policies and procedures. Respondent's failure to abide by all federal and state laws and administrative rules, and his employing agency's policies and procedures may constitute a breach of this Agreement regardless of whether such conduct occurred on or off duty. Respondent shall inform POST in writing of any potential violation within 10 days of occurrence, and failure to do so shall also constitute a breach of this Agreement.
- C. Should Respondent engage in further misconduct prior to this Agreement being approved by the Council, this Agreement will be considered null and void, and POST shall retain the right to deny Respondent's application for certification.

SETTLEMENT AGREEMENT PAGE 3

If Respondent completes the two-year probationary period without breaching this Agreement this matter will be closed. Respondent's POST Transcript will reflect that .

Respondent's certification was placed on probation for two years.

A breach of this Agreement is defined as any violation of the above conditions of probation.

If Respondent breaches this Agreement before the probationary period is complete, and the facts of such a violation can be sustained by a preponderance of the evidence by POST, then POST will initiate proceedings to suspend Respondent's POST certification for two years. Such proceedings will be initiated by informal letter to Respondent in an attempt to resolve the violation informally. If such informal resolution cannot be reached, POST will issue a Notice of POST Action pursuant to ARM 23.13.703(9)(d)-(e). In that case, the matter will proceed as a contested case action, but the only issue will be the existence of a breach of this Agreement; the present violation and the suspension may not be challenged in an action to suspend Respondent's POST certification. If Respondent breaches this Agreement during the two-year period of probation, but that breach is not discovered and/or charged until after the probationary period expires, POST may still declare a breach and suspend Respondent's POST certificate(s).

Release. Respondent fully and forever releases and discharges POST and all of POST's employees and agents from any and all actions, claims, causes of action. demands, or expenses for damages and injuries, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of this Agreement.

POST Authority. Nothing in this Agreement precludes, diminishes, or restricts any authority granted to POST under the law.

SETTLEMENT AGREEMENT

Waiver. The failure or delay of a party to insist upon strict adherence to any term of this Agreement on any occasion shall not be considered a waiver, nor shall it deprive such party of the right thereafter to insist upon strict adherence to that term or any term of this Agreement. Any waiver must be in writing signed by the waiving party.

Severability. Should any provision of this Agreement be determined to be invalid, illegal, unenforceable, or in conflict with the law, all remaining terms and clauses shall remain in force and shall be fully severable.

Modification. This Agreement may not be modified orally, and any subsequent modifications to this Agreement must be mutually agreed upon in writing to be effective.

Jurisdiction. POST has jurisdiction over Respondent and the subject matter of this Agreement.

Applicable Law. This Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of Montana.

Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this Agreement delivered by facsimile, e-mail or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

Complete Agreement. The parties agree that this will be a final compromise and settlement of issues enumerated and represents the parties' complete agreement. This Agreement supersedes any prior negotiations, and the parties make no further agreements not set forth in this document.

Public Record. The parties acknowledge that this matter is public record subject to disclosure as provided by Mont. Code Ann. § 2-4-623 (Administrative Procedure Act), Title 2, Chapter 6, part 10 MCA (Public Records) and ARM 23.13.103.

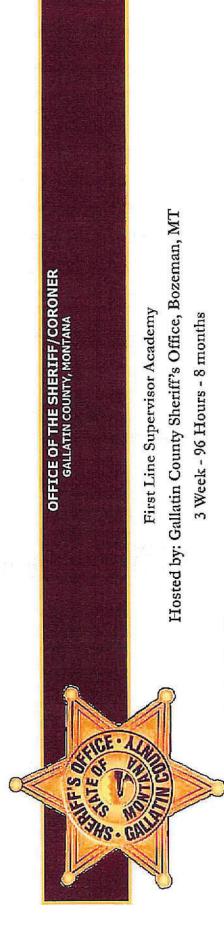
SETTLEMENT AGREEMENT

Effective Date. This Agreement shall become effective upon either the date of the POST Council's acceptance of this Agreement or the last date of the parties' signatures below, whichever occurs later in time.

Final Agency Action. The parties agree that this Agreement is not binding or enforceable until signed by both the Executive Director and Respondent and until the POST Council accepts the Agreement by motion. ARM 23.13.720. Upon approval by the POST Council this Agreement becomes the POST Council's final agency action.

Dated this 7th	_ day of _ July	, 2023
	Calen Cui	Luti- rtin, Respondent
Dated this _/0**	_day of _July	, 2023
	Timothy.	Wired POST Executive Director
Approved as to Form: Dated this	_day of _Jucy	
	Samual I	Martin Attorney for Respondent

SETTLEMENT AGREEMENT PAGE 0



Building block model of leadership skills

All three modules individually POST credited • ~34~

Allows the student/sponsoring agency to get POST credit for any modules attended

Allows students to receive a module of training - time to apply the skills - learn another level of leadership skill

Focused on "doing" the work

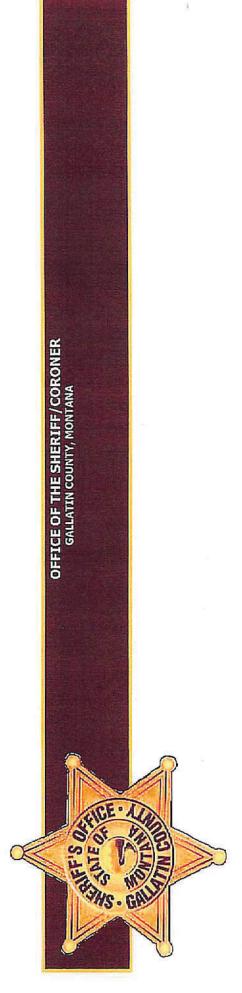
Raising the work performance bar through effective First Line Leadership railored to the students' strengths

Cost to Agencies:

Phase 1 - 26-29 June - \$300.00 - Fiscal Year 2023

Phase 2 – 09-12 October - \$300.00 – Fiscal Year 2024 Phase 3 – February TBD - \$100.00 – Fiscal Year 2024

Space is limited to 30 seats for each module.



Phase 1 - Front Line Leadership

Presented by: Ron Bayne - Arizona POST Master Instructor and owner of The BEST LLC.

4 days, 32 hours

Challenging ourselves

Understand heart/mindset for successful Law Enforcement leadership and assess own status Weaving leadership into lifestyle and develop framework for mentoring future leaders Challenging our own assumption / preconceived notions about our organizations Introduction to the DISC behavior-based system for identifying personality types Strategic leadership and the framework for being strategic about leadership Identifying your default leadership style and applying strategies Critically assess own leadership behaviors

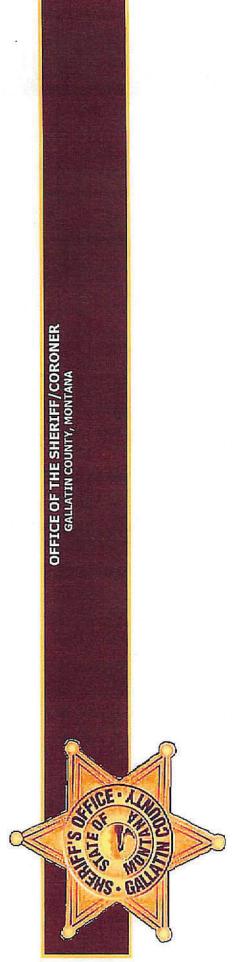


Phase 2 - Leading Others

resented by: Dr. Eric Murray - Founder, Team Training Associates, IADLEST National Certified Instructor

4 days, 32 hours

- 09-12 October 2023 Training supervisors How to lead through others. What do you actually do to be an effective supervisor?
- Heavily weighted on "doing the work" through hands-on, scenario-based exercises
 - All students will complete a comprehensive DISC profile prior to class
- DISC based strategies for maximized leadership strategies, specific to the student
- Evidence-based to enhance workforce engagement
- Small group settings with coaches to help problem solve during peer focused breakout sessions



Phase 3 - Putting it all together in the Current Operating Environment

Linstructors: Dan Springer, Sheriff; Senior Civil Attorne; MACo Human Resources Director; Dr. Alanna Brunacini

4 days, 32 hours -

What are the ground rules for a leader?

Facts and realities from the Senior Leadership perspective

Operating under the realities of Federal and State Labor law; Collective Bargaining Agreements; County, Municipal, Office and Department Policies and Procedures

How these rules shape the supervisory landscape

Proactively addressing mental health in the workplace; why we do this and how we do this.

Interactive course using discussion, case study, hands-on simulations and exercises that develop supervisory skills in law enforcement leaders.



OFFICE OF THE SHERIFF/CORONER GALLATIN COUNTY, MONTANA

Dan Springer Sheriff/Coroner

Jeremy Kopp Undersheriff

Randy Jones Chaplain

615 South 16th Bozeman, Montana 59715 (406) 582-2100 FAX (406) 582-2126

First Line Supervisor Academy

Hosted by:

Gallatin County Sheriff's Office, Bozeman, MT

- This academy includes three-weeks, 96 hours, spread over 8 months. Attendees are encouraged to attend all three modules however POST credit is applied to each 32 hour block individually, allowing the student and/or sponsoring agency to pick the modules of instruction best suited to their attendee. This model allows students to receive a module of training and have the time to apply the skills before learning another layer of leadership skill.
- The academy will focus around actually doing the work, how to get the best results from training and how to enhance work performance through effective leadership in the current work environment.
- Cost to Agencies:
 - o Phase 1 26-29 June \$300.00 Fiscal Year 2023
 - Phase 2 09-12 October \$300.00 Fiscal Year 2024
 - o Phase 3 February TBD \$100.00 Fiscal Year 2024
- Space is limited to 30 seats for each module.

Phase 1

Front Line Leadership

Presented by: Ron Bayne

Arizona POST Master Instructor and owner of The BEST LLC. 4 days, 32 hours – Instructor: Ron Bayne, Advanced Training Specialist Arizona Peace Officer Standards and Training, Master Instructor FBI-Law Enforcement Executive Development Association

26-29 June – The Front-Line Leadership course contains contemporary leadership principles and concepts for public safety personnel who desire to be, or currently are, Front Line Supervisory Leaders.

Today, probably more than ever, the public relies on effective and efficient public safety. The leader's role is critical to the success of the organizational mission. Making the transition from officer to supervisor is challenging. In other words, going from buddy to boss is not easy. However, this transition is made easier with an education on the fundamentals of leadership and management.

This course is designed to build industry knowledge and skills to facilitate the transition from a line-level position to leadership in the field of public safety. It will introduce students to the fundamental concepts and skills of professionalism, organizational culture and management, characteristics of effective teams, conflict resolution, motivation, systems-thinking, problem-solving, and leadership as applicable to public safety organizations.

This course is for those who want to be better law enforcement leaders. Students completing this course will deepen their understanding of leadership and self to improve their work and personal relationships with others. Information and skills developed in this course will assist the student in gaining a broader perspective of the law enforcement profession, the personalities that exist in it, teams, culture, history, and leadership.

TARGET AUDIENCE:

Sworn law enforcement supervisors; patrol supervisors, detective and investigative supervisors, administrative supervisors, specialized unit supervisors, and those who desire to become supervisors. All officers of all ranks are welcome.

CURRICULUM:

This will be a MT POST certified professional development course. It will consist of four (4) consecutive 8- hour days. Attendees successfully completing this course will receive 32 hours of MT POST credit.

CLASS ATTIRE, HOURS, AND RESOURCES: Appropriate Business Casual/Training Attire; no tom jeans, no shorts, no tank-tops, no flip-flops or sandals permitted. This is a professional course, please dress accordingly.

Class is from 0830 - 1600 daily, unless otherwise specified.

Day 1: PERFORMANCE OBJECTIVES: 1. Define leadership.

- 2. Describe difference between leadership and management and attributes needed for both.
- 3. Assess own leadership behavior.
- 4. Describe the three step model to strategic leadership.
- 5. Create a framework for being strategic about leadership.
- 6. Understand <u>heart/mindset</u> for successful Law Enforcement leadership and assess own status.
- 7. Describe the psychological concepts of <u>Positive and Negative Leadership</u>, and explain the impact of each to teams.
- 8. Accurately assess own default leadership style and apply strategies to adapt <u>Covey Circle of Concern/Control</u>.
- 9. Explain how to weave leadership into own lifestyle and develop framework for mentoring future leaders.

Day 2:

PERFORMANCE OBJECTIVES:

Use the DISC behavior-based system for identifying personality types.

- 1. Explain how to improve performance, relations and communication through understanding different personality types
- Assess and better deal with conflict resolution
- 3. Describe primary behavioral types and how they can influence leadership style
- Articulate how to use the DISC to manage team dynamics

Day 3:

PERFORMANCE OBJECTIVES:

- Describe 3 follower responses and explain 3 strategies for engaging followers.
- 2. Explain situational leadership and 4 leadership styles for follower needs.
- 3. Describe how to proactively lead high performing employees.
- Describe how to ID root cause of challenging employees.
- Define 3 behavioral theories pertinent to employee motivation.

Day 4:

PERFORMANCE OBJECTIVES:

- 1. Define the term professional and consider where American law enforcement fits this definition.
- 2. Explain concept of <u>Moments of Truth</u> and articulate how it can be applied to policing services.
- 3. Describe the $\underline{5}$ historical eras of American policing and provide an understanding of the societal dynamics impacting the policing profession.
- Describe <u>3</u> areas most impacted by police misconduct.
- 5. Define the philosophy of Community Based Policing.
 - 6. Understand and articulate the impact of police conduct and misconduct on society and policing.
 - 7. Explain the <u>4 levels of organizational accountability</u> needed in law enforcement

- 8. Define resiliency and the concept of Resilient Leadership.
- 9. Explain how balance displacement is harmful to an employee, organization, and the law enforcement profession.
- 10. Explain why a resilient workforce is a leadership responsibility
- 11. Explain 4 elements of 360 Fitness
- 12. Explain 7 F's to a balanced life

Phase 2 Leading Others

Presented by: Dr. Eric Murray

Founder, Team Training Associates, IADLEST National Certified

Instructor 4 days, 32 hours –

- October 2023 4 Day 32 hour Course Training supervisors <u>How</u> to lead through
- This unique learning experience is designed to help public safety leaders to be more effective. During the engaging 4-day interactive workshop, our experienced team will address evidence-based leadership strategies and tools to enhance workforce engagement. Leading and influencing can be accomplished at all levels within any organization. It is critical for organizational leaders to realize their full potential. Attendees will be expected to: participate in reflective dialogue; action planning; identify an organizational Leadership Challenge; and collaborate with classmates to help them problem solve during peer focused breakout sessions.

The focus of this seminar is to provide an overview of topics including:

- Leadership and Human Performance Analytics
- Creating an Empowering Organization
- Developing Employee Talent: Problem Solving, Decision Making, Critical Thinking, Creativity and Innovation.
- IDROP- A proven and effective organizational communication tool.
- Identifying Five Behaviors of a Cohesive Team®
- Strategies to Lead from the Middle of the Organization
- Identifying Sources of Employee Misery
- Developing Front Line Leaders- Where it matters most
- Focusing on the Organizational Spirit
- The Power of a Belief System- Beliefs Drive Performance (Leadership Case Study)
- The Art of People Reading with Everything DiSC Workplace Profile and Personality Assessment
- Overcoming Adversity- Leadership Lessons of Vietnam POW LTCMDR Charlie Plumb
- Lessons Learned from the Sandy Hook School shooting: Shaving Seconds to Save Lives

- Leadership and Motivation: A Theoretical Approach to Employee Performance
- Command Climate Assessment- Taking the Leadership Temperature of Your Organization
- Transformational Leadership- Leading Organizational Change
- Ethical Decision Making
- Building Psychological Capital: Nurturing the HERO within (Hope-Efficacy-Resiliency-Optimism)
- Officer wellness: Introduction to Mindfulness and Resiliency
- The Chemistry of Leadership

Phase 3 –

Putting it all together – The Operating Environment

Presented by: Gallatin County Sheriff's Office

Instructors: Dan Springer, Sheriff, Gallatin County

Senior Civil Attorney

MACo Human Resources Director

Dr. Alanna Brunacini

4 days, 32 hours -

- February 2024 4 Day 32 hour Course Facts and realities from the senior leadership perspective; operating under the realities of Labor law; Collective Bargaining Agreements; County, Municipal, Office and Department Policies and Procedures, how they shape the supervisory landscape; proactively addressing mental health in the workplace; why we do this.
 - Led by Sheriff Dan Springer, Undersheriff Jeremy Kopp, Chief Civil Attorneys, MACo Human Resource Directors

This module will be an interactive course using discussion, case study, hands-on simulations and exercises that develop supervisory skills in law enforcement leaders. This training applies the most current understanding of how LEOs are effectively supervised and how supervisors can best improve the performance and care of officers in the current work environment. The class will prepare supervisors to build and deliver performance programs that make officers safer and more effective in the street, while getting the most from available supervisory time and resources. This training will look at current mental health trends in the profession and what we can actually do to help our employees.

Course Objectives:

- 1. Understand policy and procedures, agency values, and current HR practices
- Develop a best work practices model for first line supervision in discretionary and nondiscretionary time circumstances
- 3. Understanding servant leadership and the characteristics

- 4. Understand the tone from the top, administrative functions and your role
- 5. Accountability in expectations for employees reporting to first line supervisors
- 6. Understand Collective Bargaining Agreements, labor law and your authority
- 7. Develop and apply first line supervisor's role in empowerment of employees
- 8. Understand the realities of mental health in the profession, caring for your people
- 9. Understand why we're in this noble profession, putting it all together

INSTRUCTOR BIO'S:

Ron Bayne - Church for Cops LLC.

Developer/Instructor of Front-Line Leadership, C.E.O Church for Cops, LLC.

Ron Bayne is a nationally recognized law enforcement leadership instructor and coach. He is owner of the leadership consulting company, Church for Cops, LLC. He has presented to thousands of police personnel from hundreds of law enforcement agencies in nearly all 50 states across North America including Puerto Rico. He has been a leadership coach/trainer for FBI-Law Enforcement Executive Development Association (LEEDA) since 2014, and previously a Public Safety Spanish language instructor.

As a result of working with thousands of law enforcement personnel from around the country and discovering unique concerns and training needs, Ron created a law enforcement leadership philosophy known as Church for Cops which focus is centered on simple concepts most of us need reminders of to practice daily.

Ron developed a course for Arizona Peace Officer Standards & Training for AZ law enforcement agencies previously known as the AZPOST Basic Leadership Academy (BLA), since retitled Front Line Leadership (FLL). FLL is a 4-day class designed to introduce students to the fundamental concepts and skills of professionalism, organizational culture and management, characteristics of effective teams, conflict resolution, motivation, systems-thinking, problem-solving, and leadership as applicable to public safety organizations. Ron has administered this course to nearly every law enforcement agency in the State of Arizona and this training is becoming known as the flagship leadership training for first-line police supervisors in Arizona law enforcement, as well as for the Arizona Department of Corrections.

Ron has been hired by the Los Angeles Police Protective League to bring this same training to members of the Los Angeles Police Department. Ron is the sole instructor of FBI-LEEDA to provide on-going leadership training to the sergeant rank of the LAPD.

Ron is also a certified DISC instructor for the Center for Police Leadership & Ethics and has administered the DISC behavioral profile to thousands of police personnel across North America.

Ron is retired from Arizona law enforcement at the rank of commander after having served in the profession for 30 years. He began his career in law enforcement in the United States Army in 1987 at the age of 17. He is a graduate of the FBI National Academy Session 260.

Ron possesses graduate degrees from Northern Arizona University and New Mexico State University in Education/Human Relations as well as in Criminal Justice. He has served as Lead Faculty for several years in the Criminal Justice Department of the University of Phoenix where he was awarded Faculty of the Year honors and served as Adjunct Faculty at Northern Arizona University and Maricopa County Community Colleges. Ron is an IADLEST Nationally Certified Instructor.

Team Training Associates Instructor Bio: Dr. Eric Murray

Dr. Eric Murray Dr. Eric Murray is a decorated military and law enforcement veteran with over 35 years of professional public safety experience. He has served in the U.S. Army Infantry, a municipal police department and the past 31 years with the Connecticut State Police. His last assignment was as the commanding officer of the state police training academy. During his career, Eric has held numerous administrative and operational assignments which has provided the necessary leadership framework for his training programs. He has taught leadership and human performance analytics to hundreds of organizations and thousands of private and public service employees across the United States and internationally. He loves what he does! He holds numerous instructor-level certifications with the CT State Police, CT Police Officers Standards of Training (POST), and New England State Police Association (NESPAC).

Eric actively teaches training programs in the areas of leadership, supervision, team building, human performance management, communication, resiliency, diversity, problem solving, and ethical decision making. Eric regularly consults public safety, higher educational institutions, and private organizations on strategic planning, organizational climate and culture, and professional development. He deploys a customized leadership climate assessment as a diagnostic for improving organizational excellence. He is a co-author/creator of the Performance Leadership Model© and an Everything DiSC® and Five Behaviors of a Cohesive Team® Facilitator and Wiley distributor. He has authored and published several instructional law enforcement training videos that have been distributed to civilian, and military law enforcement organizations within the continental United States and throughout Canada, Europe, and Asia. Eric is a graduate of the FBI National Academy Session 273.

Eric is the first "civilian" to graduate from the USCG Chief Petty Officer Academy in Petaluma, CA

where he received the coveted "Spirit of the Chief Award" and the honorary title of Chief Petty Officer by the Commandant of the USCG. He is an alumnus of the USCG Academy Senior Leadership Principles Course and Harvard-Kennedy School of Executive Education- Art and Practice of Leadership. Eric serves as an instructional advisor to the USCG Leadership Development Center and faculty for the U.S. Navy Advanced Management Program (AMP). He is a regular guest lecturer at the FBI National Academy on topics of leadership analytics, leading at-risk employees, human performance, and psychological capital (PsyCap). He authored the after-action report for the Sandy Hook school shooting in Newtown, CT in 2012 and shares lessons learned from that tragedy. Eric holds a Doctor of Education (Ed.D.) from the University of Hartford; M.S., Organizational Leadership; B.A., Communication.

Eric is a life-long learner and his research focused on "Psychological Capital: Law Enforcement Leadership Strategies to Mitigate Traumatic Incident Stress Among Police Officers." He serves on the

advisory committee for the Graduate of Professional Studies Program at Nichols College in P.O. Box 372, Thompson, CT 06277 P: 860-377-4157 Email: emurray@teamtrainingassociates.com Dudley, MA. He currently resides in Northeast Connecticut and can be reached at emurray@teamtrainingassociates.com. or sptu@att.net Phone: 860-377-4157

Gallatin County Sheriff's Office Instructor Bio: Sheriff Dan Springer Jeremy Kopp, Undersheriff Head Human Resources Director Chief Civil Attorney Dr. Alanna Brunacini From: 150041-88442843@requests.muckrock.com

To: Cranmer, Tina

Subject: [EXTERNAL] Montana Freedom of Information Act Request: FOIA Request: Previous Requests for POST

Certification Data

Date: Monday, July 31, 2023 11:15:13 AM

Montana Public Safety Officer Standards & Training Montana POST 2260 Sierra Road East Helena, MT 59602

July 31, 2023

To Whom It May Concern:

Pursuant to the Montana Freedom of Information Act, I hereby request the following records:

All requests received by POST seeking certification and employment history data for all active and/or inactive law enforcement officers in Montana. Please include the request received by POST and any written correspondence between the requester and POST, including the final response letter from POST. Please search both the official POST public records inbox as well as the personal work inbox of any POST employees who may have responded to such a request. The timeframe for this request is from January 1, 2017 to the present date.

We are seeking this information as a news media organization on a matter of public interest concerning the conduct of government. As such, we ask for a waiver of all fees, if allowed under state law. If fees are necessary to reimburse the agency for actual costs, we agree to pay up to \$100. If costs exceed that amount, please let us know before fulfilling the request.

Thank you

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to

this request within 10 business days. Sincerely,

Sam Stecklow

View request history, upload responsive documents, and report problems here:

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PLEASE NOTE OUR NEW ADDRESS For mailed responses, please address (see note):

MuckRock News DEPT MR 150041 263 Huntington Ave Boston, MA 02115

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Current POST Council Committees

Business Plan/Policy

Jess Edwards – Chair Kimberly Burdick Jesse Slaughter EJ Clark - Ex officio

Curriculum Review

Conner Smith — Chair
Bill Smith
Kimberly Burdick
Vacant
Jim Anderson
Joel Wendland - Ex officio

Case Status

Jim Thomas — Chair Conner Smith Bill Smith

Coroner

Leo Dutton – Chair Bill Smith Kristine White Wyatt Glade

<u>ARM</u>

Leo Dutton — Chair Jess Edwards Bill Smith Jesse Slaughter Mark Kraft

Executive Committee

Jesse Slaughter - Chair



Montana Public Safety Officer Standards & Training Council

Website: dojmt.gov/post 2260 Sierra Road East Helena, MT 59602 Email: mtpost@mt.gov Phone: (406) 444-9975 Fax: (406) 444-9978

August 24, 2023

Re: Interim Appointment of Committee Members

To Montana POST Council Members:

As the Chair of the Montana POST Council, I have appointed the following Council members to serve on the Executive Committee, as defined in Council Resolution 23-002, as interim members:

Jim Anderson, Department of Corrections Representative Kimberly Burdick, Public Representative Mark Kraft, Representing Chiefs of Police Leo Dutton, Representing the Board of Crime Control

As outlined in Council Resolution 23-002, I will serve as the Chair of the Executive Committee. As is also outlined in Council Resolution 23-002, I formally request that the Council confirm these appointments and allow these individuals to serve as members of the Executive Committee.

Due to the departure of Matthew Sayler, and as the Chair of the Montana POST Council, I have also appointed the following Council member to serve on the Case Status Committee, as defined in ARM 23.13.102(2), as an interim member:

Bill Smith, Representing Detention Officers and Detention Center Administrators

I formally request that the Council confirm this appointment and allow this individual to serve as a member of the Case Status Committee.

Sincerely,

Jesse Slaughter, Chair Montana POST Council



Montana Public Safety Officer Standards & Training Council

Website: dojmt.gov/post 2260 Sierra Road East Helena, MT 59602

Email: mtpost@mt.gov Phone: (406) 444-9975 Fax: (406) 444-9978

DATE:

AUGUST 21, 2023

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 three times, since the May 3, 2023, Council meeting. The Committee had two regularly scheduled meetings on June 7, 2023, and July 19, 2023; and a special committee meeting on July 5, 2023. 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:

2017 ~ One case from 2017 was closed:

In re Thad White, POST Case Number 17-22 was closed. Mr. White had appealed his case to the Montana Supreme Court. His appeal was dismissed when he failed to file an opening brief. Mr. White falsified his timesheets, claiming to have been working when he was not, in fact, working. His certification was revoked.

There are no open cases from 2017.

2018 ~ No cases from 2018 were closed:

There are 2 open cases from 2018. In both cases, the officer is serving a sanction.

2019: One case from 2019 was closed

19-49 was closed. A peace officer was stopped and investigated for DUI. The officer refused to cooperate with providing a breath sample. The officer was convicted of DUI. The officer and POST reached a Settlement Agreement during the MAPA process, wherein the officer's POST certification was placed on probation for a period of 3 years. The officer successfully completed his probationary period and his case is closed.

There are 4 open cases from 2019. In all 4 cases, the officers are serving a sanction.

2020 ~ One case from 2020 was closed:

20-42 was closed. A probation and parole officer called dispatch to report her car had been stolen. When asked, the officer claimed that she did not know who stole the car. In fact, the officer did know who took her vehicle, an out-of-state offender with whom she shared a child. Her dishonesty put officers in danger. Her certification was revoked.

There are 2 open cases from 2020. In both cases, the officers are serving a sanction.

2021 ~ Four cases from 2021 were closed:

21-03 was closed. A corrections officer was convicted of DUI. The officer and POST reached a settlement agreement wherein the officer's POST certification was placed on probation for 2 years. The officer has successfully completed his probationary period, and his case has been closed.

21-04 was closed. A corrections officer was convicted of DUI. The officer and POST reached a settlement agreement wherein the officer's POST certification was placed on probation for 2 years. The officer has successfully completed his probationary period, and his case has been closed.

In re Nolan, POST Case Number 21-30 was closed. A peace officer was assigned to act as the interim warden for his agency. Shortly after his assignment, he engaged in a sexual relationship with a subordinate contract employee while on duty and in uniform. The officer's POST certification was revoked and his time to request judicial review has expired. This case has been closed.

21-38 was closed. A peace officer was alleged to have falsified her timesheets. The officer and her former employing authority entered into a settlement agreement regarding her termination. POST closed its investigation with no findings.

There are 10 open cases from 2021. Of those, 1 is in the contested case process, 3 cases are on hold pending other matters, and 6 officers are serving a sanction.

2022 ~ Five cases from 2022 were closed:

22-22 was closed. A peace officer was charged with partner/family member assault – strangulation. The officer entered into a plea agreement and pled guilty to an amended charge of partner/family member assault. The officer and POST entered into a settlement agreement wherein the officer agreed not to become employed as a public safety officer again.

22-28 was closed. A public safety communications officer had consumed alcohol and was driving when she was involved in a single-vehicle automobile accident. The officer instructed her passengers to flee the scene and instructed one of the passengers to lie to investigators about who was driving the vehicle. The officer lied to investigators and to POST about the circumstances surrounding the accident and who decided to flee and lie. The officer's certication was revoked.

22-41 was closed. A public safety communications officer engaged in a pattern of hostility toward coworkers and callers. The officer's certification was revoked.

22-53 was closed. A peace officer, while both on and off duty, engaged in a pattern of following and stalking behaviors toward other officers and citizens. POST closed the case without taking any action, determining any further action by POST was unwarranted at the time.

22-54 was closed. A peace officer was not honest about his reasons for taking sick leave. POST closed the case without taking any action, determining any further action by POST was unwarranted at the time.

There are 19 open cases from 2022. Of those, 4 cases are active investigations, 4 of them are on hold pending other matters; and in 11 cases the officer is serving a sanction.

2023 ~ Five cases from 2023 were closed:

23-01 was closed. A detention officer was insubordinate and refused to follow numerous direct orders from his supervisors. The officer made numerous derogatory comments to his coworkers regarding a supervisor. The officer's certification was revoked when he failed to respond to POST.

23-03 was closed. A peace officer was alleged to have made numerous false statements regarding his agency and its administration. The officer

and his employing authority reach an agreement regarding his employment action, and POST closed its case with no findings.

23-05 was closed. A peace officer was convicted of partner/family member assault. The officer's certification was revoked when he failed to respond to POST.

23-16 was closed. A juvenile detention officer violated numerous policies when he used unauthorized holds on an inmate. The officer voluntarily surrendered his POST certification.

23-21 was closed. A peace officer reported to work in his department-issued vehicle with a BAC of .125. The officer voluntarily surrendered his POST certification.

There are 20 open cases from 2023. Of those, 1 case is in the contested case process, 12 cases are active investigations, 3 of them are on hold pending other matters, and in 4 cases the officer is serving a sanction.

Since the last Council meeting, POST has closed a total of 41 cases.

POST currently has 16 active investigations.

POST currently has 2 cases which are in the MAPA process.

POST currently has 17 new allegations to present to case status.

POST currently has 16 cases awaiting information from agencies.

POST currently has 9 investigations on hold pending other matters.

POST has a total of 60 cases which it is currently working on.

POST currently also has 28 cases in which officers are serving sanctions.

Montana Public Safety Officer Standards and Training Council



2023 Business Plan

POST General Overview

The Council was formed in 2007 under § 2-15-2029, MCA as an independent quasi-judicial board. As allowed by statute, the Council adopted Administrative Rules in order to implement the provisions of Title 44, chapter 4, part 4, MCA. Per § 44-4-403, MCA the Council is required to set employment and training standards for all Public Safety Officers as defined in § 44-4-401, MCA and in addition the Council shall provide for the certification or recertification of public safety officers and for the suspension or revocation of certification of public safety officers.

- Our Mission: To ensure competency and promote quality performance by public safety officers by establishing, maintaining and promoting excellence in standards and training.
- Our Vision: The public is safe, secure and has confidence in and respect for Montana Public Safety Officers.

History of the POST Council: The Montana Peace Officer Standards and Training Advisory Council was initially created during the 1971 Legislative Session in a roundabout way. The Council was conceived in response to a growing body of Federal caselaw and numerous research studies regarding the necessity of training standards in law enforcement. There were actually two bills brought before the Legislature creating POST. One bill would place POST under the Montana Board of Crime Control, the other would place POST under the Attorney General. The bill placing POST under the control and authority of the Attorney General passed both houses of the Legislature, then was vetoed by the Governor as unconstitutional. The Governor issued an executive order creating POST and placing it under the control and authority of the Montana Board of Crime Control. The Council was able to hire an Executive Director and depend upon the Board of Crime Control's nine staff to assist the Director and the Council.

The first meeting of the Montana POST Advisory Council was held on September 21, 1972. In 2007, POST underwent a major makeover. First, POST's name was changed from the "Montana Peace Officer Standards and Training Advisory Council," to the "Montana Public Safety Officer Standards and Training Council." The Council had already been providing standards and training for public safety officers, the 2007 name change just made that apparent. Second, POST was made

an independent agency, separate from the Montana Board of Crime Control and only administratively attached to the Montana Department of Justice (DOJ). Third, POST was made a *quasi*-judicial board as defined in Montana statute. POST was also given the ability and authority to promulgate its own rules. The Council expanded from eleven members to thirteen. Finally, POST was given two positions: an Executive Director, and an Administrative Assistant.

In 2008, POST promulgated its first set of Administrative Rules of Montana (ARMs). In 2010, POST was able to hire a third employee: an investigator. In December of 2014, POST completed an overhaul of its ARMs and has made amendments in 2017, 2018, 2019, 2021, 2022, and 2023. POST is working on additional changes to its ARMs and hopes to update its rules in 2023.

During the 2019 Legislative Session, the Legislature passed HB 684, which placed POST staff under the DOJ as the Public Safety Officer Standards and Training Bureau. This legislation was effective through June 30, 2021, but was extended during the 2021 session until June 30, 2023.

During the 2023 Legislative session, the passage of HB 697 allowed HB 684's temporary placement of POST as a bureau of DOJ to expire, and thereby placed POST staff back under the direct control of the Council, provided for quarterly reporting regarding POST's investigations, and required an interim study of the POST Council and its staff. In addition, funds were appropriated to POST in 44-10-204.

Council

Council Meetings: The Council meets three to four times annually to discuss employment and training standards for all Public Safety Officers, provide for the certification or recertification of public safety officers, and for the suspension or revocation of certification of public safety officers as defined in 44-4-401, MCA. They further discuss the operation and goals of the Council and POST staff. The Council may also call Special Meetings to discuss issues that require more immediate attention. Meetings are open to the public.

Council Committees: Committees of the Council generally meet on an "as needed" basis. The Case Status Committee meets every six weeks, and occasionally holds special meetings, when necessary, in order to review the growing number of allegations and investigations.

- ARM: The ARM Committee's purpose is to review and analyze POST ARMs and recommend appropriate rule language to carry out the decisions of the POST Council.
- Business Plan/Policy: The Business Plan/Policy Committee's purpose is to review and, when necessary, propose changes to the long-range business plan of the Council and the daily operations, policies, and procedures under which the POST staff perform day-to-day business.
- Case Status Committee: The Case Status Committee's purpose is to determine whether allegations of misconduct by a public safety officer warrant investigation by POST staff, to determine whether a certificate sanction or other action is appropriate, to determine the appropriate sanction to a certificate upon a finding of misconduct, and to review other proposed actions at the request of the director.
- Coroner: The Coroner Committee's purpose is to track and monitor issues of interest to the Montana Coroner's Association, and coroners in general.
- Curriculum Review: The purpose of the Curriculum Review Committee is to review and discuss proposed training curricula requiring POST approval or additional information.
- Executive Committee: The purpose of the Executive Committee is to make decisions necessary to implement the policies of the POST Council, and to provide additional oversight of POST staff.

Legislature and Legislative Interim Committees: The Council, Director, and the Executive Committee take an active role by working with the Montana Legislature or Legislative interim committees. They:

- Provide Requested Information
- Testify on POST Practices
- Provide information regarding positions adopted by the Council or the Executive Committee

Budget: The Council approves personnel expenses. The Director approves the day-to-day operating expenses. The Director provides a budget update at Council meetings.

Public Safety Agencies/Stakeholders: The Council and Director work with agencies and groups that have an interest in POST including, but not limited to, attending stakeholder meetings, providing POST updates and training, receiving feedback and concerns, and discussing possible legislation.

<u>Staff</u>

POST Staff Meetings: The staff at POST meet weekly to discuss their mission of providing support for the Council by working together as a team and supporting one another. They:

- Discuss Daily Operations
- Make Goals and Give Updates
- Plan for Council and Committee Meetings
- Review Schedules for Staff and Calendar Items
- Discuss General Concerns and Updates
- Discuss Investigations and the Status Thereof

POST Staff Daily Duties: POST staff complete tasks daily and work to support public safety officers and the community. Among other tasks, they:

- Process Training Applications
- Analyze and Process Certificate Applications
- Process Complaint Allegations/Investigations
- Respond to Extension Requests
- Respond to Public Information Requests
- Review Letter Responses
- Scan Training Files and Upload to Website
- Process Equivalency Applications

Contracts Updated: POST has contracts with several attorneys in order for POST to fulfill its statutory obligations.

- General Counsel to the Council
- Contested Case Counsel

Hearing Examiners

POST Staff Provide Briefings at Basics: POST presents an overview of POST and its basic functions to every basic academy and basic equivalency course.

- Law Enforcement Officer (3 times a year)
- Probation and Parole (1 time a year)
- Public Safety Communicator (4 times a year)
- Misdemeanor Probation and Pre-trial Officers (1 time a year)
- Corrections/Detention officer (6 times a year)
- Coroner (2 times a year)
- Peace Officer Equivalency (2 times a year)
- Corrections/Detention Equivalency (as needed up to 6 times a year)

Audits: POST Staff will conduct random audits of POST-approved training and required continuing training.

- During the last full week of every month, POST staff will audit a POSTapproved training.
- During the last full week of every month, POST staff will audit an officer's required continuing training.
- Should records be lacking, the officer or the agency will be given an opportunity to remedy the matter.
- If POST staff does not receive a response, or the response received does not remedy the issue, the training credit hours related to the training may be removed from the officer or officers' training transcript.
- If an officer has not received the required continuing training, the agency and officer will be given 6 months to obtain and document the required training.
- If an officer has obtained the requisite continuing training, the employing authority will submit a letter to POST staff, stating that the officer has been brought into compliance.

Executive Director Attends Basic Graduations:

- Law Enforcement Officer (3 times a year)
- Probation and Parole (1 time a year)
- Public Safety Communicator (4 times a year)
- Misdemeanor Probation and Pre-trial Officers (1 time a year)
- Corrections/Detention officer (6 times a year)

Website

POST Information and Resource Guide: POST Staff will keep the "POST Information and Resource Guide" updated on the POST website to provide information, laws, and legal opinions that direct the Council or affect stakeholders. The following information is available for transparency for all public safety agencies and the community:

- General Information
- Statistics and Graphs
- Current Integrity Report
- Statutes
- ARMs
- AG-Opinions
- Attorney Memos
- Policies
- Legislative Reports

Statistics/Graphs/Reports: POST staff collect statistics and develop graphs to track progress and growth, measure performance, analyze problems, and prioritize requests. The following statistics and graphs will be on POST's website along with an annual report:

- Equivalency Requests
- Courses Available to Officers
- Courses that Officers Completed
- Training Hours Officers Completed
- Training profile/Information Requests
- Complaints
- Cases Closed
- Investigations
- Investigations Closed
- Sanctions
- Revocations/Denial of Certificates

Public Record Requests: POST staff will establish a public information request process, provide statistics about public information requests, and retain and publish public information requests on POST's website. This information will include:

- Requester
- Date of Request
- 5-day Acknowledgement
- 90-day Deadline
- Completion Date
- Hours/Cost

Preliminary Investigations: POST staff track allegations that are received and the time to complete the preliminary investigation.

- Employing Agency of the Subject Officer
- Investigator Assigned
- Date Allegation Received
- Date Letter 1 Response Received
- Date Preliminary Investigation Started
- Anticipated Completion Date
- Actual Completion Date

Integrity Reports: The Montana POST Integrity Reports provide a summary of cases which resulted in a certificate sanction, and on which the POST Council has ruled. The integrity reports are on POST's website.

- Current Integrity Report
- Historical Integrity Reports

<u>Goals</u>

FTE: POST Currently has three FTE, one Modified FTE, and a DCI Compliance Specialist who has been assisting POST with investigations on a part-time basis. POST has an immediate need for two FTE.

 Administrative Assistant Modified Position: This modified position is currently staffed. This staff reviews applications for Individuals seeking POST credit, prepares certificate applications, completes minutes for Case

- Status Committee Meetings, is the file clerk for contested cases, and handles public records requests for officers' transcripts.
- Compliance/Administrative Investigator: The duties of the one POST
 Paralegal/Investigator have grown substantially over the years. POST has an obligation to conduct its own unbiased investigation of allegations of misconduct. The increased allegations and investigations justify the need for an additional FTE POST Compliance/Administrative Investigator.

Software: POST upgraded its officer training and certification database in 2017. As the needs of the stakeholders have increased, and as POST has continued to fulfill its obligations to the people of Montana, POST has identified the need for more robust software to meet the growing demand on POST.

- Case Management System: The case management system would be a central location for all POST case information including reports, recordings, letters, and statements. It would track information of the individuals/agencies involved. It would track deadlines for the POST letter processes, contested case proceedings, petitions for judicial review, and appeals to the Montana Supreme Court. It would also run reports from the information concerning what cases are open, closed, active, or holding.
- Portal: Officers could submit training to POST through a portal. POST would receive notification of the training submitted. Notices and Certificate Applications would also be submitted to POST through the portal.
- Training: Officers' training hours for certificates would be compiled automatically, and POST would then be notified when an officer completes the required training and years of service.
- Forms: All POST forms could be included and built in the software system.
- Storage: Officers would be able to store all their training documents in the storage that the software provides.

Paperless: For the last several years POST staff have archived an electronic and hard copy of training, investigations, notices, and other documents regarding public safety officers. POST staff have begun the process of ensuring that files are digitized and removing the hard copies of documents. In addition, in 2022, POST staff began issuing all certificates electronically. This has saved time and money.

 There are over 17 filing cabinets of current officers' documents. POST staff verify that the information has been archived electronically and then shred the documents.

- New documents sent in are digitized and shredded.
- POST's inactive or closed investigation files are being saved electronically, and hard copies are being destroyed. Additionally, POST staff will no longer create any hard files on investigations until an investigator is assigned to the case. For those cases that are dismissed without an investigation, or in which the officer does not respond, all files are maintained electronically.
- Council meeting records, including meeting recordings, minutes and materials, have all been digitized and are available to all staff in POST's electronic shared drive. This includes the meeting minutes for every POST Council meeting held since its first meeting in September of 1972.

Audio/Video Conferencing: POST recently updated its conference room with audio/video capability. This will save time, money, increase productivity, and allow POST to be more efficient. The goal is for the Council and staff to have audio/video conferencing options and make scheduling meetings more convenient. Video conferences is available for:

- Council Meetings
- Committee Meetings
- Investigations
- Interviews
- Training
- General Meetings

Policy and Process for Submission, Response, and Reporting of Public Information Requests

Policy

POST will provide timely responses to all public information requests submitted pursuant to POST's processes. POST will report data on public information requests to the Legislative Finance Committee and to the public pursuant to Montana law.

This Policy and Process and the Public Information Request Form will be posted on POST's website, and POST's Administrative Assistant will be listed on the website as the designated contact for public information requests by October 1, 2023.

Effective October 1, 2023, the following processes will be followed regarding submission, response, and reporting of requests for public information.

Section 1: Process for Submitting Public Information Requests

- All public information requests must be submitted by completing and sending POST's
 Public Information Request Form to POST's Administrative Assistant via mail or email.
 The following information requests do not need to be submitted pursuant to this
 process:
 - a. A public safety officer requesting his or her own POST transcript;
 - b. A public safety agency requesting information pursuant to a background release;
 - c. A public safety agency requesting an employee officer's information;
 - d. Any governmental agency requesting information for the purpose of determining an individual's eligibility for professional licensure or certification;
 - e. Discovery requests or other requests made pursuant to pending court action;
 - f. Subpoenas duces tecum; or
 - g. Requests for information from a criminal justice agency when the information is requested for the purpose of conducting a legally authorized investigation.
- 2. If POST's Administrative Assistant is unavailable, the requester may submit POST's Public Information Request Form to POST's Executive Assistant via mail or email.

Section 2: Process for Responding to Public Information Requests

- 1. Upon receipt of a POST Public Information Request Form, the Administrative Assistant will record the following information:
 - a. The identity of the requester;
 - b. What information is requested;
 - c. The date of the request; and
 - d. Indicate the request is "in progress."
- 2. Within five business days, the Administrative Assistant will consult with the Director or POST staff to determine which staff member should respond to the request. The

Administrative Assistant will then contact the requester to acknowledge receipt of the request, and to inform the requester who will be responding to the request. If this acknowledgement is made by the Administrative Assistant via email, the staff member responsible for responding to the request will be copied.

- 3. Within five business days of the Administrative Assistant's acknowledgement, the responding staff member will provide one of the following to the requester:
 - a. If the request is for a single, specific, clearly identifiable, and readily available public record, the responding staff member will provide the record; or
 - b. If the request is not for a single, specific, clearly identifiable, and readily available public record, the responding staff member will provide an estimate of the time it will take to provide the information, and any fees that may be charged for fulfilling the request.
 - Fees may be charged for any request that exceeds 50 pages of copying, more than one hour of staff time, or more than 30 minutes (.5 hours) of attorney time. See Attachment A.
 - ii. Upon notifying the requester of fees, POST's time to respond to the request will be suspended until payment is received.
- 4. Upon the requester's payment of fees, or upon notification of the estimate of time to fulfill the request when no fees are charged, the responding staff member will provide the requested information within 90 days.
- 5. If the Executive Director determines that additional time is necessary to respond to any public information request, the Executive Director or the Director's designee will inform the requester in writing, explaining the reasons for the additional time required. The responding staff member will be notified of the written explanation and will produce the information within 6 months of acknowledgment or payment.
- 6. If the responding staff member requests additional information or clarification of an information request, the response time will be suspended until the requester has provided the requested information or clarification. If the request for additional information or clarification is denied by the individual requesting the public information, that denial must be made in writing. If, after 30 days of the responding staff members request, the individual requesting public information fails to respond to a request for clarification or additional information, POST may close the request upon written notice to the person requesting the public information.
- 7. The POST Administrative Assistant will record a public information request as closed when the public information is produced, when the request is denied, or when the requester is notified of closure pursuant to paragraph 6, above.
- 8. POST will maintain electronic copies of every public information request and all related correspondence and responses under the applicable record retention policy.

Section 3 Reporting

- POST will publish, on its website, information regarding the number of public information requests made pursuant to this process and the length of time it took for POST to respond to requests for public information. The information will be updated quarterly and will include:
 - a. Each request for public information received by POST;
 - b. A description of the responses from POST to each request for public information;
 - c. The total number of requests for public information received by POST;
 - d. The identity of each requester;
 - e. The information requested;
 - f. The date of each request;
 - g. The date on which each request was closed;
 - h. The number of hours it took for POST to respond to the request;
 - i. The costs imposed on the requester, if any; and
 - j. Statistics, which could include graphs or charts, regarding the number of public information requests POST has received and the length of time it took for POST to close the request.
- 2. Beginning July 1, 2024, POST will provide quarterly reports to the Legislative Finance Committee, which will include the above information.

Attachment A

POST Public Records Request Fee Schedule					
Photocopying					
Photocopying Charges, including staff time	\$0.35 per page in excess of 50 pages				
spent copying or scanning					
Staff time to prepare material for	Actual Cost				
production					
If the request is for extraordinarily	Actual Cost				
voluminous material, POST may have					
copies made by Print and Mail Services					
Electronic Media Copies					
Electronic Media Copies – Staff time for	Actual Cost				
copying electronic files					
Electronic media	Actual Cost				
Mainframe and mid-tier processing	Actual Cost				
charges, including processing time,					
transmission time, and report writing					
charges					
Email export	\$127.78 per hour				
Other State ITSD Services	Actual Cost per rate schedule at				
	http://sitsdservicecatalog.mt.gov/services				
Legal Review					
Legal Review and/or Redactions	Actual Cost per hour after .5 hours of Attorney				
	time and/or after 1 hour of staff time				
Research and/or analysis whether involving	Actual Cost per hour after .5 hours of Attorney				
paper or electronic records	time and/or after 1 hour of staff time				



Montana Public Safety Officer Standards & Training Council

Website: dojmt.gov/post 2260 Sierra Road East Helena, MT 59602 Email: mtpost@mt.gov Phone: (406) 444-9975 Fax: (406) 444-9978

PUBLIC INFORMATION REQUEST FORM

<u>Instructions</u>: This form should be completed by any entity making a request for public information. This form may be submitted to POST's Administrative Assistant via email at the email address above. Alternatively, this form may be mailed to POST Administrative Assistant at the mailing address above.

Do an	y of the following describe you or your request for information?						
•	I am a public safety officer requesting my own POST records. Yes No						
•	I am a representative of a public safety agency requesting information regarding employee/s I						
	supervise, or pursuant to a release of information. Yes No						
•	I am a representative of a governmental agency requesting information for the purpose of determining						
	an individual's eligibility for professional licensure or certification.						
•	 I am requesting information for the purpose of conducting discovery in a pending court case. 						
	Yes No						
•	I am attaching a subpoena duces tecum. Yes No						
•	I am a representative of a criminal justice agency, and I am requesting information for the purpose of						
	conducting a legally authorized investigation. Yes No						
If you responded "Yes" to any of the foregoing questions, DO NOT submit this form to request information.							
	Please contact POST staff to make your request.						
Reque	ster's Information:						
Your N	lame:						
Your A	gency/Affiliation (if applicable):						
Your N	Nailing Address:						
Your E	mail: Your Phone Number:						
How w	yould you like to receive the information you are requesting (check one)?						
	via email in digital format I would like to come to POST and inspect the information						
$\overline{\Box}$	Other						

Public Information Request Form Page 2 of 2

<u>kequested information</u> :	
Please describe the information which you are	e requesting. Be as specific as possible:
Public Reporting of Information Requests:	
	s which were made by utilizing this form. POST will also publish
the same information on its website at d	lojmt.gov/post.
Please check the box beside the state the statement:	ement of understanding below, indicating your understanding of
	T will report my information request to the Legislative Finance OST will publish the information on this form, or a copy of the
form itself, on POST's p	public website.
Signature of Requester	Date
POST Use Only	
Date of Request:	Date of 5-day Acknowledgment:
Staff Assigned:	Fee Estimate Date:
Payment Date:	Extension Request/s:
Date Fulfilled:	_

10000 Assets		(40,403.22)	(40,403.22)
	1104 Cash In Bank	(40,403.22)	(40,403.22)
60000 Expenditures	· 美国有关的大学的特征。	77,230.38	77,230.38
	61101 Regular	24,000.97	24,000.97
	61103 Sick Leave	1,155.35	1,155.35
	61104 Vacation	2,819.87	2,819.87
	61105 Holiday	978.46	978.46
	61158 Compensatory Time Taken	51.95	51.95
	61401 FICA	2,191.38	2,191.38
	61402 Retirement - Other	2,659.91	2,659.91
	61403 Group Insurance	8,432.00	8,432.00
	61404 Workers Compensation Insur	177.82	177.82
	61410 State Unemployment Tax	43.51	43.51
	62102 Consult & Prof Services	490.00	490.00
	62108 Legal Fees & Court Costs	4,882.00	4,882.00
	62134 Honorariums	1,400.00	1,400.00
	62187 Records Storage	54.50	54.50
	62216 Gasoline	70.13	70.13
	62236 Ofc Supplies/E-Market	404.88	404.88
	62241 Office Sup/Minor Equip-		
	NonStat	30.00	30.00
	62249 NonCapitalized Soft & SBITAs	26,190.00	26,190.00
	62319 Cellular Phones	44.19	44.19
	62322 Teleconferences	0.47	0.4
	62489 Non-Employee In State	102.90	102.9
	Mileage	1.77	25.5
	62490 Non-Employee In State Meals	25.50	
	62519 Photo Copy Equipment	819.09	819.0
	62809 Education/Training Costs	154.00	154.0
	62823 Licenses & Permits	51.50	51.5



STATE OF MONTANA

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APPLY ONLINE

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Position Title:

Peace Officers Standards and Training - Compliance Investigator (Part-time) - (23142238)



Division Overview:

The Public Safety Officer Standards and Training Council's (POST)

mission is to ensure competency and promote quality performance by public safety officers by establishing, maintaining, and promoting excellence in standards and training.

Job Overview:

The POST Compliance Investigator will conduct unbiased investigations of allegations of misconduct filed against public safety officers. The incumbent will be responsible for gathering preliminary information from the complainant, sending correspondence to the respondent, submitting requests for supporting documentation, interviewing witnesses, reviewing documents, recordings, and other supporting documentation submitted as part of the investigation, and will prepare a synopsis based upon findings of the investigation.

Travel up to 25% may be required.

Minimum Qualifications:

- Bachelor's degree in criminal justice, human resources, business, sociology, or related field.
- Two years of job-related experience.
- Other combinations of education or experience may be substituted.

This is a modified position, legislatively funded through the legislature every two years.

This is a part-time position and the incumbent will work less than 20 hours per week.

This position will include optional membership in the Public Employee Retirement System (PERS). If the incumbent works 961 hours or more in a fiscal year, membership in PERS becomes a requirement.

This position will be open until filled with a first review of applications on August 10, 2023.

Special Instructions:

The selection procedures to be used in evaluating the applicant's qualification may include, but are not limited to, an evaluation of the résumé, a structured interview, performance test, academic transcripts, reference/background checks and fingerprint checks.

Additional materials, references or information submitted by the applicant, but not requested, will not be considered.

Successful applicant(s) will be subject to:

- Criminal History Fingerprint Check
- Driving History

REAL ID Compliant Credential Required and/or Passport:

State employees are required to present legally binding photo identification at the time of hire. Generally, this is a valid driver license, U.S. Passport or Employment Authorization ID (Form I-766).

All DOJ positions require a valid REAL ID or U.S. Passport within 60 days of hire, effective May 3, 2025.

For further information go to https://mtrealid.gov or https://www.dhs.gov/real-id-frequently-asked-questions.

HOW TO APPLY:

To be considered for this position, you must attach a résumé at the time of application.

Tip: When attaching your resume, you must mark the attachment as a "Relevant File".

Your Résumé: Please include all work experience as well as job duties that demonstrate your qualifications for this position. Include dates of employment

(month & year- start & end) and the reason you left each job.

A complete online state application is not required. To initiate an application, attach the résumé to be considered for this position. Failure to attach résumé will result in an incomplete application that will not be considered further.

Only electronic applications will be accepted. Materials submitted but not requested will not be considered in the selection process.

All documents for Veteran or Disability preference must be received or date stamped by the closing date. Please submit preference documentation to Terri Christianson at Terese.Christianson@mt.gov via File Transfer Service.

To request an accommodation with the application process, please contact the HR office.

Your service is rewarded with competitive compensation and some generous State of Montana Benefits.

- Optional Retirement plan participation
- Generous paid vacation, sick and holidays

State of Montana employment may qualify for student loan forgiveness under the <u>Public Service Loan</u>
<u>Forgiveness (PSLF) program</u>.

This Organization Participates in <u>E-Verify</u>.



Minorities are under-represented in this position and are encouraged to apply.

Applicant Pool Statement: Not Applicable

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Training Assignment: Not Applicable

Salary: \$ 27.00 - 27.00 Hourly

Telework Eligibility: Not Telework Eligible

Benefits Package Eligibility: Retirement Plan

Optional

Number of Openings: 1

Employee Status: Regular

Schedule: Part-Time

Shift: Day Job

Travel: Yes, 25 % of the Time

Primary Location: Helena

Agency: Department of Justice

Union: 000 - None

Posting Date: Jul 27, 2023, 3:59:03 PM

Closing Date (based on your computer's

timezone): Ongoing

Required Application Materials: Resume

Contact Name: DOJ Human Resources | Contact Email: DOJCSDHR@mt.gov | Contact Phone: 406-444-5528

The State of Montana has a decentralized human resources (HR) system. Each agency is responsible for its own recruitment and selection. Anyone who needs a reasonable accommodation in the application or hiring process should contact the agency's HR staff identified on the job listing or by dialing the Montana Relay at 711. Montana Job Service Offices also offer services including assistance with submitting an online application.

State government does not discriminate based on race, color, national origin, religion, sex, sexual orientation, gender identity or expression, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, age, physical or mental disability, genetic information, marital status, creed, political beliefs or affiliation, veteran status, military service, retaliation, or any other factor not related to merit and qualifications of an employee or applicant.

APPLY ONLINE

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