

JAMESTOWN POLICE DEPARTMENT
RULES & REGULATIONS
APPENDIX TO RR 1-4

REPORT OF COMPLAINT AGAINST POLICE PERSONNEL
CONFIDENTIAL

COMPLAINANT NAME Joseph F. Larson II ADDRESS P.O. Box 1599, Jamestown ND 58402

PHONE (H)701-252-5541 (W)701-252-5541 DATE/TIME OF INCIDENT _____

LOCATION OF INCIDENT Jamestown, North Dakota

NAME OF OFFICER 1) Scott Edinger RANK Chief BADGE# _____

2) _____ RANK _____ BADGE# _____

NAME OF WITNESS (ES) 1) See Attached ADDRESS _____ PHONE _____

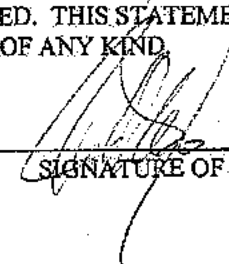
2) _____ ADDRESS _____ PHONE _____

STATEMENT OF ALLEGATIONS _____

Attached is the Report Documenting Officer Thomas Nagel's Performance of Duty dated February, 2016. The events set forth in this Report document a cover up and dereliction of duty by Chief Scott Edinger. Chief Edinger is not above the law. The law applies to all of us.

He has broken and dishonored the Peace Officer Code of Conduct (N.D.A.C. § 109-02-05-01) and the Peace Officer Oath (N.D.A.C. § 109-02-05-02).

I UNDERSTAND THIS STATEMENT WILL BE SUBMITTED TO THE JAMESTOWN POLICE DEPARTMENT AND MAY BE THE BASIS FOR AN INVESTIGATION. I CERTIFY THESE ALLEGATIONS ARE TRUE AND CORRECT AND AGREE TO COOPERATE IN AN INVESTIGATION OF THIS MATTER IF REQUESTED. THIS STATEMENT IS GIVEN VOLUNTARILY WITHOUT PERSUASION, COERCION OR PROMISE OF ANY KIND.



SIGNATURE OF COMPLAINANT

02-16-16

DATE

SIGNATURE OF RECEIVING OFFICER

DATE & TIME RECEIVED

JOSEPH F. LARSON II
Attorney at Law

2411 Hwy. 281 South
P.O. Box 1599
Jamestown, North Dakota 58402-1599
(701) 252-5541
Fax (701) 252-7429

February 2, 2016

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Attorney General of North Dakota
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Bismarck, ND 58505-0040

North Dakota Post Board
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Leo Ryan
Jamestown City Attorney
P.O. Box 1727
Jamestown, ND 58402-1727

Scott A. Edinger
Police Chief
205 6th St. SE
Jamestown, ND 58401

Re: Report Documenting Officer Thomas Nagel's Performance of Duty

Gentlemen:

I have been retained by Thomas Nagel and represent him. In this capacity, I am submitting a report to you memorializing and documenting that Officer Nagel met his duties and obligations required of him under the Peace Officer Code of Conduct (N.D.A.C. § 109-02-05-01), the Peace Officer Oath (N.D.A.C. § 109-02-05-02) and Jamestown Police Department Policy Section I(2), page 1-3.15. The events as related below form the basis for this report.

On March 15, 2015, at 12:30 a.m., a call came into the Jamestown Law Enforcement Dispatch Center from Zach Wyman, ■ ■
Jamestown, ND. Mr. Wyman came home and found an unknown person inside of his apartment, drunk and passed out. Mr. Wyman didn't know who the person was and was nervous about going to bed with an unknown person passed out in his living room with no shirt. The person "puked all over". Radio Traffic on 03/15/15 is attached as Exhibit 1.

Gentlemen
February 2, 2016
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Jamestown Police Officer Ryan Goff (Unit 312) heard the call and was the first Officer to arrive at Mr. Wyman's apartment. Officer Goff met with Mr. Wyman and a friend of his. Officer Goff observed a male passed out in Mr. Wyman's apartment. Officer Goff knew this person was Stutsman County Deputy, Daniel White.

Lt. James Hunt (Unit 211) responded to the call as well. When Lt. Hunt arrived, Officer Goff told Hunt that the intoxicated intruder was Daniel White, a newly hired Stutsman County Deputy. Officer Goff then requested Dispatch to ask Stutsman County Sheriff Chad Kaiser (Unit 4670) to come to the Wyman apartment.

Officer Goff in the Call for Service reported "the subject was given a ride home". The Call for Service as of its completion on 03/15/15 for the Wyman/White matter does not identify Daniel White in it and lists the incident as "Drunkenness". There is no mention of Burglary, Criminal Trespassing, Criminal Mischief, or Disorderly Conduct despite being legitimate inquires and categories of offenses committed. Call for Service on 03/15/15 and updated 06/15/15 is attached Exhibit 2.

Sheriff Kaiser is not identified in the Call for Service but it is documented in the Call that Kaiser gave White a ride home. Sheriff Kaiser did not do a report on this incident.

In the latter part of May, 2015, Officer Nagel over heard talk in the Law Enforcement break room of the Courthouse that nothing was being done about Sheriff's Deputy Daniel White's behavior at Wyman's apartment, that White was not named in the Call for Service and that there were no police reports on the incident. Nagel's impression of what he heard was that they were expressing their amazement that nothing had been done. The comments were related to the discussion of the treatment of another Stutsman County Deputy.

About May 27, 2015, Officer Nagel went to Jamestown Police Chief Scott Edinger and reported that there was talk around the police department that nothing had happened on the Danny White matter, that White's name was left out of the Call for Service and that it looks like it is a cover-up for a Sheriff's Deputy.

Nagel explained to Chief Edinger that it doesn't look good that White's name was not in the Call for Service since officers are required to up-date the Call for Service and include all pertinent information. Nagel said that it may have been over-looked but it looks like a cover-up because it involves another law enforcement officer.

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On May 29, 2015, Chief Edinger requested Officer Goff to write a report on the Wyman/White matter. Officer Goff submitted a report dated May 29, 2015, and the "name updated per Chief Edinger's request". The report identifies Daniel White as the person in Wyman's apartment and recounts that Sheriff Kaiser gave him a ride home. Officer Ryan Goff's (#312) Report dated 05/29/15 is attached as Exhibit 3.

On May 29, 2015, a Jamestown Police Department Officer Incident Report was generated. The Incident Report lists the "Incident Type" as "Drunkenness", identifies Daniel White under "Other" rather than "Suspect" and reflects that there were no "Photos", "Taped Interview" and "Evidence Collected". The Jamestown Police Department Officer Incident Report is attached as Exhibit 4

Lt. Hunt, also, did a report on the Wyman/White incident dated June 03, 2015. It identifies the person in Wyman's apartment as Daniel White, relates that "once Sheriff Kaiser was on scene he took custody of Mr. White and left the area" and states that "Officer Goff and I had a brief discussion of the undesirable consequences which Mr. White would more than likely be the focus of once he sobered up and the Sheriff had the opportunity to express his displeasure over the incident." Lt. James Hunt's (#211) Report dated 06/03/15 is attached as Exhibit 5.

On June 15, 2015, Officer Goff updated the Call for Service to include Daniel White's name.

There were no contemporaneous follow up criminal or internal department investigations by either the Jamestown Police Department or the Stutsman County Sheriff's Department. As well, there is no disciplinary or criminal actions against Deputy Daniel White according to his personnel file and a Court Records Search. Daniel White's personnel file obtained on December 31, 2015, is attached as Exhibit 7 and the Court Record Search is attached as Exhibit 8.

Daniel White's personnel file reflects he was offered employment as a deputy sheriff on October 31, 2014, was sworn in as a deputy on November 1, 2014, was granted limited peace officer license number 6 on December 2, 2014, and attended the Police Academy beginning February 2, 2015.

The Jamestown Police Department Rules and Regulations under Section 5, General Duties, subsections 7 (page 1-3.4), Section C, Disciplinary/Personnel Actions, subsection 2(A), (E), (F) and (G) (page 1-3.7) and Section G, Duty, subsection 9 (page 1-3.12) set forth the duties, obligations and discipline for officers in fulfilling those duties. Attached as Exhibit 8 are copies of these sections.

Gentlemen
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Page 4

The only records on the Wyman/White matter are:

1. Radio Traffic on 03/15/15 attached as Exhibit 1.
2. Call for Service on 03/15/15 and updated 06/15/15 attached Exhibit 2.
3. Officer Ryan Goff (#312) Report dated 05/29/15 is attached as Exhibit 3.
4. Jamestown Police Dept. Officer Incident Report dated 05/29/15 is attached as Exhibit 4.
5. Lt. James Hunt (#211) Report dated 06/03/15 is attached as Exhibit 5.
6. Daniel White Personnel File is attached as Exhibit 6
7. Court Records Search is attached as Exhibit 7
8. Jamestown Police Department Rules and Regulations pages page 1-3.4, 1-3.7 and 1-3.12.

By making this report, it is confirmed and documented that Nagel has not violated any of the following:

Peace Officer Oath (N.D.A.C. § 109-02-05-02)
Peace Officer Code of Conduct (N.D.A.C. § 109-02-05-01)
N.D.C.C. § 12.1-08-01 (Physical Obstruction of government function)
N.D.C.C. § 12.1-08-03 (Hindering law enforcement)
N.D.C.C. § 12.1-08-04 (Aiding Consummation of crime).
N.D.C.C. § 12.1-11-06 (Public servant refusing to perform duty)
N.D.A.C. Chap. 109-02-05 (Peace Officer Code of Conduct)
N.D.A.C. Chap. 109-02-05-01 sub.4 (c) or 109-02-05-02 (1)(2) (Oath).

Attached are two articles reflecting how similar situations have been handled in other jurisdictions:

Clearwater, MN
Minot, ND

These articles are attached as Exhibits 9 and 10.

Thank you for your attention to this matter. Please do not hesitate to contact me about this matter at your earliest convenience.

Sincerely,



Joseph E. Larson II

JFL/tt

EXHIBIT LIST

1. Radio Traffic on 03/15/15 attached as Exhibit 1.
2. Call for Service on 03/15/15 and updated 06/15/15 attached Exhibit 2.
3. Officer Ryan Goff (#312) Report dated 05/29/15 is attached as Exhibit 3.
4. Jamestown Police Dept. Officer Incident Report dated 05/29/15 is attached as Exhibit 4.
5. Lt. James Hunt (#211) Report dated 06/03/15 is attached as Exhibit 5.
6. Daniel White Personnel File is attached as Exhibits 6A and 6B (located on disk).
7. Court Records Search is attached as Exhibit 7.
8. Jamestown Police Department Rules and Regulations pages page 1-3.4, 1-3.7 and 1-3.12.
9. Clearwater, MN, Article.
10. Minot, ND, Article, January 2, 2016.

This Report and all Exhibits are located on the disk enclosed with the Report.

Phone Call and Radio Traffic 03-15-2015 Jamestown Police Call 15-005695

- Note: Only radio conversations related to the incident was transcribed.

ZW = Zach Wyman

Dp = Dispatch

RG = Officer Ryan Goff (unit 312)

JH = Lt. James Hunt (Unit 211)

CK = Sheriff Chad Kaiser (Unit 4670)

Dp = Law Enforcement Center Dispatch.

ZW = yeah um I ahh just came home to my place and ahh I have some one, I don't know who they are and they are drunk and passed out in my place and they won't wake up

Dp = Ok, not a friend of yours?

ZW = Nope ahh..

Dp = but...

ZW = No idea who it is (cough).

Dp = Ok what is the address?

ZW = Ahh [REDACTED]

Dp = [REDACTED]

ZW = No [REDACTED]

Dp = [REDACTED] House or an apartment?

ZW = It's a house, just a basement of the house so...

Dp = Basement of the house?

ZW = Yeah

Dp = Where where is he passed out at?

ZW = Ahh in the living room (cough)

Dp = In your living room?

ZW = Yeah (cough)

Dp = Ok you said this [REDACTED]

ZW = Yeah

Dp = Ok. What's your name sir?

ZW = Ahh my name is Zach Wyman

Dp = How do you spell the last name?

ZW = Ahh last name is W Y M A N

Dp = Ok Wyman. What's your phone number Zach?

ZW = Umm, my phone number you can reach me at right now would be [REDACTED]

Dp = [REDACTED] Ok

ZW = Yeah I'm just worried. I don't want to frickin go to bed with a guy frickin without a t-shirt on, puked all over, passed out in my living room (coughing)

Dp = That makes sense

ZW = (coughing) Yeah

Dp = Alright, we've gotta we've gotta unit on the way. You want to give us a call if anything changes?

ZW = Yeah, alright thank you sir

Dp = Now and now to just make sure he's he's breathing right?

ZW = Yeah he is yeah

Dp = Ok

ZW = He's breathing, but yeah I, I wouldn't of called if he would of woke, I tried to wake him up, but he's not move-in. I mean he's breathing but just not getting up (cough)

Dp = Ok. Alright we will send somebody out there.

ZW = Alright thank you.

Dp = No problem um hum goodbye.

ZW = Goodbye.

Dp = Is there a available unit we have a report of someone passed out in the living room of [REDACTED] It's sounding like the person calling this in doesn't know who showed up in their living room. [REDACTED]

JH = Two eleven

Dp = ten four

RG = Three twelve is enroute to [REDACTED]

Dp = ten four (unrelated radio traffic followed)

RG = Three twelve is ten twenty three

Dp = ten four

RG = L.E.C. three twelve you said it's [REDACTED]

Dp = Ten four. It's going to be the basement apartment

RG = Ten four

JH = Two eleven is ten twenty three

Dp = Ten four

RG = L.E.C. three twelve

Dp = Three twelve (pause) Three twelve go ahead with your traffic.

RG = Is forty six seventy still working?

Dp = Three twelve he is back out. Do you need his assistance?

RG = Yeah have him come to this location

Dp = Forty six seventy they're requesting you at [REDACTED] basement

CK = Ten four

CK = L.E.C. I will be ten twenty three

Dp = Ten four

RG = L.E.C. three twelve

Dp = Three twelve

RG = Two eleven and I will be ten eight. Subject was given a ride home

Dp = Ten four

CK = And I am ten twenty four ten eight.

Dp = Ten Four

CALL FOR SERVICE

12/17/2015

Agency P Jamestown Police Dept.

Incident # 201500005695

Case #

CALL FOR SERVICE

Activity LIQDK Drunkenness

Priority 2 Asap-4 Min Max

Common Place

LOCATION

City Jamestown

COMPLAINANT

Wyman, Zach

Type

Loc [REDACTED]

ADDRESS

[REDACTED]

X Y

Apt# BSMT Cnty S Stutsman County

City Jamestown

State ND

Route Beat Fire EMS Zone

Zip 58401

Tel [REDACTED]

PD NW 000203 000203 000203

Dspchr CHJARL Jarland, Christi

Rept 3/15/15 0:34

Shift 1 11PM-7AM

By JEGODF Godfrey, Jeffrey

How T Telephone

Dispo C Completed

FINAL DISPOSITION/ACTIVITIES

Dispo

Activity

Reports

Arrests

PERSON

Suffix 01 Name Wyman, Zachary Martin

Sex M Race W DOB [REDACTED]

Type

Height [REDACTED] Weight [REDACTED]

Age

Address [REDACTED]

Telephone [REDACTED]

Address [REDACTED]

Telephone [REDACTED]

Cloth

Street/Dir

Other

VEHICLE

Suffix Year Plate Color State Make Occupants Model

Description Street/Dir Other VIN

Transport

Unit Miles Start End Suffix Tot

Patient Reason Type Care Sex

Blotter

Caller reports a male passed out in his living room. States the male is highly 10-56 but breathing. Does not know who the male is.

Log

Date/Time	Officer Id	Log Entry
3/15/2015 00:49:41	JEGODF Godfrey, Jeffrey	312 reports subject givin a ride home
3/15/2015 00:49:54	JEGODF Godfrey, Jeffrey	Incident Closed
6/15/2015 09:59:18	RYGOFI Goff, Ryan	Name updated per Chief Edingers request.

CALL FOR SERVICE

12/17/2015

Agency	P	Jamestown Police Dept.	Incident #	201500005695	Case #	
SN	UnitID	SN	OfcrID	name	Type	TimeEntry
1	00000211	1	00000211	Hunt, James	DI	3/15/15 0:34
2	00000312	2	00000312	Goff, Ryan	EN	3/15/15 0:34
					AS	3/15/15 0:35
					CP	3/15/15 0:49

Jamestown Police Department		Continuation or Follow-Up		Page 1 of 1	
Case #:	15-005695	Incident Date:	03/15/15	Officer Name & #:	R. GOFF #312

On 5/29/15 Chief Edinger brought to my attention an issue with the above noted call for service; the call was not fully updated as it was missing a subject in the name file. At his request I am writing this follow-up report to detail the reasons why this was overlooked.

The date of this incident is significant in that it happens to be the night of Jamestown's biggest spring event, the Running O' The Green. During this event the Police Department and Sheriff's Office have most of their employees on duty to handle the event traffic and calls for service.

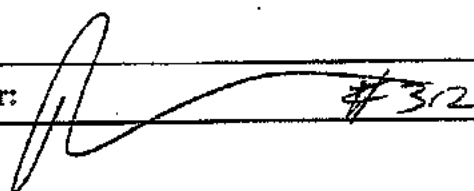
During the event I was working a plain clothes detail in an unmarked police unit. At around 0032 hours on 3/15/15 I heard dispatch broadcast a call that a drunk male was found passed out inside a house after the complainant arrived home from the bar. Being that other units were tied up at the time I responded to the call along with Lt. Hunt. When the call was dispatched, nature of the incident sounded more like a medical emergency than a home invasion. The complainant stated the male was highly intoxicated and passed out but still breathing.

I arrived at the location and met with the complainant, his friend and a male who was passed out in a living room chair. I recognized the male as Daniel White, a newly hired Stutsman County Deputy Sheriff at that time. Mr. White was gaining consciousness at the time I arrived. I asked the complainant if he had noticed any damage to his apartment and he stated there was not. I asked the complainant what he would like done about the situation and he stated that he just wanted Mr. White out of the house and was glad that he was ok; he made it abundantly clear that he did not want to press criminal charges. I later asked the complainant this a second time just to clarify and he again stated that he did not want press charges against Mr. White.

I was able to get Mr. White out of the house as Lt. Hunt was arriving on scene. I also contacted dispatch to get a hold of Sheriff Kaiser and have him respond to the scene as well. Sheriff Kaiser, who was also on duty at the time, arrived on scene minutes later and I advised him of the situation. Sheriff Kaiser gave Mr. White a ride home and Lt. Hunt and I left the scene.

Due to the nature of the events that night Mr. Whites name was not entered into the person file of the call, which at times tends to happen especially on busy nights. Normally dispatch enters the name of the subject into the system because they are running a warrant check on the subject, this did not happen because I never ran Mr. Whites name as I knew who he was.

Entering the name was also overlooked by me simply because I normally do not take calls for service anymore and am never the primary officer due to my position as a drug task force officer; I also do not have a mobile computer to update calls for service in my unmarked vehicle. Usually other shift officers will respond to the call but it just happened to be that I was the only officer at the scene that night other than Lt. Hunt so I recognize that there was some confusion as to who the primary officer was.

Officer Signature & Number:	 #312	Report Date:	5/29/15
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Jamestown Police Department Officer Incident Report

ORIGINAL

Case #:	15-005695	Date:	03/15/15	Time:	0032	hrs
Incident Type:	DRUNKENNESS					
Incident Location:	[REDACTED] JAMESTOWN, ND 58401					
Date of Report:	5/29/15	Report Type:	<input type="checkbox"/> Supplemental	<input checked="" type="checkbox"/> Follow -Up		
Investigating Officers:	R. GOFF #312		J. HUNT #211			

Complainant:	WYMAN, ZACH	Phone:	[REDACTED]
Address:	[REDACTED] JAMESTOWN, ND 58401		

Victim: #	Suspect: #	Witness: #	Other: #	1
Name:	WHITE, DANIEL		DOB:	[REDACTED]
Address:	[REDACTED], JAMESTOWN, ND 58401			
SSN:	Phone: (h)	Phone: (w)		

Photos:	Taped Interview:	Evidence Collected:
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Jamestown Police Department		Continuation or Follow-Up		Page 1 of 1	
Case #:	15-05695	Incident Date:	03/15/2015	Officer Name & #:	Lt. J. Hunt/211
NARRATIVE: (All Times are Approximate)					

On 03/15/2015 at approximately 0034 hrs, dispatch broadcasted a call for service wherein the caller returned home and found a male individual apparently passed out lying on the couch in the living room. I responded to the call as did Officer R. Goff who on that particular night was working in civilian clothes as a task force officer and driving an undercover pickup. On this particular night nearly all of the department's officers were assigned to work, regardless of whether it was their day off or not. The reason for all the additional officers was the fact the 'Running O the Green' was taking place and the extraordinary number of participants and huge volume of alcohol consumed

Officer Goff arrived at the location first and was in the process of walking the intoxicated individual up the stairway from the basement apartment. The intoxicated male was shirtless and silent. Officer Goff informed me that he was reentering the apartment to speak with the resident. I remained outside with the intoxicated male. On at least two occasions I asked the subject if he would prefer to have a seat in the rear of the patrol unit since the night was chilly and he was certainly dressed inappropriate for the weather conditions. Each time he decline my offer.

When Officer Goff returned from interviewing the residents he informed me the complainant had no desire to press any charges over the incident and was relieve the individual was only intoxicated and not suffering from any medical issues. Also at this time, Officer Goff informed me the intoxicated individual was hired recently as a Stutsman County deputy and his name was Daniel White. Officer Goff also indicated he had notified Sheriff Kaiser, who was also working this particular night, and he was reroute to our location.

Mr. White indicated that he was cold and wished to have a seat in a heated patrol car. He was informed that would be acceptable. He then attempted to enter the driver's side front seat of Officer Goff's undercover vehicle. I along with Officer Goff stopped him from entering the pickup and we were in the process of directing him to the rear seat of the marked patrol vehicle when Sheriff Kaiser arrived. Once Sheriff Kaiser was on scene he took custody of Mr White and left the area. Without asking, I assumed he was taking Mr White home.

Officer Goff and I had a brief discussion of the undesirable consequences which Mr White would more than likely be the focus of once he sobered up and the Sheriff had the opportunity to express his displeasure over the incident. Office Goff and I then left the area.

Officer Signature & Number:	<i>Lt. James Hunt/211</i>	06/03/2015
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Application for Employment

Date **Feb 25, 2014**

Stutsman County is an Equal Opportunity Employer

We consider applications for all positions without regard to race, gender, creed, religion, sexual orientation, national or ethnic origin or any other legally protected status.

PLEASE TYPE OR PRINT: Complete the entire application. If you fail to complete all questions your application will be deemed incomplete and may be rejected. You may attach a resume.

Position Applying For: **Sheriff Deputy** Name (Last, First, Middle): **White, Daniel, Gregory**

Street Address: [Redacted] City, State & ZIP: [Redacted]

SSN: [Redacted] Home Phone: [Redacted] Work Phone: [Redacted] Cell Phone: [Redacted]

E-mail: [Redacted] Best time to contact you? **3:00 pm-7:00 pm**

Are you eligible to work in the US? Yes Can you travel if the job requires it? Yes

Are you 18 years of age or older? Yes If 'No', what is your current age? [Redacted]

Are you currently employed by Stutsman County? No If 'Yes', what is your current job title? [Redacted]

Have you ever been employed by Stutsman County? No If 'Yes', list dates of employment and reason for leaving: [Redacted]

Are you related to any current Stutsman County employee? No If 'Yes', their name and relationship [Redacted]

If required, do you have a valid driver's license? Yes If 'Yes', State of Insurance, license number and expiration date [Redacted]

How did you learn about this employment opportunity? **Other**

Date available to work: **Mar 14, 2014** Desired salary range (monthly): **\$3,300**

Education

Name of School	City/State	Course of Study	Degree Received	Major
Jamestown College	Jamestown, ND	Health and Fitness and Co	Bachelor of Arts	Health and Fitness Admin

Other credentials: licenses, professional affiliations, etc., which are relevant to the job for which you are applying.

Certified Instructor/Armorer of Pepperball, Chemical Munitions, Less Lethal Impact Munitions, OC Aerosol Projectors and Distraction Devices.
Graduated from SWAT Basic in March 2010.

Skills: Please list technical skills, clerical skills, trade skills, etc., relevant to this position. Include relevant computer systems and software packages of which you have a working knowledge and note your level of proficiency (basic, intermediate or expert).

Intermediate working knowledge of Microsoft Word and Excel.
Experienced in report writing.
Certified to operate Genie Z45/25 RT (JRCC heavy machinery).

State any additional information you feel may be helpful to us in considering your application.

Have numerous hours of ride a longs with Parole and Probation Officer Tyler Falk.
Senior Member of the JRCC Special Operations Response Team since 2010.
JRCC Special Operations Fitness Champion since 2011.
Qualified in handgun, rifle and shotgun.

Have you ever been convicted of a misdemeanor or a felony?

If so, name charge for which you were convicted, case number, offense date, conviction date and jurisdiction.

Veteran Eligibility: You must be a North Dakota resident and have served in the active military forces during a period of war or received the armed forces expeditionary or other campaign service medal during an emergency condition and must have been released under other than dishonorable conditions. See NDCC 39-19.1 et Seq.

Do you claim Veteran's Preference? (If 'Yes', you must attach a DD-214, Report of Separation)

Do you claim Disabled Veteran's Preference? (If 'Yes', you must attach a DD-214, Report of Separation and a letter less than one year old from the US Department of Veterans Affairs indicating disability)

May we contact your current employer?

Work Experience: Please detail your work history. Begin with your current or most recent employer. Attach additional sheets if necessary and please explain any gaps in employment. Include full-time military or volunteer commitments. **DO NOT** complete this information with the notation "See Resume." Stutsman County reserves the right to contact all current and former employers for reference information.

Employer: Address:
Phone Number: Your Job Title:
Supervisor: Dates Employed:
Starting Hourly Rate/Salary: Final Hourly Rate/Salary:

Work Performed:

Complete monthly payroll for recreation workers.
Set up and maintain a schedule of all workers and their job responsibilities.
Organize and run leagues, tournaments and games for inmates.
Hold recreation workers accountable for job responsibilities and take appropriate action when work is not performed correctly.
Maintain fitness equipment, cleanliness of the recreation yard and conduct continuous searches of all recreation areas.
Manage recreation budget.
~~Transport inmates to downtown and out of town medical appointments~~

Reason For Leaving:

Still employed.

Employer: Address:
Phone Number: Your Job Title:
Supervisor: Dates Employed:
Starting Hourly Rate/Salary: Final Hourly Rate/Salary:

Work Performed:

Develop skills and techniques of a defensive back in high school kids.
Defensive coordinator of the Junior Varsity program.
Communicate importance of education before athletics.

Reason For Leaving:

Still employed.

Employer: LifeTime Fitness

Address: 6233 Baker Road Eden Prairie, MN 55344

Phone Number: 952-943-4600

Your Job Title: Fitness Professional

Supervisor: Nastassia Smith

Dates Employed: 09/01/08-3/15/09

Starting Hourly Rate/Salary: \$1800

Final Hourly Rate/Salary: \$1800

Work Performed:

Develop and implement fitness programs for current and future clients.
Communicate the importance of cardiovascular, weight training and nutrition.
Market the sale of LifeTime fitness merchandise.

Reason For Leaving:

Took a job to become a Correctional Officer

Employer: Jerry Iverson Construction

Address: 550 45th St NW Jamestown, ND 58401

Phone Number: 701-252-2502

Your Job Title: Construction Worker

Supervisor: Treven Iverson

Dates Employed: 05/01/08-08/15/08

Starting Hourly Rate/Salary: \$10

Final Hourly Rate/Salary: \$10

Work Performed:

Assist in the assembly of grain bins, houses, decks, cabinets and concrete work.

Reason For Leaving:

Took a job to become a Fitness Professional.

References

Name: Ben Kennelly

Phone Number: [REDACTED]

Address: [REDACTED]

Name: Tyler Falk

Phone Number: [REDACTED]

Address: [REDACTED]

Name: Chad Jackson

Phone Number: [REDACTED]

Address: [REDACTED]

Are you available to work full-time? Yes

Are you available to work part-time? Yes Morning Afternoon Evening/Nights

PLEASE READ CAREFULLY AND SIGN THAT YOU UNDERSTAND AND ACCEPT THIS INFORMATION.

I certify that the information in this application and its supporting documents is accurate and complete. I understand and agree that failure to fully complete the form, or misrepresentation or omission of facts, represents grounds for elimination from consideration for employment, or termination after employment if discovered at a later date. I authorize Stutsman County to investigate, without liability, all statements contained in this application and supporting materials. I authorize references and former employers, without liability, to make full response to any inquiries in connection with this application for employment. If requested, I agree to submit to a physical exam, criminal and credit background investigation, and/or screening for illegal substances upon conditional offer of employment. I understand that this document is NOT an offer of employment, and that an offer of employment, if tendered, does NOT constitute a contract for continued guaranteed employment. I understand that staff employees of Stutsman County serve at-will, and the employment relationship may be terminated at any time by either party, for any or no reason, other than a reason prohibited by law. If employed, I will be required to furnish proof of eligibility to work in the United States, to file a State security questionnaire and State loyalty oath, and to comply with company and departmental regulations. I understand that if employed on a temporary basis, I would be paid for only hours worked, and would be ineligible for benefits including paid time off. If employed on a regular, benefits-eligible basis, I understand that I would be required to make mandatory contributions to the Stutsman County Retirement System or to an optional retirement program, if applicable. I understand that any benefits I receive may be subject to change or discontinuation at any time without prior notice. I understand that the first SIX MONTHS of regular employment represent a probational period, during which I would not be eligible to apply for transfer or promotion and during which I may be terminated without right of appeal.

By typing your name into the Applicant Signature box below, you are confirming that the above statements are true. You agree that by typing your name, you are electronically signing this document.

Applicant Signature: Dan White

Date: Feb 25, 2014

10/31/2014

Daniel G White


RE: Formal Offer of Employment-Deputy Sheriff position

Danny,

On behalf of Stutsman County, it is my pleasure to formally offer you the position of Deputy Sheriff. The starting rate of pay for this position shall be Grade 11 Step I of the 2014 Stutsman County pay scale or \$19.31 per hour/\$3,347.54 monthly. As we discussed in the interview, there is a six month probationary period that is required as a part of the position. You must attend the North Dakota Basic Peace Officers School in February. Upon completion and graduating from basic and a satisfaction score on your anniversary date of November 1st 2015 you will move to a step two. This is a fulltime non-exempt position and is eligible for all Stutsman County benefits. Stutsman County is an at-will employer and your employment shall be governed by the Stutsman County Personnel Policy.

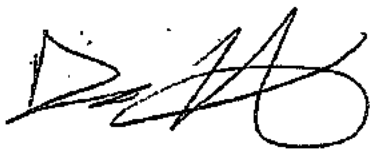
At this time your anticipated start date will be November 1st 2014; if something changes your availability please let me know and we can adjust it accordingly. On your start date please report to the Sheriff's Office at 8:00am.

If you are in agreement and accept this offer please acknowledge accordingly via email confirmation.

Respectfully,



Sheriff Chad Kaiser
Stutsman County
chkaiser@nd.gov
701-251-6200 Office
701-320-4749 cell



11/01/14

10/31/2014

Daniel G White

RE: Formal Offer of Employment-Deputy Sheriff position

Danny,

On behalf of Stutsman County, it is my pleasure to formally offer you the position of Deputy Sheriff. The starting rate of pay for this position shall be Grade 11 Step 1 of the 2014 Stutsman County pay scale or \$19.31 per hour/\$3,347.54 monthly. As we discussed in the interview, there is a six month probationary period that is required as a part of the position. You must attend the North Dakota Basic Peace Officers School in February. Upon completion and graduating from basic and a satisfaction score on your anniversary date of November 1st 2015 you will move to a step two. This is a fulltime non-exempt position and is eligible for all Stutsman County benefits. Stutsman County is an at-will employer and your employment shall be governed by the Stutsman County Personnel Policy.

At this time your anticipated start date will be November 1st 2014; if something changes your availability please let me know and we can adjust it accordingly. On your start date please report to the Sheriff's Office at 8:00am.

If you are in agreement and accept this offer please acknowledge accordingly via email confirmation.

Respectfully,



Sheriff Chad Kaiser
Stutsman County
chkaiser@nd.gov
701-251-6200 Office
701-320-4749 cell

Stutsman County Fringe Benefits

Vacation Leave

Years of Employment	Days Per Month	Days per Year
0 to 3	1 day (8 hours)	12
4 to 7	1 ¼ days (10 hrs)	15
8 to 12	1 ½ days (12 hrs)	18
13 thru 18	1 ¾ days (14 hrs)	21
Over 18	2 days (16 hrs)	24

Maximum accumulation at the end of the calendar year of 240 hours. Can only carry this amount into the next year.

Sick Leave

8 hours per month with no maximum accumulation. Upon completion of 10 years of service, employees shall be eligible to receive 10% of their sick leave balance. (We have a donated vacation and sick leave policy.)

Holidays

We have the same holiday leave schedule as the State of North Dakota – 10 days per year or 10 ½ days per year when Christmas falls on any day except Sunday or Monday.

Bereavement Leave

Up to three (3) days for the funeral of immediate family member.

Health Insurance

Blue Cross/Blue Shield- \$ 51.27 per month for a Single plan.
\$247.75 per month for a family plan.

NDPERS Retirement

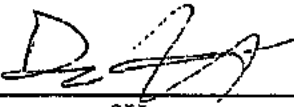
Stutsman County pays 13.26% and the employee pays 2% of employee's retirement based on regular gross wages.

Flex Benefits

The employee pays for this thru payroll deduction. We also have AFLAC insurances.

I, the undersigned, acknowledge receipt of Stutsman County's Computer Usage Policy and agree to comply with all terms and conditions governing the use of Stutsman County's Computer Usage Policy. I, consent to the monitoring of such equipment and communications pursuant to policy and understand that I have no reasonable expectation to privacy in using Stutsman County's computer system. I understand that violation of the above policy will result in disciplinary action, up to and including termination.

Dan White
Printed Name of User

 11/4/14
Signature of User Date

Dan White

STUTSMAN COUNTY, NORTH DAKOTA CODE OF CONDUCT DISCLOSURE FORM

1. An employee is prohibited from accepting anything of value unless written disclosure is made to the Chairman of the Commission or the employee's supervisor. "Anything of value" includes anything which exceeds \$50 in value, whether received in state or out of state, and was not offered, given, or agreed to be given to influence the action of an employee or to reward an employee for the performance of his or her duties.

I disclose receipt of the following (please list the item, value of the item and identity of the person or entity providing the item):

2. If an employee has a private interest in any matter of Stutsman County business, the employee shall make full written disclosure of the private interest when it is acquired or when it becomes a matter of Stutsman County's business.

I disclose the following private interest:

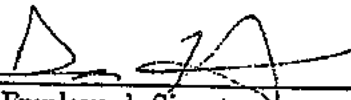
3. If an employee has a potential conflict of interest in any case, contract, or legal matter involving Stutsman County, the employee shall notify the auditor's office or appropriate supervisor in writing of the potential conflict and the cause of the potential conflict.

I identify the following potential conflict of interest (disclosure should detail the potential conflict):

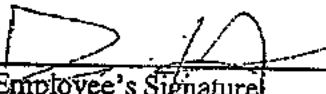
4. An employee shall not participate in, vote on, or attempt to influence a decision of Stutsman County or any of its departments with respect to a business or person in which the employee or the employee's immediate family is associated. An employee may not participate in any manner in a matter of Stutsman County business involving the employee's duties with respect to Stutsman County if the employee has a private interest in the matter and has any decision making authority with respect to the matter.

5. An employee may not engage in employment outside of employment with Stutsman County if it may interfere with the proper and complete discharge of the employee's responsibilities and duties to Stutsman County.

I have received and read the Code of Conduct policy, have truthfully and fully responded where required, have had all my questions answered to my satisfaction, and agree to conform my conduct accordingly. I understand that failure to comply with the Code of Conduct policy could result in disciplinary action up to and including termination.


Employee's Signature _____ Date 11/4/14 _____

I understand that this document, as well as any written comments I make to the document will be placed in my personnel file. I further understand that my representations in this document are correct as of the date I signed it and that I am obligated to update my responses, immediately and in writing, as my situation changes.


Employee's Signature _____ Date 11/4/14 _____

ACKNOWLEDGMENT FORM FOR THE STUTSMAN COUNTY PERSONNEL POLICY MANUAL & HANDBOOK

I understand this Handbook describes important information about Stutsman County and I should consult my supervisor regarding any questions not answered in the Handbook.

I acknowledge I have read the Stutsman County Personnel Policy Manual & Handbook and will comply with the policies contained in it and additions, deletions, or modifications as they are published. I understand that failure to abide by a policy in this Handbook subjects me to negative personnel action up to and including termination.

I acknowledge I have accessed the online version of the Stutsman County Personnel Policy Manual & Handbook. The County will provide each employee with written notice of any change to the Manual that effects any provision of the Manual which could stand as a basis for negative personnel action if the provision is violated by act or omission and each employee will be given an opportunity in writing to acknowledge receipt of the update. I understand that periodically newer versions of the Manual will be published in the same location. It is my obligation to access the online version, review the amendment log to the Stutsman County Personnel Policy Manual & Handbook which is located on the last page of the personnel policy, read the changes and comply with these changes. Online access may be obtained by using the following links:

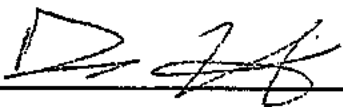
Tyler Technology Portal System

Main Link is <https://portals.co.stutsman.nd.us> and click on Stutsman County

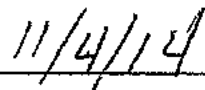
Direct Link is <https://portals.co.stutsman.nd.us/StutsmaniVisions>

Follow the login instructions, click on Employee Resources, click on Information Center. The Personnel Policy Manual & Handbook is located in the Document Center.

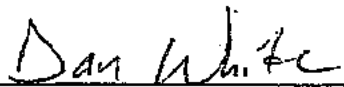
By signing below, I am affirming the above statements are true:



Employee's Signature



Date



Employee's Name (Printed)



Wayne Stenehjem
ATTORNEY GENERAL

STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL

STATE CAPITOL
600 E BOULEVARD AVE DEPT 125
BISMARCK, ND 58505-0040
(701) 328-2210 FAX (701) 328-2226
www.ag.nd.gov

BUREAU OF CRIMINAL INVESTIGATION
4205 STATE STREET, PO BOX 1054
BISMARCK, ND 58502-1054
(701) 328-5500 FAX (701) 328-5510
1-800-472-2185 (Toll Free)

November 13, 2014

Attn: Chad Kaiser
Stutsman County Sheriff's Department
205 6th Street SE
Jamestown ND 58401

Re: Background Check for Law Enforcement Applicant(s) / *Dan White*.

Enclosed are the responses to the applicant fingerprint cards submitted to the Federal Bureau of Investigation. A fingerprint-based search of criminal history records on file at the Federal Bureau of Investigation reveals ***no prior arrest information***. This fingerprint-based search includes fingerprint files for North Dakota.

A name-based search of the criminal history records on file at the North Dakota Bureau of Criminal Investigation was also conducted, and ***no record was found in our database***.

If you have any questions or concerns, please contact the Criminal Records Unit of the Bureau of Criminal Investigation at (701) 328-5500.

Sincerely,

A handwritten signature in cursive script that reads "Andrea Munns".

Andrea Munns
Identification Technician

11/12/2014

Page 1

CIVIL APPLICANT RESPONSE

ICN E2014316000000178929

CIDN

OCA

WHITE, DAN GREGORY

W

MNU

SOC

SEX M

NDBCA0000 BUREAU CRIMINAL INVEST

BISMARCK ND

2014/11/07

A SEARCH OF THE FINGERPRINTS ON THE ABOVE
INDIVIDUAL HAS REVEALED NO PRIOR ARREST
DATA.

CJIS DIVISION


2014/11/12

FEDERAL BUREAU OF INVESTIGATION

ND0470000
STUTSMAN COUNTY
SHERIFF'S OFFICE
205 6TH ST SE
JAMESTOWN, ND 58401-4211

Danny

Need New Employees Information:

- ✓ W-4,
- ✓ I-9,
- ✓ Copy of Driver's License,
- ✓ Copy of Social Security Card,
- ✓ Voided Blank Check or Deposit Slip for Direct Deposit,
- ✓ Retirement Application (COMPLETED ONLINE),
- ✓ Beneficiary Form,
- ✓ Health Insurance Application or Waiver Form (Application form Completed Online),
- Deferred Compensation (optional- Completed Online if through NDPERS),
- ✓ Designated Medical Provider Notice,
- ✓ Explain 24 hour reporting for Workforce Safety,
- ✓ New employee checklist form,
- Job Description,
- Code of Conduct Policy Form,
- ✓ Computer Usage Policy Form,
- ✓ Stateman County Personnel Policy Manual & Handbook Form,
- ✓ ~~Send~~ Josh to have picture taken for ID badge, Need to do 11/5/14
- ✓ Email New Hire Group about New Employee (AFLAC Representative),
- ✓ State Reporting,
- ✓ Keyed into PERSLINK, 
- Must have entire 9 digit zip code in master file,
- Application,
- Job Offer Letter,
- Acceptance of Job Offer Letter,
- ✓ Stateman County Online Employee Portal Instructions given to employee,
- ✓ If applicable, MSS NDPERS Login Instructions emailed to employee NA

DW

JOSEPH F. LARSON II
Attorney at Law

2411 Hwy. 281 South
P.O. Box 1599
Jamestown, North Dakota 58402-1599
(701) 252-5541
Fax (701) 252-7429

December 2, 2015

Casey Bradley
Stutsman County Auditor
511 2nd Ave. SE, Suite 102
Jamestown, ND 58401

RE: Request for Public Documents

Dear Mr. Bradley:

Attached for your convenience is the original letter dated November 23, 2015 requesting public documents regarding personnel/employment records for the Stutsman County Sheriff's Department. The request is for ten (10) officers records. I would request that this be limited to those requested and any other officers currently employed by the Stutsman County Sheriff's office.

The fees you have quoted in your letter dated November 25, 2015, appears excessive.

seems outrageous, as you are billing for four (4) hours, with the first hour at no charge, to locate records. According to the Office of the Attorney General Open Records Manual, September 2015 edition, on page 13, paragraph 8, it states:

A public entity may only charge those fees provided by law for copies of public records....

(a) ...N.D.C.C. § 44-04-18(2) currently provides in part: "[a]n entity may impose a fee not exceeding twenty-five dollars per hour per request, excluding the initial hour, for locating records, including electronic records, if locating the records requires more than one hour.... This provision authorizes a public entity to charge a fee for locating the records that a person has requested if the search takes longer than one hour,¹⁰⁸ but does not authorize an access fee once the records have been located. A public entity may not charge a fee for the time to prepare a new record that had not been requested and may not charge a fee for organizing, scanning, counting or printing documents or for the time it takes to forward electronic records.¹⁰⁹

Auditor Bradley
December 2, 2015
Page 2

A copy of this provision from the Open Records Manual is attached.

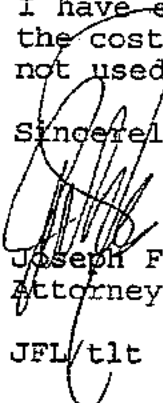
Ordinarily, each employee has a single employee personnel file where all records for that employee are stored. Therefore, the records requested should all be found within minutes, certainly not hours.

I request that each employee file is scanned and placed on a separate CD in PDF format. In other words, each employee file is placed on its own individual CD marked with the employee's name. Enclosed are 25 CD's for accomplishing this.

Once all files have been compiled, please contact this office and my staff will pick up the records from your office.

I have enclosed payment in the amount of \$50.00 for a deposit on the costs for this request. Please refund to this office any funds not used for completing this request.

Sincerely,



Joseph F. Larson II
Attorney at Law

JFL/tlt

For public entities headed by a single individual, a working paper or preliminary draft may be withheld from the public "until a final draft is completed, or work is discontinued on the draft but no final version has been prepared, whichever occurs first."¹⁰⁴

8. What can be Charged for Open Records?

A public entity may only charge those fees provided by law for copies of public records. A public entity may estimate the cost associated in fulfilling a request for records based on the legally allowable charges and can require payment based on the estimate before preparing or providing copies of the requested records.¹⁰⁵ The public entity may also withhold records pursuant to a request until such time as a requester provides payment for any outstanding balance for prior requests.¹⁰⁶

a. Fees for Locating and Providing Access to Records

Until 1999, a public entity could not charge a fee for locating and providing access to public records unless those fees were authorized by statute. As amended in 1999, N.D.C.C. § 44-04-18(2) currently provides in part: "[a]n entity may impose a fee not exceeding twenty-five dollars per hour per request, excluding the initial hour, for locating records, including electronic records, if locating the records requires more than one hour.... If a public entity receives five or more requests from the same requester within seven days, the public entity may treat the requests as one request in computing the time it takes to locate...the records."¹⁰⁷ This provision authorizes a public entity to charge a fee for locating the records that a person has requested if the search takes longer than one hour,¹⁰⁸ but does not authorize an access fee once the records have been located. A public entity may not charge a fee for the time to prepare a new record that had not been requested and may not charge a fee for organizing, scanning, counting, or printing documents or for the time it takes to forward electronic records.¹⁰⁹ An access fee is authorized when a state-level public entity provides outside access to electronic records, except for access to another state-level public entity.¹¹⁰

¹⁰⁴ N.D.C.C. § 44-04-18(10); N.D.A.G. 2015-O-07.

¹⁰⁵ N.D.A.G. 2014-O-18; N.D.A.G. 2014-O-17.

¹⁰⁶ N.D.C.C. § 44-04-18(2).

¹⁰⁷ See also N.D.A.G. 2014-O-17 (multiple requests from the same requestor received within a short time frame all related to the same subject matter were treated as one request in computing the time it took to locate and redact the records).

¹⁰⁸ A public entity may charge \$25 per hour, after the first hour for retrieving emails of certain city officials from emails of all other city employees with which they are intermingled. N.D.A.G. 2003-O-04.

¹⁰⁹ N.D.A.G. 2014-O-18; N.D.A.G. 2012-O-08; N.D.A.G. 2000-O-11.

¹¹⁰ N.D.C.C. § 44-04-18(5).

JOSEPH F. LARSON
Attorney at Law

2411 Hwy. 281 South
P.O. Box 1599
Jamestown, ND 58402-1599
(701) 252-5541
Fax No. (701) 252-7429

DATE: November 23, 2015

TO: Stutsman County Auditor, Casey Bradley

FAX: 701-251-6310

RE: Request for Public Documents

COMMENTS:

Please find attached letter of request that will also be mailed today.

Thank you,

Tammi Tibke
Legal Assistant to
Joseph F. Larson II
Attorney at Law

NUMBER OF SHEETS BEING TRANSMITTED INCLUDING THIS COVER SHEET: 3

A "Hard Copy" of this Fax will follow by mail.

*** The information in this message is confidential and may be legally privileged. It is intended solely for the addressee. If you are not the intended recipient, any disclosure, copying, or distribution of the message, or any action or omission taken by you in reliance on it, is prohibited and may be unlawful. Please immediately contact the sender if you have received the message in error. ***

JOSEPH F. LARSON II
Attorney at Law

2411 Hwy. 281 South
P.O. Box 1599
Jamestown, North Dakota 58402-1599
(701) 252-5541
Fax (701) 252-7429

November 23, 2015

Stutsman County Auditor
Attn: Casey Bradley
511 2nd Ave. SE
Jamestown, ND 58401

RE: Request for Public Documents

Dear Mr. Bradley

Under the North Dakota Open Records Law (N.D.C.C. Chap. 44-04), I am requesting the personnel/employment records of all Stutsman County Sheriff officers including but not limited to:

1. Sheriff Chad Kaiser; ,
2. Chief Deputy Keith Hess; ,
3. Detective/Sergeant Jason Falk; ,
4. Sergeant Damian Hoyt; ,
5. Sergeant Liz Kapp; ,
6. Deputy Casey Yunck; ,
7. Deputy Matthew Thom; ,
8. Deputy Daniel White; ,
9. Deputy Brian Davis; and ,
10. Deputy Jameson Overvold

This request includes a request for:

All personnel/employment records including but not limited to applications, resumes, references, personnel classification and job description, dates of employment, job performance reviews and evaluations, disciplinary actions and other employment and vocational records.

When a public entity receives a request for records, it must, within a reasonable time period, either provide the records or explain why the records are not provided. N.D.A.G. 98-0-22 and N.D.A.G. 2015-0-17. A denial of an open record request must indicate the entity's specific authority for denying the requested


Stutsman County Auditor
Casey Bradley
November 23, 2015
Page 2

record and this requirement exists even if the request is denied on the basis that the requested records do not exist. N.D.C.C. § 44-04-18(7), N.D.A.G. 2014-O-22.

If payment is needed in advance, please contact me and advise me of the amount owed and it will be immediately remitted. In the alternative, send a bill along with the documents and it will be promptly paid.

Please mail all requested documents to Larson Law Firm Attn: Joseph F. Larson II, P.O. Box 1599, Jamestown, ND 58402 or email them to: joelarson@daktel.com.

Sincerely,



Joseph F. Larson II
Attorney at Law

Jamestown Police Department		Continuation or Follow-Up		Page 1 of 1	
Case #:	15-005695	Incident Date:	03/15/15	Officer Name & #:	R. GOFF #312

On 5/29/15 Chief Edinger brought to my attention an issue with the above noted call for service; the call was not fully updated as it was missing a subject in the name file. At his request I am writing this follow-up report to detail the reasons why this was overlooked.

The date of this incident is significant in that it happens to be the night of Jamestown's biggest spring event, the Running O' The Green. During this event the Police Department and Sheriff's Office have most of their employees on duty to handle the event traffic and calls for service.

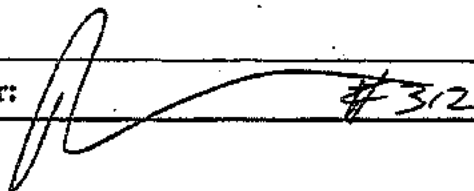
During the event I was working a plain clothes detail in an unmarked police unit. At around 0032 hours on 3/15/15 I heard dispatch broadcast a call that a drunk male was found passed out inside a house after the complainant arrived home from the bar. Being that other units were tied up at the time I responded to the call along with Lt. Hunt. When the call was dispatched, nature of the incident sounded more like a medical emergency than a home invasion. The complainant stated the male was highly intoxicated and passed out but still breathing.

I arrived at the location and met with the complainant, his friend and a male who was passed out in a living room chair. I recognized the male as Daniel White, a newly hired Stutsman County Deputy Sheriff at that time. Mr. White was gaining consciousness at the time I arrived. I asked the complainant if he had noticed any damage to his apartment and he stated there was not. I asked the complainant what he would like done about the situation and he stated that he just wanted Mr. White out of the house and was glad that he was ok; he made it abundantly clear that he did not want to press criminal charges. I later asked the complainant this a second time just to clarify and he again stated that he did not want press charges against Mr. White.

I was able to get Mr. White out of the house as Lt. Hunt was arriving on scene. I also contacted dispatch to get a hold of Sheriff Kaiser and have him respond to the scene as well. Sheriff Kaiser, who was also on duty at the time, arrived on scene minutes later and I advised him of the situation. Sheriff Kaiser gave Mr. White a ride home and Lt. Hunt and I left the scene.

Due to the nature of the events that night Mr. Whites name was not entered into the person file of the call, which at times tends to happen especially on busy nights. Normally dispatch enters the name of the subject into the system because they are running a warrant check on the subject, this did not happen because I never ran Mr. Whites name as I knew who he was.

Entering the name was also overlooked by me simply because I normally do not take calls for service anymore and am never the primary officer due to my position as a drug task force officer; I also do not have a mobile computer to update calls for service in my unmarked vehicle. Usually other shift officers will respond to the call but it just happened to be that I was the only officer at the scene that night other than Lt. Hunt so I recognize that there was some confusion as to who the primary officer was.

Officer Signature & Number:	 #312	Report Date:	5/29/15
--	--	---------------------	---------

Jamestown Police Department		Continuation or Follow-Up		Page 1 of 1	
Case #:	15-05695	Incident Date:	03/15/2015	Officer Name & #:	Lt. J. Hunt/211
NARRATIVE: (All Times are Approximate)					

On 03/15/2015 at approximately 0034 hrs, dispatch broadcasted a call for service wherein the caller returned home and found a male individual apparently passed out lying on the couch in the living room. I responded to the call as did Officer R. Goff who on that particular night was working in civilian clothes as a task force officer and driving an undercover pickup. On this particular night nearly all of the department's officers were assigned to work, regardless of whether it was their day off or not. The reason for all the additional officers was the fact the 'Running O the Green' was taking place and the extraordinary number of participants and huge volume of alcohol consumed

Officer Goff arrived at the location first and was in the process of walking the intoxicated individual up the stairway from the basement apartment. The intoxicated male was shirtless and silent. Officer Goff informed me that he was reentering the apartment to speak with the resident. I remained outside with the intoxicated male. On at least two occasions I asked the subject if he would prefer to have a seat in the rear of the patrol unit since the night was chilly and he was certainly dressed inappropriate for the weather conditions. Each time he decline my offer.

When Officer Goff returned from interviewing the residents he informed me the complainant had no desire to press any charges over the incident and was relieve the individual was only intoxicated and not suffering from any medical issues. Also at this time, Officer Goff informed me the intoxicated individual was hired recently as a Stutsman County deputy and his name was Daniel White. Officer Goff also indicated he had notified Sheriff Kaiser, who was also working this particular night, and he was reroute to our location.

Mr. White indicated that he was cold and wished to have a seat in a heated patrol car. He was informed that would be acceptable. He then attempted to enter the driver's side front seat of Officer Goff's undercover vehicle. I along with Officer Goff stopped him from entering the pickup and we were in the process of directing him to the rear seat of the marked patrol vehicle when Sheriff Kaiser arrived. Once Sheriff Kaiser was on scene he took custody of Mr White and left the area. Without asking, I assumed he was taking Mr White home.

Officer Goff and I had a brief discussion of the undesirable consequences which Mr White would more than likely be the focus of once he sobered up and the Sheriff had the opportunity to express his displeasure over the incident. Office Goff and I then left the area.

Officer Signature & Number:	<i>Lt. James Hunt/211</i>	06/03/2015
-----------------------------	---------------------------	------------



STUTSMAN COUNTY

Performance Review

Department: Sheriff's Office

Position: Deputy Sheriff

Date **Nov 8, 2015**

Employee Name **Danny White**

Completes work in a timely manner

Satisfactory

Comments **Danny is always on time and ready for work.**

Has effective working relationship with other staff

Satisfactory

Comments **Danny gets along well with all the staff and co-workers**

Work completed is accurate, correct, and usable

Satisfactory

Comments **Danny does a good job on his reports making sure they are correct and accurate.**

Is self-motivated

Satisfactory

Comments **Danny is motivated and always ready to work**

Takes direction from peers and supervisor

Satisfactory

Comments **Danny takes direction well from peers and supervisors**

Displays a positive attitude in the workplace

Satisfactory

Comments **Danny has a positive attitude in the workplace.**

Is reliable

Satisfactory

Comments **Danny is reliable and does a great job for the Sheriff's Office.**

Exercises the appropriate level of authority for their position

Satisfactory

Comments Danny does a good job of excises the appropriate level of authority for his position.

Is effective at fostering teamwork within the department

Satisfactory

Comments Danny does a good job of fostering teamwork within the Office.

Seeks direction at appropriate times

Satisfactory

Comments If Danny has a question he is not afraid to ask.

Adheres to the requirements of the personnel policy

Satisfactory

Comments Danny follows all the requirements of the personnel policy.

Adheres to the safety requirements of the workplace

Satisfactory

Comments Danny follows the safety requirements of the workplace.

Effective in working with customers, the public, or other agencies

Satisfactory

Comments Danny does very well with the public and other agencies.

Updates calls and turns in documentation in a timely manner

Satisfactory

Comments

Works directly with public to handle inquiries

Satisfactory

Comments Danny is very thorough with the public

Performs general duties as assigned or apparent

Satisfactory

Comments Danny does perform the general duties and what ever work that needs to be completed.

Assists in administrative and office duties when needed

Satisfactory

Comments Danny does help out when needed

Performs his/her additional duties

Satisfactory

Comments Danny took on additional duties as he is on the SOT team.

Uses time wisely

Satisfactory

Comments

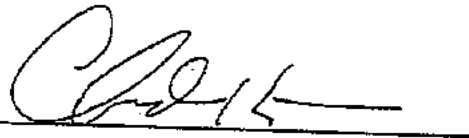
Performance of other duties as assigned

Satisfactory

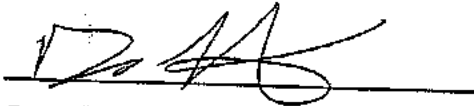
Comments Danny does what ever is asked of him. He is a definite asset to our Office.

Score 20

Recommendation Satisfactory



Department Head Signature



Employee Signature

Supervisor Signature

Date

11/11/15

By signing above the Employee is only acknowledging receipt of this performance review, not accepting the score. If there is a dispute the employee may submit a letter to accompany this review in their personnel file, the letter must be submitted within 10 business days from the date the review was given.

Performance Review is:

Annual

ACKNOWLEDGMENT FORM FOR THE STUTSMAN COUNTY PERSONNEL POLICY MANUAL & HANDBOOK

I understand this Handbook describes important information about Stutsman County and I should consult my supervisor regarding any questions not answered in the Handbook.

I acknowledge I have read the Stutsman County Personnel Policy Manual & Handbook and will comply with the policies contained in it and additions, deletions, or modifications as they are published. I understand that failure to abide by a policy in this Handbook subjects me to negative personnel action up to and including termination.

I acknowledge I have accessed the online version of the Stutsman County Personnel Policy Manual & Handbook. The County will provide each employee with written notice of any change to the Manual that effects any provision of the Manual which could stand as a basis for negative personnel action if the provision is violated by act or omission and each employee will be given an opportunity in writing to acknowledge receipt of the update. I understand that periodically newer versions of the Manual will be published in the same location. It is my obligation to access the online version, review the amendment log to the Stutsman County Personnel Policy Manual & Handbook which is located on the last page of the personnel policy, read the changes and comply with these changes. Online access may be obtained by using the following links:

Tyler Technology Portal System

Main Link is <https://portals.co.stutsman.nd.us> and click on Stutsman County

Direct Link is <https://portals.co.stutsman.nd.us/StutsmanVisions>

Follow the login instructions, click on Employee Resources, click on Information Center. The Personnel Policy Manual & Handbook is located in the Document Center.

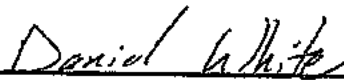
By signing below, I am affirming the above statements are true:



Employee's Signature

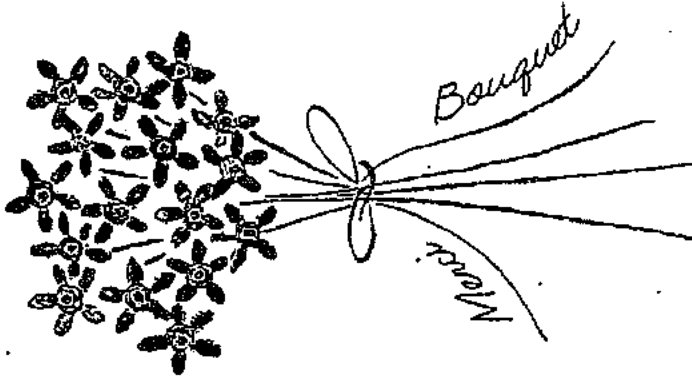


Date



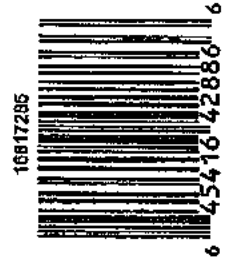
Employee's Name (Printed)

A LITTLE NOTE OF THANKS



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AMERICAN GREETINGS CLEVELAND, OHIO 44114



Dorian White,

Want to especially

Thank you for the assistance

You gave me on May 11th
last of Spiro Wood, ND con-

cerning my winter crises.

You were so kind & truly
appreciate what you did

for me & following me all the
way to Jamestown. Here is a

little something for you to show
my appreciation. Enjoy!!!

You people are the BEST!!

Curt Jordan

Kaiser

FARGO ND 581

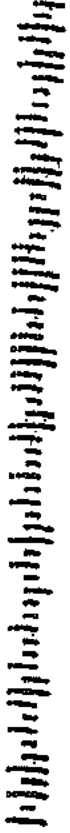
17 JUN 77



Good Job Dany AK

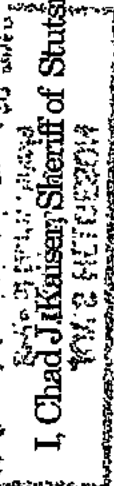
STATSMAN COUNTY Sheriffs Office
205 6th St. S.E.
Jamestown, N.D. 58401

attn: Sheriff Kaisere/Officer
Danny White



STATE OF NORTH DAKOTA

COUNTY OF STUTSMAN



I, Chad J. Kaiser, Sheriff of Stutsman County, North Dakota, do hereby and herewith on this 1st day of November, 2014, appoint said Daniel G. White, a

Deputy Sheriff for the County of Stutsman and State of North Dakota, for the term of my office as Sheriff, or until revoked by me.


Chad J. Kaiser, SHERIFF

Official Oath

Of

Daniel G. White

To The Office Of

Deputy Sheriff

Filed this _____ day of

20 _____, in the office

of the Auditor of Stutsman

County, North Dakota.

**STATE OF NORTH DAKOTA
COUNTY OF STUTSMAN**

I, Daniel G. White, do solemnly swear that I will support the Constitution of the United States
and the Constitution of the State of North Dakota and that

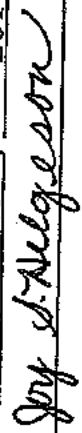
I will faithfully discharge the duties of the office of

DEPUTY SHERIFF

in the County of Stutsman and State of North Dakota according
to the best of my ability. So help me God.



Subscribed and sworn before me on this 1st day
of November, 2014.


Notary Public
My Commission Expires _____

JOY S HELGESON
Notary Public
State of North Dakota
My Commission Expires November 20, 2018

December 20, 2015

Chad Kaiser
Stutsman County Sheriff
205 6th Street South East
Jamestown, ND 58401

RE: Open Records Request

Sheriff Kaiser,

Pursuant to North Dakota Open Records Law, I am requesting that you provide me all the records and documentation concerning the following information;

- 1) All documents and communication in reference to Deputy Daniel White's date of hire with the Stutsman County Sheriff's Department.
- 2) All documents and communication on Deputy Daniel White's Oath of Office with the Stutsman County Sheriff's Department.
- 3) All documents and communication on Deputy Daniel White's probationary period with the Stutsman County Sheriff's Department.
- 4) All documentation and communication on Deputy Daniel White's attendance of the North Dakota Peace Officer Academy in Bismarck, ND.
- 5) All documentation and communication on Deputy Daniel White's completion of probationary period.

My request would include all records which fall within the parameters of N.D.C.C. 44-04-18. I do not know of any exceptions in N.D.C.C. which would prevent you from providing me with the information being requested, N.D.A.G. 2015-02-17. A denial of an open record request must indicate the entity's specific authority for denying the requested record(s) and this requirement exists even if the request is denied on the basis that the requested record(s) do not exist, N.D.C.C. 44-04-18 (7), N.D.A.G. 2014-0-22.

If payment is needed in advance, please contact me and advise me of the amount owed and it will be immediately remitted. In the alternative, send a bill along with the documents and it will be promptly paid.

Please mail all requested documents to 4915 Boulder Drive, Bismarck, ND 58504

Sincerely,

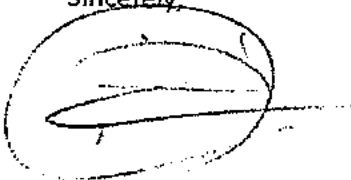


Exhibit 6B

A. Kaiser 12/21/2015



ND P.O.S.T
PO Box 1054

Bismarck ND 58502-1054

Phone: (701) 328-5500
Fax: (701) 328-5510

www.post.nd.gov

*Danny went to Academy on
February 2nd 2015 due to an opening.
ck*

December 2, 2014

S/A Duane Stanley
Executive Secretary

MEMBERS

Sheriff Chad J. Kaiser
Stutsman County S.O.

Lyn James
ND League of Cities

Lieutenant Daniel J. Haugen
ND Highway Patrol

Major Les Witkowski
Burleigh County S.O.

Chief Scott T. Thorsteinson
Wahpeton Police Department

Jack Nybakken
ND Association of Counties

Lieutenant Michael Ferguson
Grand Forks Police Department

Sheriff Sarah Warner
Hettinger County S.O.

Steven Engen
ND Department of Corrections

Sheriff Chad Kaiser
Stutsman County Sheriff's Department
205 6th Street SE
Jamestown ND 58401

Dear Chad:

Dan White's limited license has been approved. White's limited license number is [redacted]

According to 12-63-09: The limited license allows the person to practice peace officer duties in accordance with rules of the board. Except as otherwise provided, the limited license is valid for no longer than the earlier of the expiration of the next available training session, until the person is issued a license under section 12-63-10, or until the limited license is suspended or revoked by the board. After being employed but before taking the written examination, the person shall attend the first available basic training program recognized by the board.

If you have not done so already, you will need to contact Peggy at the Training Academy (701-328-9966) or pdietz@nd.gov on information for White to attend the next available basic academy in Bismarck, which begins on June 1, 2015. If White does not attend the next available basic academy, this will affect his limited license.

If you are planning on having them attend the basic training at a site other than the Bismarck Academy, you need to contact me ASAP so we are able to have an accurate count of spots available at the LETA. Please contact Peggy to see if lodging is available.

Thank you and if you should have any questions please feel free to contact me.

Sincerely,

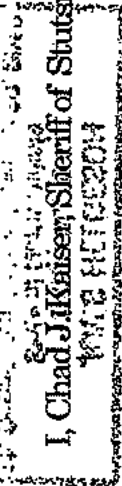
Monica Sebastian

Monica Sebastian

cc: Lt. Dan Haugen, NDHP, ND Law Enf. Training Academy

STATE OF NORTH DAKOTA

COUNTY OF STUTSMAN



I, Chad J. Kaiser, Sheriff of Stutsman County, North Dakota, do hereby and herewith on this 1st day of November, 2014, appoint said Daniel G. White a

Deputy Sheriff for the County of Stutsman and State of North Dakota, for the

term of my office as Sheriff, or until revoked by me.

Chad J. Kaiser, SHERIFF

Official Oath

Of

Daniel G. White

To The Office Of

Deputy Sheriff

Filed this _____ day of

20 _____, in the office

of the Auditor of Stutsman

County, North Dakota.

**STATE OF NORTH DAKOTA
COUNTY OF STUTSMAN**

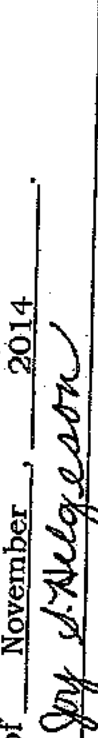
I, Daniel G. White, do solemnly swear that I will support the Constitution of the United States
and the Constitution of the State of North Dakota and that
I will faithfully discharge the duties of the office of

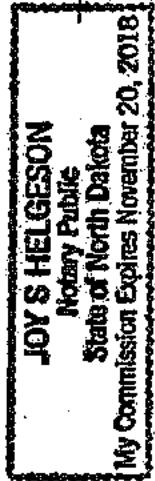
DEPUTY SHERIFF

in the County of Stutsman and State of North Dakota according
to the best of my ability. So help me God.



Subscribed and sworn before me on this 1st day
of November, 2014.


Notary Public
My Commission Expires _____



10/31/2014

Daniel G White

RE: Formal Offer of Employment-Deputy Sheriff position

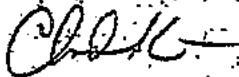
Danny,

On behalf of Stutsman County, it is my pleasure to formally offer you the position of Deputy Sheriff. The starting rate of pay for this position shall be Grade 11 Step 1 of the 2014 Stutsman County pay scale or \$19.31 per hour/\$3,347.54 monthly. As we discussed in the interview, there is a six month probationary period that is required as a part of the position. You must attend the North Dakota Basic Peace Officers School in February. Upon completion and graduating from basic and a satisfaction score on your anniversary date of November 1st 2015 you will move to a step two. This is a fulltime non-exempt position and is eligible for all Stutsman County benefits. Stutsman County is an at-will employer and your employment shall be governed by the Stutsman County Personnel Policy.

At this time your anticipated start date will be November 1st 2014; if something changes your availability please let me know and we can adjust it accordingly. On your start date please report to the Sheriff's Office at 8:00am.

If you are in agreement and accept this offer please acknowledge accordingly via email confirmation.

Respectfully,



Sheriff Chad Kaiser
Stutsman County
chkaiser@nd.gov
701-251-6200 Office
701-320-4749 cell

10/31/2014

Daniel G White



RE: Formal Offer of Employment-Deputy Sheriff position

Danny,

On behalf of Stutsman County, it is my pleasure to formally offer you the position of Deputy Sheriff. The starting rate of pay for this position shall be Grade 11 Step 1 of the 2014 Stutsman County pay scale or \$19.31 per hour/\$3,347.54 monthly. As we discussed in the interview, there is a six month probationary period that is required as a part of the position. You must attend the North Dakota Basic Peace Officers School in February. Upon completion and graduating from basic and a satisfaction score on your anniversary date of November 1st 2015 you will move to a step two. This is a fulltime non-exempt position and is eligible for all Stutsman County benefits. Stutsman County is an at-will employer and your employment shall be governed by the Stutsman County Personnel Policy.

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If you are in agreement and accept this offer please acknowledge accordingly via email confirmation.

Respectfully,

A handwritten signature in black ink, appearing to read 'Chad Kaiser', is written over the 'Respectfully,' line.

Sheriff Chad Kaiser
Stutsman County
chkaiser@nd.gov
701-251-6200 Office
701-320-4749 cell

A large, stylized handwritten signature in black ink, likely belonging to Daniel G White, is written below the typed contact information.

11/01/14

STUTSMAN COUNTY SHERIFF'S OFFICE

FIELD TRAINING RECORD

Trial Period Officer DAN WHITE

Date of Employment 11-01-14

Basic/Skills School _____

Completed Field Training 9-1-15

NOV 8TH 2015

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
I. SQUAD CAR OPERATIONS			
A. Emergency Lights Operation	FALK	11-10-14	Y
B. Siren Operation	}	}	}
C. Take Downs/Alley Lights			
D. Non-Emergency Response			
E. Emergency Response			
F. Pursuit Driving			
G. Safe Driving Procedures			
H. Shop Reports			
I. Squad Car Inspection		11-10-14	Y
J. Squad Car Cleaning		11-10-14	Y

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
II. TRAFFIC STOP PROCEDURES			
A. Location/License	Metzger	11/21/14	Y
B. Squad Car Position		11/14/14	
C. Emergency Lights		11/14/14	
D. Violator Approach		11/14/14	
E. Addressing Violators		11/14/14	
F. One/Two Officer Stops		11/14/14	
G. Position Properly When Addressing Violators		11/14/14	
H. Proper Identification/Forms Violators		11/14/14	
I. Radio Communications with Dispatch		11/14/14	
J. Felony Vehicle Stops		11/29/14	
K. Officer Safety Procedures		11/24/14	Y

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
III. ACCIDENT INVESTIGATION			
A. Accident Response	FALK	11-12-14	Y
B. Scene Control	FALK	11-12-14	Y
C. Care of Injured	FALK	11-12-14	Y
D. Gathering Information for Report	FALK	11-12-14	Y
E. Reportable/Non-Reportable	FALK	11-12-14	Y
F. Wrecker Procedure	FALK	11-12-14	Y
G. Measurements/Photos	FALK	11-12-14	Y
H. Interview Drivers/Witnesses	FALK	11-12-14	Y
I. Accident Report Forms	FALK	11-12-14	Y
J. Diagram	FALK	11-12-14	Y
K. Citing at Accidents	FALK	11-12-14	Y

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
IV. TRAFFIC LAW ENFORCEMENT			
A. Citation Forms	KAPP	11-11-14	Y 2-2-15 DH
B. Warnings	KAPP	11-11-14	Y
C. Parking Tickets	Metzger	11/14/14	Y
D. Traffic Control Devices			Y
E. Speed Violations/Radar Instruction/Pacing	Metzger	11/14/14	Y
F. Turning Movements, Following, Backing, Seatbelts, Lane Change, Other General Traffic Codes	Hoyt	2-2-15	Y
G. Criminal Traffic Violations			Y
H. License/Registration Violations			Y
I. Uniform Wording			Y
J. Citation, Bond, Court Procedures For Traffic Violations			Y

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N	
V. PATROL PROCEDURES				
A. Routine Patrol	FALK	6-29-15	Y	
B. Directed Patrol	↓			
C. School Patrol				
D. Outline/Business Checks				
E. Alarm Response				
F. Bank Alarms				
G. Response To Calls For Service				
H. Disturbances				
I. Animal Calls / Bites				
J. Domestic Procedures (non-violent)				
K. Lost / Missing Persons				
L. AWOL/Mental Cases/ Detox/Emergency Commitments				
M. Prowler/Suspicious Persons				
N. Medical/Ambulance Assist		Motzger	11/14/14	Y
O. Found Property	Hoyt	7-2-15	Y	
q. Review Calls For Service, Classification & Response	Hoyt	7-2-15	Y	

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
VI. COMMUNICATIONS			
A. 10-Code Use	FALK	11-10-14	Y
B. General Operations of Radio, Scan Channel Selection, Portable, Etc.	FALK	11-10-14	Y
C. Speaking Clearly, Concise, Under Stress	FALK	11-10-14	Y
D. Checking Out When Leaving Patrol Vehicle, Locations	FALK	11-10-14	Y
E. Vehicle Stops 10-39	Motzger	11/14/14	Y
F. Doing 10-27,10-28,10-29 Checks	FALK	11-10-14	Y

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
VII. REPORT WRITING			
A. Chronological Account of Incident	FAUK	11-11-14	Y
B. Gathering pertinent Information Related To Incident: Who, Where, What, Why, How, When	FAUK	11-11-14	Y
C. Structure, Neatness, Spelling, Legible	↓	↓	Y
D. Obtaining Needed Information On Persons Involved	↓	↓	Y
E. IR's, Reportable Offenses	↓	↓	Y
F. Field Incident Reports	↓	↓	Y
G. Family Offense Reports	FAUK	11-11-14	Y
H. Other Follow-up Reports, Call For Service Disposition	↓	11-11-14	Y
ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
VIII. USE OF FORCE			
A. When Allowed, When Not	Hoyt	7-2-15	Y
B. Force Continuum	Hoyt	7-2-15	Y
C. Lethal Force	Hoyt	7-2-15	Y
D. Handcuffs, Restraints	Metzger	11/14/14	Y
E. Double Locking	Metzger	11/14/14	Y
F. Use of Force Report	Hoyt	7-2-15	Y
ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
IX. ARREST PROCEDURES			
A. Custodial Arrests	Hoyt	3-28-15	Y
B. Felony Arrests	Hoyt	3-28-15	Y
C. Misdemeanor Arrests	FAUK	11-11-14	Y
D. Summons & Release	Hoyt	3-28-15	Y
E. Probable Cause	FAUK	11-11-14	Y
F. Domestic Assault, Protection Order Violations, Warrantless Arrests	FAUK	11-11-14	Y
G. Miranda	FAUK	11-11-14	Y
H. Search Incident To Arrest	FAUK	11-11-14	Y

IX. Arrest Procedures (cont.)			
I. Search Based on Probable Cause	Hoyt	3-28-15	Y
J. Complaint Procedure, District & Municipal Court	Hoyt	↓	↓
K. Interview & Interrogation	Hoyt		
L. Taping, Photos	Hoyt		
M. Evidence Handling	Hoyt		
N. 48 Hour Probable Cause Statement	Hoyt	↓	↓
O. Bond/ Bond Schedules	Hoyt	7-2-15	Y
P. Proper Court Assignment	Hoyt	7-2-15	Y
Q. Chapter 12, NDCC, Criminal Traffic Violations Chapter 39, NDCC	FALK	6-29-15	Y

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
X. Warrants			
A. District Court Warrants	FALK	11-10-14	Y
B. NCIC/CWIS	↓	↓	↓
C. Confirmation Procedures			
D. Extradition	FALK	↓	Y

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
XI. JUVENILE PROCEDURES			
A. Juvenile Referral	FALK	6-29-15	Y
B. Attendant Care	↓	↓	↓
C. Release To Parent/Guardian			
D. Questioning Juvenile Offenders/Criminal	↓	↓	↓
E. Traffic Offenders: License/ Permit Offender, Non-Licensed Offenders	Hoyt	3-28-15	Y
F. Proper Court Assignment	Hoyt	3-28-15	Y
G. Juvenile Court	FALK	6-29-15	Y
H. Abuse/Neglect Reports	FALK	6-29-15	Y
I. Child Protection Services	FALK	6-29-15	Y

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
XII. Court Procedures			
A. District Court Procedures, Offenses	Hoyt	3-29-15	Y
B. Subpoenas	↓	↓	Y
C. Confer with Prosecutors			Y
D. Dress			Y
E. Be On Time			Y
F. Being Prepared, Review Reports, Etc.			Y
G. Testimony, Truthfulness, Professional, Demeanor			Y
H. Court Security			Y

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
XIII. Officer Safety			
A. Alert	Hoyt	3-28-15	Y
B. Weapon Safety	↓	↓	Y
C. Expose Weapon to Suspects			Y
D. Proper Vehicle Approach & Position At Vehicle Stops			Y
E. Proper Position At Doors			Y
F. Control Suspect movements			Y
G. Maintain Reactive Distance			Y
H. Backing Up Other Officers			Y
I. Proper Equipment			Y
J. Radio Location - Out of Unit			Y
K. Prisoner Control			Y
L. Handcuffing / Restraints	↓	↓	Y
M. Prisoner Search	Metzger	11/4/14	Y
N. Searching Squad Car Prior To & After Transport	Hoyt	3-28-15	Y
O. Safe Squad Car Operation	Hoyt	3-28-15	Y

XIII. Officer Safety (cont.)			
ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
P. Building Search	Hoyt	3-28-15	Y
Q. Approach To Incidents	↓	↓	↓
R. Recognize Potential Volatile Persons & Situations	↓	↓	↓
S. Use of Gloves (latex), Protection from Pathogens	↓	↓	↓

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
XIV. Criminal Investigation			
A. Identify & Secure Scene	Hoyt	3-28-15	Y
B. Suspect Still on Scene	↓	↓	↓
C. Identify Potential Evidence, Victims, Witnesses	↓	↓	↓
D. Preliminary Investigation	↓	↓	↓
E. When to request Detectives	↓	↓	↓
F. Knowledge of Type of Crime Committed	↓	↓	↓
G. Protect Evidence	↓	↓	↓
H. Major Crimes	↓	↓	↓
I. Coroner Cases: unattended Deaths, Homicides, Suicides, Fire Deaths, Traffic Accident Deaths, Child Deaths, Drowning Deaths, Industrial or Work Related Deaths, Any Unusual or Suspicious Deaths	↓	↓	↓

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
XV. DUI/APC Arrests			
A. Elements of Offense	Hoyt	3-28-15	Y
B. Cause For Stop	↓	↓	↓
C. Field Sobriety Tests	↓	↓	↓
D. Probable Cause For Arrest	↓	↓	↓
E. Implied Consent	↓	↓	↓
F. Screening Test	↓	↓	↓
G. Miranda	↓	↓	↓

XIV. DUI/APC Arrests (cont.)			
H. Interrogation/Questioning	Hoyt	3-28-15	Y
I. Tests: Intoxilyzer, Blood, Urine	↓	↓	↓
J. Proper Form Completion			

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
XV. Civil Service			
A. Subpoenas	Hoyt	7-2-15	Y
B. Protection Orders	FAMK	11-11-14	Y
C. Civil Papers	Hoyt	7-2-15	Y
D. Evictions	Hoyt	7-2-15	Y

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
XV. Administrative			
A. Chain Of Command	Metzger	11/14/14	Y
B. Work Schedule	Hoyt	7-2-15	Y
C. Pay Back Time	Metzger	11/14/14	Y
D. Overtime Slip Completion	Metzger	11/14/14	Y
E. Vacation, Sick Leave	Metzger	11/14/14	Y
F. Off-Duty Employment	Metzger	11/14/14	Y
G. Callback	Hoyt	7-2-15	Y
H. Working for Other Officers	Metzger	11/14/14	Y
I. Briefing	Metzger	11/14/14	Y
J. Seniority	Hoyt	7-2-15	Y
K. Rules of Conduct	Hoyt	6-11-15	Y
L. Rules & Regulations	Hoyt	6-11-15	Y
M. General Orders	Hoyt	6-11-15	Y
N. County Employee Handbook			Y
O. Employee Injuries	Hoyt	7-2-15	Y

ACTIVITY/PROCEDURE	FTO OR SUPERVISOR DEMONSTRATED/EXPLAINED	DATE	ACCEPTABLE Y/N
<i>XVII. Other</i>			
A. <i>DOT Log sheets</i>	<i>Hoyt</i>	<i>7-2-15</i>	<i>Y</i>
B.			
C.			
D.			
E.			
F.			
G.			
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I.			
J.			
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V.			
W.			
X.			
Y.			
Z.			

CALL FOR SERVICE

12/17/2015

Agency P Jamestown Police Dept.

Incident # 201500005695

Case #

CALL FOR SERVICE

Activity LIQDK Drunkenness

Priority 2 Asap-4 Min Max

Common Place

LOCATION

City Jamestown

COMPLAINANT

Wyman, Zach

Type

Loc [REDACTED]

ADDRESS

[REDACTED]

Apt# BSMT Cnty S Stutsman County

City Jamestown

State ND

Route Beat Fire EMS Zone

Zip 58401

Tel [REDACTED]

RD NW 000203 000203 000203

Respchr CHJARL Jarland, Christi

Rept 3/15/15 0:34

Shift 1 11PM-7AM

By JEGODF Godfrey, Jeffrey

How T Telephone

Dispo C Completed

FINAL DISPOSITION/ACTIVITIES

Dispo

Activity

Reports Arrests

PERSON

Suffix 01 Name Wyman, Zachary Martin

Type

Sex M Race W

DOB [REDACTED]

Age

Height Weight

Address [REDACTED]

Telephone [REDACTED]

Address Telephone

Cloth

Street/Dir

Other

VEHICLE

Suffix Plate State Make Model

Year Color Occupants

Description

Street/Dir

Other

VIN

Transport

Unit Miles Start End Suffix Tot

Patient Type Sex

Reason Care

Blotter

Caller reports a male passed out in his living room. States the male is highly 10-56 but breathing. Does not know who the male is.

Log

Date/Time	Officer Id	Log Entry
3/15/2015 00:49:41	JEGODF Godfrey, Jeffrey	312 reports subject givin a ride home
3/15/2015 00:49:54	JEGODF Godfrey, Jeffrey	Incident Closed
3/15/2015 09:59:18	RYGOFI Goff, Ryan	Name updated per Chief Edingers request.

CALL FOR SERVICE

12/17/2015

Agency	P	Jamestown Police Dept.	Incident #	201500005695	Case #	
SN	UnitID	SN	OfcrID	name	Type	TimeEntry
1	00000211	1	00000211	Hunt, James	DI	3/15/15 0:34
2	00000312	2	00000312	Goff, Ryan	EN	3/15/15 0:34
					AS	3/15/15 0:35
					CP	3/15/15 0:49

Jamestown Police Department Officer Incident Report

ORIGINAL

Case #:	15-005695	Date:	03/15/15	Time:	0032	hrs
Incident Type:	DRUNKENNESS					
Incident Location:	[REDACTED], JAMESTOWN, ND 58401					
Date of Report:	5/29/15	Report Type:	<input type="checkbox"/> Supplemental	<input checked="" type="checkbox"/> Follow -Up		
Investigating Officers:	R. GOFF #312		J. HUNT #211			

Complainant: WYMAN, ZACH	Phone:	[REDACTED]
Address: [REDACTED] JAMESTOWN, ND 58401		

Victim: #	Suspect: #	Witness: #	Other: # 1
Name: WHITE, DANIEL	DOB:		[REDACTED]
Address: [REDACTED] JAMESTOWN, ND 58401			
SSN:	Phone: (h)	(w)	

Photos:	Taped Interview:	Evidence Collected:
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Jamestown Police Department		Continuation or Follow-Up		Page 1 of 1	
Case #:	15-05695	Incident Date:	03/15/2015	Officer Name & #:	Lt. J. Hunt/211
NARRATIVE: (All Times are Approximate)					

On 03/15/2015 at approximately 0034 hrs, dispatch broadcasted a call for service wherein the caller returned home and found a male individual apparently passed out lying on the couch in the living room. I responded to the call as did Officer R. Goff who on that particular night was working in civilian clothes as a task force officer and driving an undercover pickup. On this particular night nearly all of the department's officers were assigned to work, regardless of whether it was their day off or not. The reason for all the additional officers was the fact the 'Running O the Green' was taking place and the extraordinary number of participants and huge volume of alcohol consumed

Officer Goff arrived at the location first and was in the process of walking the intoxicated individual up the stairway from the basement apartment. The intoxicated male was shirtless and silent. Officer Goff informed me that he was reentering the apartment to speak with the resident. I remained outside with the intoxicated male. On at least two occasions I asked the subject if he would prefer to have a seat in the rear of the patrol unit since the night was chilly and he was certainly dressed inappropriate for the weather conditions. Each time he decline my offer.

When Officer Goff returned from interviewing the residents he informed me the complainant had no desire to press any charges over the incident and was relieve the individual was only intoxicated and not suffering from any medical issues. Also at this time, Officer Goff informed me the intoxicated individual was hired recently as a Stutsman County deputy and his name was Daniel White. Officer Goff also indicated he had notified Sheriff Kaiser, who was also working this particular night, and he was reroute to our location.

Mr. White indicated that he was cold and wished to have a seat in a heated patrol car. He was informed that would be acceptable. He then attempted to enter the driver's side front seat of Officer Goff's undercover vehicle. I along with Officer Goff stopped him from entering the pickup and we were in the process of directing him to the rear seat of the marked patrol vehicle when Sheriff Kaiser arrived. Once Sheriff Kaiser was on scene he took custody of Mr White and left the area. Without asking, I assumed he was taking Mr White home.

Officer Goff and I had a brief discussion of the undesirable consequences which Mr White would more than likely be the focus of once he sobered up and the Sheriff had the opportunity to express his displeasure over the incident. Office Goff and I then left the area.

Officer Signature & Number:	<i>Lt James Hunt/211</i>	06/03/2015
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Jamestown Police Department		Continuation or Follow-Up		Page 1 of 1	
Case #:	15-005695	Incident Date:	03/15/15	Officer Name & #:	R. GOFF #312

On 5/29/15 Chief Edinger brought to my attention an issue with the above noted call for service; the call was not fully updated as it was missing a subject in the name file. At his request I am writing this follow-up report to detail the reasons why this was overlooked.

The date of this incident is significant in that it happens to be the night of Jamestown's biggest spring event, the Running O' The Green. During this event the Police Department and Sheriff's Office have most of their employees on duty to handle the event traffic and calls for service.

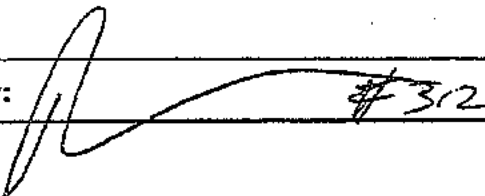
During the event I was working a plain clothes detail in an unmarked police unit. At around 0032 hours on 3/15/15 I heard dispatch broadcast a call that a drunk male was found passed out inside a house after the complainant arrived home from the bar. Being that other units were tied up at the time I responded to the call along with Lt. Hunt. When the call was dispatched, nature of the incident sounded more like a medical emergency than a home invasion. The complainant stated the male was highly intoxicated and passed out but still breathing.

I arrived at the location and met with the complainant, his friend and a male who was passed out in a living room chair. I recognized the male as Daniel White, a newly hired Stutsman County Deputy Sheriff at that time. Mr. White was gaining consciousness at the time I arrived. I asked the complainant if he had noticed any damage to his apartment and he stated there was not. I asked the complainant what he would like done about the situation and he stated that he just wanted Mr. White out of the house and was glad that he was ok; he made it abundantly clear that he did not want to press criminal charges. I later asked the complainant this a second time just to clarify and he again stated that he did not want press charges against Mr. White.

I was able to get Mr. White out of the house as Lt. Hunt was arriving on scene. I also contacted dispatch to get a hold of Sheriff Kaiser and have him respond to the scene as well. Sheriff Kaiser, who was also on duty at the time, arrived on scene minutes later and I advised him of the situation. Sheriff Kaiser gave Mr. White a ride home and Lt. Hunt and I left the scene.

Due to the nature of the events that night Mr. Whites name was not entered into the person file of the call, which at times tends to happen especially on busy nights. Normally dispatch enters the name of the subject into the system because they are running a warrant check on the subject, this did not happen because I never ran Mr. Whites name as I knew who he was.

Entering the name was also overlooked by me simply because I normally do not take calls for service anymore and am never the primary officer due to my position as a drug task force officer; I also do not have a mobile computer to update calls for service in my unmarked vehicle. Usually other shift officers will respond to the call but it just happened to be that I was the only officer at the scene that night other than Lt. Hunt so I recognize that there was some confusion as to who the primary officer was.

Officer Signature & Number:	 #312	Report Date:	5/29/15
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REGISTER OF ACTIONS
CASE No. JA-2013-TR-00384

City of Jamestown, ND vs. DANIEL WHITE

§
§
§
§
§
§

Case Type: Administrative Traffic
Date Filed: 04/01/2013
Location: -- Jamestown Municipal
Judicial Officer: Ottmar, Timothy J

PARTY INFORMATION

City Plaintiff City of Jamestown

Attorneys

Defendant WHITE, DANIEL GREGORY



CHARGE INFORMATION

Charges: WHITE, DANIEL GREGORY	Citation	Statute	Level	Date
1. Failed To Display Current Registration	5254772	21-04-12	No Level	03/27/2013

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

04/03/2013	Plea 1. Failed To Display Current Registration Guilty
04/03/2013	Disposition 1. Failed To Display Current Registration Guilty - Administrative Traffic

OTHER EVENTS AND HEARINGS

04/01/2013	Citation Doc ID# 1
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FINANCIAL INFORMATION

	Defendant WHITE, DANIEL GREGORY		
	Total Financial Assessment		20.00
	Total Payments and Credits		20.00
	Balance Due as of 02/01/2016		0.00
04/01/2013	Transaction Assessment		20.00
04/03/2013	Counter Payment Receipt # JA-2013-00681	WHITE, DANIEL GREGORY	(20.00)

JAMESTOWN POLICE DEPARTMENT RULES AND REGULATIONS

SUBJECT: GENERAL RULES OF CONDUCT/OPERATIONS

EFFECTIVE DATE: APRIL 7, 1998

NUMBER: 1 - 3

DISTRIBUTION: ALL PERSONNEL

REVISED DATE: 12/01/06

AMENDS / SUPERCEDES: RULES AND REGULATIONS, CHAPTERS 1 - 5 (1978)

APPROVED: *David Monagan*
CHIEF OF POLICE

NOTE: THIS RULE OR REGULATION IS FOR INTERNAL USE ONLY, AND DOES NOT ENLARGE AN OFFICER'S CIVIL OR CRIMINAL LIABILITY IN ANY WAY. IT SHOULD NOT BE CONSTRUED AS THE CREATION OF A HIGHER STANDARD OF SAFETY OR CARE IN AN EVIDENTIARY SENSE, WITH RESPECT TO THIRD PARTY CLAIMS. VIOLATIONS OF THIS DIRECTIVE, IF PROVEN, CAN ONLY FORM THE BASIS OF A COMPLAINT BY THIS DEPARTMENT, AND THEN ONLY IN A NON-JUDICIAL ADMINISTRATIVE SETTING.

I. POLICY

THE JAMESTOWN POLICE DEPARTMENT EXPECTS ITS PERSONNEL TO MAINTAIN HIGH STANDARDS OF APPEARANCE AND CONDUCT. THE PUBLIC SIMILARLY EXPECTS SUCH HIGH STANDARDS. POLICE OFFICERS WIELD CONSIDERABLE POWER OVER ITS CITIZENRY, POWER THAT IS CAREFULLY CIRCUMSCRIBED BY STATE AND FEDERAL LAW, AND, ULTIMATELY, BY THE CONSTITUTION AND BILL OF RIGHTS. OUR POWERS TO ARREST, SEIZE PROPERTY, AND INTERFERE, AT TIMES, WITH THE LIVES OF CITIZENS CONSTITUTE A PUBLIC TRUST. WE CAN HELP INSURE THAT WE REGARD THIS TRUST AS VITAL BY EXEMPLARY PERFORMANCE IN OUR JOBS.

II. PURPOSE

TO DEFINE DEPARTMENTAL EXPECTATIONS FOR PERSONAL BEHAVIOR ON-DUTY AND, TO SOME DEGREE, OFF-DUTY.

III. DEFINITIONS

ALL OFFICERS WILL DISPLAY THE DEGREE OF INTEGRITY REQUIRED BY THE LAW ENFORCEMENT CODE OF ETHICS:

LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, MY FUNDAMENTAL DUTY IS TO SERVE THE COMMUNITY; TO SAFEGUARD LIVES AND PROPERTY; TO PROTECT THE INNOCENT AGAINST DECEPTION, THE WEAK AGAINST OPPRESSION OR INTIMIDATION AND THE PEACEFUL AGAINST VIOLENCE OR DISORDER; AND TO RESPECT THE CONSTITUTIONAL RIGHTS OF ALL TO LIBERTY, EQUALITY AND JUSTICE.

V. GENERAL DUTIES

A. ALL OFFICERS OF THE DEPARTMENT WILL, AT ALL TIMES, WITHIN JURISDICTIONAL LIMITS, PREVENT CRIME, PRESERVE THE PEACE, PROTECT LIFE AND PROPERTY, DETECT AND ARREST VIOLATORS OF THE LAW, AND ENFORCE THE LAWS OF THE UNITED STATES, STATE OF NORTH DAKOTA, AND ALL LOCAL ORDINANCES, IN ACCORDANCE WITH THE RULES, REGULATIONS, POLICIES, PROCEDURES, AND ORDERS OF JURISDICTIONS AND THE DEPARTMENT. OFFICERS WILL BE EVER CONSCIOUS THAT WHEN THEY ACT UNDER "COLOR OF LAW," THAT THE PHRASE INCLUDES NOT ONLY LAWS BUT ALSO POLICIES, PROCEDURES, ORDINANCES, COMMON USAGE, AND CUSTOM.

B. OBEDIENCE TO LAWS ORDINANCES, RULES, REGULATIONS

1. DEFINITION

EMPLOYEES OF THE DEPARTMENT WILL OBEY ALL FEDERAL AND STATE LAWS. THEY WILL ALSO OBEY ALL LAWS AND ORDINANCES OF THE CITY OF JAMESTOWN OR OTHER JURISDICTIONS IN WHICH THE EMPLOYEE MAY BE PRESENT. EMPLOYEES WILL OBEY ALL RULES, REGULATIONS, DIRECTIVES, ORDERS AND MEMOS AS MAY BE ISSUED BY THE DEPARTMENT. THE TERM "EMPLOYEES" INCLUDES BOTH SWORN AND NON-SWORN PERSONNEL.

2. AUTHORITY

EMPLOYEES OF THE DEPARTMENT WILL OBEY ALL LAWFUL ORDERS ISSUED TO THEM BY COMPETENT AUTHORITY.

3. LAWFUL ORDERS

SUPERVISORY OFFICERS OF THE DEPARTMENT WILL NOT KNOWINGLY OR WILLFULLY ISSUE ANY ORDER IN VIOLATION OF ANY LAW OR ORDINANCE OR ANY RULE, REGULATION, GENERAL OF SPECIAL ORDER.

4. CONFLICT OF ORDERS

TO PERMIT EFFECTIVE SUPERVISION, DIRECTION, AND CONTROL, EMPLOYEES SHOULD PROMPTLY OBEY ANY LAWFUL ORDER OF A SUPERIOR, INCLUDING ANY ORDER RELAYED FROM A SUPERIOR BY AN EMPLOYEE OF THE SAME OR LESSER RANK. IN THE EVENT AN EMPLOYEE IS GIVEN TWO APPARENTLY LAWFUL BUT DIFFERENT ORDERS THAT MAY BE IN CONFLICT, THE LAST ORDER GIVEN SHOULD BE COMPLIED WITH UNLESS THE ORDER IS RETRACTED OR MODIFIED. IN THE EVENT AN EMPLOYEE RECEIVES CONFLICTING ORDERS, THE EMPLOYEE SHOULD INFORM THE PERSON GIVING THE LAST ORDER OF THE CONFLICT OF ORDERS. THAT PERSON GIVING THE CONFLICTING ORDER SHOULD THEN RESOLVE THE CONFLICT BY EITHER RETRACTING, MODIFYING OR REQUESTING THE EMPLOYEE TO COMPLY WITH THE LATEST ORDER. IN THE EVENT THE CONFLICTING ORDER IS NOT ALTERED OR RETRACTED, THE EMPLOYEE WILL NOT BE HELD RESPONSIBLE FOR DISOBEDIENCE OF THE ORDER OR DIRECTIVE ISSUED.

5. OBEDIENCE TO ORDERS

NO EMPLOYEE OF THE DEPARTMENT IS REQUIRED TO OBEY ANY ORDER WHICH IS CONTRARY TO THE LAWS OF THE UNITED STATES, STATE OF NORTH DAKOTA, OR ORDINANCE OF THE CITY OF JAMESTOWN; HOWEVER, SUCH REFUSAL TO OBEY IS THE RESPONSIBILITY OF THE EMPLOYEE AND THAT EMPLOYEE WILL BE REQUIRED TO JUSTIFY HIS/HER ACTION.

6. CIVIL RIGHTS

ALL MEMBERS SHALL TAKE CARE TO OBSERVE AND RESPECT THE CIVIL RIGHTS OF CITIZENS, AS THE TERM "CIVIL RIGHTS" IS COMMONLY UNDERSTOOD.

7. ARRESTS OF LAW ENFORCEMENT OFFICERS, GOVERNMENT OFFICIALS, COURT PERSONNEL

AN OFFICER WHO ARRESTS A LAW ENFORCEMENT OFFICER OF ANY AGENCY, GOVERNMENT OFFICIAL OR COURT PERSONNEL SHALL IMMEDIATELY NOTIFY THEIR SUPERVISOR OF THE FACT. OFFICERS ARE TO TAKE WHATEVER ACTION IS APPROPRIATE TO THE CIRCUMSTANCES, INCLUDING ISSUANCE OF WARNINGS, CITATIONS, SUMMONS OR MAKING AN IN-CUSTODY ARREST, THAT THE PERSON CITED OR ARRESTED IS A LAW ENFORCEMENT OFFICER, GOVERNMENT OFFICIAL OR COURT PERSONNEL SHALL MAKE NO DIFFERENCE.

8. EVIDENCE

- A. ALL ITEMS SEIZED BY OFFICERS AS EVIDENCE WILL BE PROPERLY LABELED AND DOCUMENTED ON THE PROPER FORMS AS SOON AS POSSIBLE AFTER SEIZURE.
- B. EVIDENCE WILL BE STORED IN THE DEPARTMENT PROPERTY ROOM. NO EVIDENCE IS TO BE KEPT IN OFFICERS FILE CABINETS OR SHOWER ROOM LOCKERS.
- C. EVIDENCE SHOULD BE STORED IN THE OFFICER'S EVIDENCE LOCKER UNLESS THE AMOUNT OR SIZE OF THE EVIDENCE DICTATES OTHERWISE. IN THAT CASE THE GENERAL STORAGE AREA OF THE PROPERTY ROOM WILL BE USED. THE EXACT LOCATION OF WHERE EVIDENCE IS STORED WILL BE INDICATED ON THE PROPERTY/EVIDENCE FORM SUCH AS INDIVIDUAL LOCKER, SECURE CAGE OR PROPERTY ROOM.
- D. AFTER COURT DISPOSITION, OFFICERS ARE TO NOTIFY THE RECORDS SECTION FOR PURPOSES OF RETURNING OR DESTROYING EVIDENCE. EVIDENCE IN THE FORM OF ALCOHOL OR NARCOTICS WILL BE DESTROYED. EVERY EFFORT WILL BE MADE TO RETURN EVIDENCE TO THE PROPERTY OWNER.

C. DISCIPLINARY/PERSONNEL ACTIONS

1. DISCIPLINARY ACTIONS MAY INCLUDE A WARNING (CONSULTATION FORM), AN ORAL OR WRITTEN REPRIMAND, SUSPENSION WITH OR WITHOUT PAY, REDUCTIONS IN SALARY, DEMOTION (IF SUPERVISOR) OR TERMINATION. PERSONNEL ACTIONS MAY INCLUDE PROBATION, COUNSELING, TRAINING, CLOSE SUPERVISION, PERFORMANCE EVALUATIONS, TRANSFER TO ANOTHER SHIFT OR DUTIES.
2. AS APPROPRIATE, DISCIPLINARY ACTION MAY BE TAKEN FOR ANY OF THE FOLLOWING ACTIONS:
 - A. INCOMPETENT OR INEFFICIENT PERFORMANCE OF DUTY OR INATTENTION TO OR DERELICTION OF DUTY.
 - B. INSUBORDINATION, DISCOURTEOUS TREATMENT OF THE PUBLIC OR A FELLOW EMPLOYEE, OR ANY ACT OF OMISSION OR COMMISSION OF SIMILAR NATURE DISCREDITING OR INJURING THE PUBLIC SERVICE OR ANY ACT JEOPARDIZING THE EFFECTIVE FUNCTIONING OF THEIR SERVICE.
 - C. MENTAL OR PHYSICAL UNFITNESS FOR THE POSITION WHICH THE EMPLOYEE HOLDS.
 - D. CONVICTION OF A FELONY OR MISDEMEANOR INVOLVING CONDUCT WHICH SHOCKS THE CONSCIENCE OF A REASONABLE PERSON.
 - E. FAILURE TO REPORT TO AN APPROPRIATE SUPERIOR AUTHORITY INCOMPETENCE, MISCONDUCT, INEFFICIENCY, NEGLECT OF DUTY, OR ANY FORM OF MISCONDUCT OR NEGLIGENCE OF WHICH THE EMPLOYEE HAS KNOWLEDGE.
 - F. FAILURE OF A SUPERVISORY EMPLOYEE TO TAKE CORRECTIVE ACTION REGARDING EMPLOYEES UNDER THEIR SUPERVISION WHO MAY BE GUILTY OF ANY FORM OF NEGLECT OF DUTY OR MISCONDUCT WHERE THE SUPERVISOR KNOWS OR SHOULD HAVE KNOWN OF SUCH DERELICTION.
 - G. FAILURE OF SUPERVISORY PERSONNEL TO PROPERLY MONITOR THE ACTIONS OF PERSONNEL UNDER THEIR CONTROL ACCORDING TO THE DEPARTMENT RULES AND REGULATIONS, POLICIES, AND PRACTICES, DIRECTIVES AND THE SUPERVISORS JOB DESCRIPTIONS. SHIFT SUPERVISORS ARE RESPONSIBLE FOR SEEING TO IT THAT ALL LEGITIMATE, REASONABLE REQUESTS FOR POLICE SERVICES ARE RESPONDED TO AND PROPER CLASSIFICATION, FOLLOW-UP, DISPOSITIONS, AND NOTIFICATIONS ARE MADE.

MIGHT TEND TO CAST ANY ADVERSE REFLECTION ON THE DEPARTMENT OR ANY EMPLOYEE THEREOF.

4. EMPLOYEES WILL NOT ACCEPT ANY GIFT, GRATUITY OR REWARD IN MONEY OR OTHER CONSIDERATIONS FOR SERVICES IN THE LINE OF DUTY TO THE COMMUNITY, OR TO ANY PERSON, BUSINESS OR AGENCY EXCEPT LAWFUL SALARY.

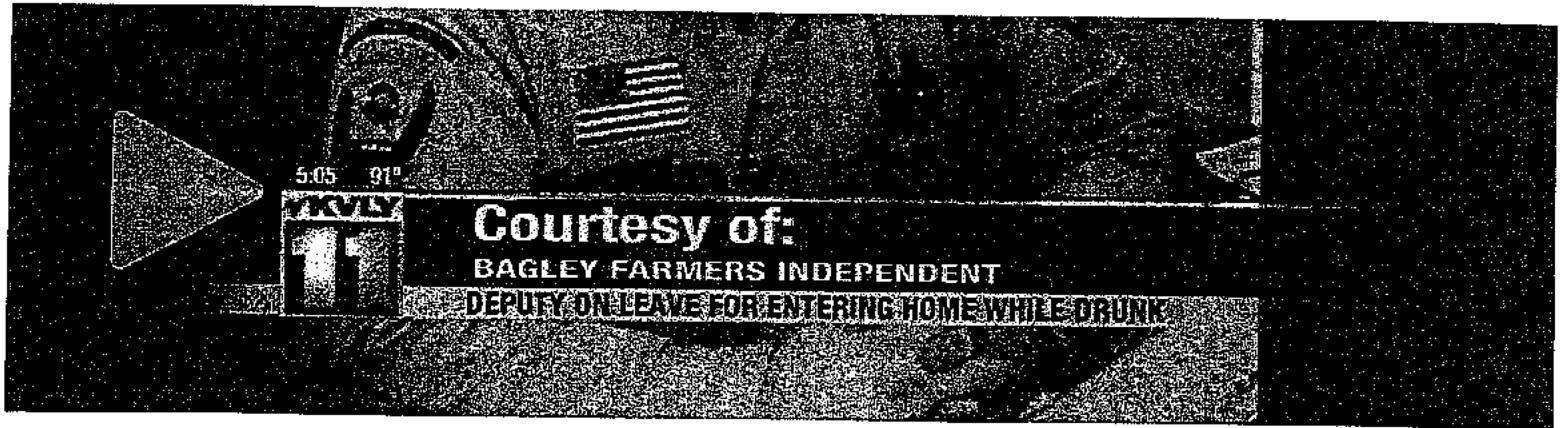
F. SUGGESTIONS OR GRIEVANCES

1. EMPLOYEES OF THE DEPARTMENT WISHING TO MAKE SUGGESTIONS FOR THE IMPROVEMENT OF THE DEPARTMENT, OR WHO FEEL INJURED OR OFFENDED BY THE TREATMENT, ORDERS, OR NEGLECT OF DUTY OF A SUPERIOR, MAY COMMUNICATE EITHER ORALLY OR IN WRITING, THROUGH PROPER CHANNELS SUCH SUGGESTION OR COMPLAINT TO THE CHIEF OF POLICE.
2. IF AN EMPLOYEE REASONABLY BELIEVES IT WOULD NOT BE IN THEIR BEST INTERESTS TO USE THE CHAIN OF COMMAND FOR ANY SUGGESTION, COMPLAINT OR GRIEVANCE, THAT EMPLOYEE MAY CONTACT THE CHIEF OF POLICE DIRECTLY. IF THE CHIEF OF POLICE DEEMS APPROPRIATE, HE MAY REFER THE EMPLOYEE THROUGH THE CHAIN OF COMMAND TO ENSURE ITS PROPER AND EFFICIENT FUNCTIONING.
3. MATTER SUCH AS THOSE OF A PERSONAL OR CONFIDENTIAL NATURE MAY BE BROUGHT DIRECTLY TO THE CHIEF OF POLICE.
4. EMPLOYEES MAY NOT DIRECTLY APPROACH THE HIRING AUTHORITY, CITY COUNCIL MEMBERS, OR OTHER CITY OFFICIALS ON ANY OFFICIAL MATTER CONCERNING THE POLICE DEPARTMENT WITHOUT PERMISSION OF THE CHIEF OF POLICE. MOST MATTERS OF POLICE DEPARTMENT BUSINESS CAN BE HANDLED OR RESOLVED AT THE DEPARTMENT LEVEL; HOWEVER, IT IS EXTREMELY UNLIKELY THAT ANY REQUEST TO CONTACT ONE OF THE AFOREMENTIONED OFFICIALS WOULD BE DENIED. IF THE MATTER IS NOT RESOLVED TO THE EMPLOYEE'S SATISFACTION, THE CHIEF OF POLICE WILL REFER THE MATTER TO THE APPROPRIATE OFFICIAL.
5. EMPLOYEES, SUBJECT TO THE ABOVE, MAY AT ANY TIME USE THE CITY OF JAMESTOWN GRIEVANCE PROCEDURE.

G. DUTY

1. EMPLOYEES OF THE DEPARTMENT WILL REPORT FOR DUTY AT THE TIME AND PLACE SPECIFIED BY THEIR ASSIGNMENT AND SCHEDULE AND COMPLETE THE NUMBER OF HOURS ON DUTY REQUIRED BY THEIR ASSIGNMENT OR SCHEDULE.
2. EMPLOYEES OF THE DEPARTMENT WILL REPORT ON TIME FOR ANY COURT APPEARANCE, ADMINISTRATIVE HEARING, MANDATORY TRAINING OR ANY OTHER MANDATED MEETING OR ACTIVITY UNLESS EXCUSED BY THE COURT PROSECUTOR, CHIEF OF POLICE, OR IN HIS ABSENCE THE EMPLOYEE'S SUPERVISOR.

3. EMPLOYEES OF THE DEPARTMENT SHALL NOT REFUSE TO WORK ANY OVERTIME WHEN DIRECTED BY COMPETENT AUTHORITY (I.E. SHIFT SUPERVISORS OR ADMINISTRATION).
4. EMPLOYEES OF THE DEPARTMENT, WHILE ON DUTY, WILL REMAIN ALERT AND AWAKE, UNENCUMBERED BY ALCOHOLIC BEVERAGES, PRESCRIPTION DRUGS, ILLEGAL NARCOTICS, OR CONFLICTS ARISING FROM OFF-DUTY EMPLOYMENT.
5. EMPLOYEES OF THE DEPARTMENT, WHILE ON DUTY, WILL ENGAGE IN ANY ACTIVITY OR PERSONAL BUSINESS WHICH WOULD CAUSE THEM TO NEGLECT THEIR DUTY.
6. EMPLOYEES OF THE DEPARTMENT SERVE IN ORDER TO PROTECT LIVES AND PROPERTY, PRESERVE THE PEACE, ENFORCE THE LAWS OF THE CITY AND STATE, AND ASSIST AND SERVE THE PUBLIC IN ANY REASONABLE REQUEST OR CALL FOR SERVICE.
7. OFFICERS SHALL IDENTIFY THEMSELVES TO ANY PERSON REQUESTING AN OFFICER'S NAME, RANK, AND BADGE NUMBER.
8. ALL OFFICERS SHALL MAINTAIN A TELEPHONE AT THEIR HOME. OFFICERS SHALL NOTIFY THE POLICE DEPARTMENT RECORDS SECTION OF THEIR TELEPHONE NUMBER, ADDRESS, AND ANY CHANGES THEREOF. EMPLOYEES WITH UNLISTED NUMBERS SHALL NOT HAVE THEIR UNLISTED NUMBER RELEASED TO ANY ONE EXCEPT OTHER DEPARTMENT PERSONNEL UNLESS THE EMPLOYEE WITH THE UNLISTED NUMBER GIVES APPROVAL FOR ITS RELEASE. HOME ADDRESSES OF DEPARTMENT EMPLOYEES WILL NOT BE GIVEN TO ANYONE EXCEPT OTHER DEPARTMENT EMPLOYEES OR CITY HALL FOR THEIR EMPLOYMENT PURPOSES WITHOUT THE APPROVAL OF THE EMPLOYEE OR THE CHIEF OF POLICE.
9. ALL OFFICERS SHALL, IN A TIMELY FASHION, COMPLETE AND SUBMIT ALL FORMS AND REPORTS REQUESTED BY THE DEPARTMENT AND THE LAWS OF THE STATE.
10. EMPLOYEES SHALL NOT PROVIDE INFORMATION FROM COMPUTER BASED VEHICLE LICENSE CHECKS TO CITIZENS.
11. IF INJURED, OFFICERS SHALL PROMPTLY NOTIFY THEIR SUPERVISOR OF THE INJURY AND THE CIRCUMSTANCES OF IT.
12. OFFICERS WHILE ON DUTY, SHALL CONSTANTLY KEEP THE DISPATCH CENTER INFORMED OF THEIR WHEREABOUTS. ANY TIME AN OFFICER LEAVES THEIR VEHICLE, THAT OFFICER OR EMPLOYEE WILL CALL IN THEIR LOCATION AND RECEIVE CONFIRMATION FROM THE DISPATCH CENTER. WITHOUT FAIL, ALL TRAFFIC STOPS OR STOPS OF CITIZENS ON FOOT WILL BE CALLED IN GIVING THE EXACT LOCATION OF THE STOP, LICENSE NUMBER OF THE VEHICLE OR VEHICLE DESCRIPTION IF NOT LICENSED OR AT A MINIMUM A GENDER DESCRIPTION AND AGE RANGE OF PERSONS BEING STOPPED IF NOT IN A VEHICLE. TO THIS END,



A Clearwater County Sheriff's deputy is under investigation after allegedly entering a woman's house by mistake while intoxicated.

It happened early Sunday morning in Clearbrook, Minnesota. Authorities got a call from a woman who was home alone and said she heard someone else inside. A Clearbrook/Gonvick police officer and a Clearwater County Deputy arrived to find the intruder had left.

Police learned later that the intruder was off-duty Sheriff's Deputy Tom Davis, who is a nine year veteran of the Clearwater County Sheriff's Office.

Police say Davis was intoxicated at the time and entered the house by mistake, but are not releasing any other details due to an ongoing criminal investigation, along with an internal investigation.

"This kind of behavior is not acceptable, especially from any member of the Clearwater County Sheriff's Office even though he was off-duty at the time," Clearwater County Sheriff Darin Halverson said Tuesday.

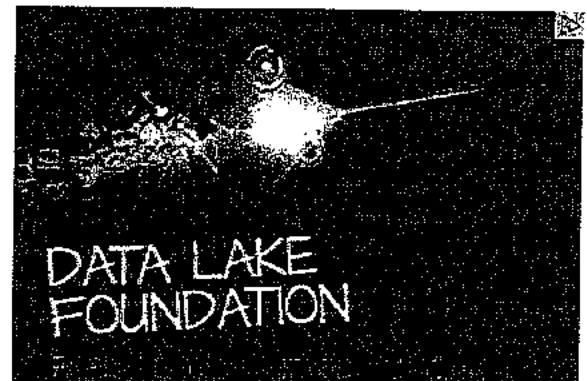
Davis has been placed on unpaid administrative leave, pending the outcome of the investigation.

Sheriff Halverson added, "I am disappointed and embarrassed by this situation and I would like to publicly apologize to not only the victim in this case, but to all the citizens of this county for the actions of one of my deputies."

The Clearbrook/Gonvick Police Department is conducting the criminal investigation in this case.



Tom Davis, Picture from Bagley Farmers Independent




Larson Law Firm

From: "Larson Law Firm" <joelarson@daktel.com>
To: "Joe Larson" <joelarson@daktel.com>
Sent: Saturday, January 30, 2016 10:53 AM
Subject: Minot Arrest

Minot Police Arrest Man for Trespassing in Garage while Intoxicated

Updated: Sat 1:23 PM, Jan 02, 2016

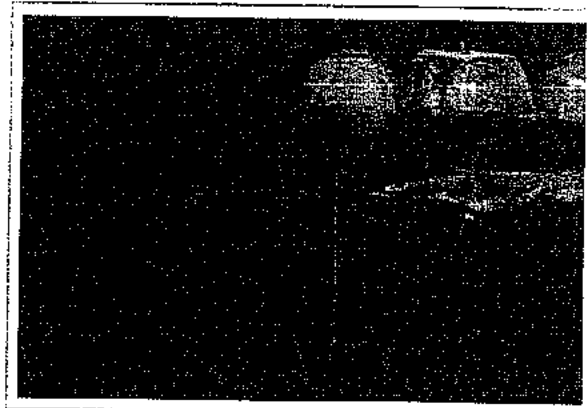
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A 23-year-old Minot man was arrested for criminal trespass after residents called police about a stranger in their garage.

Minot Police responded to the call at the 2500 block of 5th St. NW where they found the 23-year-old man around 1:00 a.m. Saturday morning.

Police say the man was drunk and thought he was inside a friend's house.

Law enforcement says the homeowners didn't know the man and he was arrested for criminal trespass. He was taken to Ward County Jail.



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Exhibit 10