

Meeting Minutes
IDAHO LAW ENFORCEMENT, FIREFIGHTING AND EMS
MEDAL OF HONOR COMMISSION

Tuesday, February 11, 2020
10:00 A.M. MST

Office of the Idaho Attorney General
Statehouse, Room 210
700 West Jefferson Street
Boise, Idaho

Attorney General Lawrence Wasden, chairing the meeting, called the meeting to order at 10:00 a.m.

Item 1a – The Commission Secretary called roll.

The following Commissioners were present:

Lawrence Wasden, Attorney General, Office of the Idaho Attorney General
Wayne Denny, Chief, Bureau of Emergency Medical Services & Preparedness
Dennis Doan, Chief, Idaho Fire Chiefs Association
Brad Johnson, Division Administrator, Police Officer Standards & Training Council
Jeff Lavey, Chief, Idaho Chiefs of Police Association
Bart May, Sherrif, Idaho Sheriffs Association
Tim Miller, Captain, Idaho Peace Officers Association
Bryan Taylor, Prosecuting Attorney, Idaho Prosecuting Attorneys Association

The following Commissioner was absent:

Louis Hougaard, Policy Advisory, Office of the Governor

Others present: Scott Graf, Public Information Officer (OAG)
Garrett de Jong, Fire Chief, McCall Fire Protection District
Joseph Huff, Chief, Nampa Police Department
Brad Daniels, Captain, Nampa Police Department
Jeff Klone, Lieutenant, Lewiston Police Department – via telephone
Andrew (“Andy”) Snook, Division Chief of the Contracts & Administrative Law Division (OAG)
Suzie Markowski, Assistant to Chief Dennis Doan
Kimi White, Commission Secretary (OAG)

The Chair announced a quorum was present.

Item 1b – The agenda was reviewed; no amendments were made.

Item 2 – Chairman Wasden asked if there were any changes to the proposed May 15, 2019 minutes and the October 29, 2019 special telephonic meeting minutes. Ms. White informed the Commission that she received emails from Captain Miller informing her of two corrections to the May 15, 2019 minutes. The first correction is that he was not listed as present or absent, just that he arrived at 1:34 p.m. The second correction is regarding the last paragraph of page 3, where Captain Miller’s email stated that since Chief Lavey represents the Idaho Chiefs of Police Association, that is who he is referring to pay for the awards. Mr. Taylor moved to incorporate the revisions and approve of the May 15, 2019 minutes. Sheriff May seconded the motion. Chairman Wasden called for discussion. Hearing none, he called for the vote. The motion passed unanimously.

Chairman Wasden then called for a motion on the October 29, 2019 special telephonic meeting minutes. Chief Denney moved to approve the October 29, 2019 special telephonic meeting minutes. Captain Miller seconded the motion. Chairman Wasden called for discussion. Hearing none, he called for the vote. The motion passed unanimously.

Item 3 – Qualifications – Chairman Wasden reviewed the rules for awarding the Idaho Law Enforcement, Firefighter and EMS Medal of Honor.

Item 4 – Proposed Legislation Review – Chairman Wasden requested Andy Snook, Chief of Contracts & Administrative Law Division for the Office of the Attorney General, update the Commission with the status of the proposed legislation. Mr. Snook informed the Commission of three draft versions of proposed Idaho Code § 67-8805 – Design and Cost, for the Commission’s consideration. The first option was approved at the October 29, 2019 meeting. The new options were drafted to address potential recipients from the Idaho State Police, the Office of the Attorney General, or other agencies that are not specifically addressed in the prior drafts. The Idaho State Police was supportive of the proposed legislation and their inclusion into the statute which states they will be responsible for the cost of medals awarded to Idaho State Police troopers. The Department of Fish & Game has a federal spending requirement that precludes their ability to contribute to the payment of costs for the award, should one of their officers be awarded. The Attorney General’s Internet Crimes Against Children unit had questions concerning the spending and budget and, therefore, could not at this time commit to the cover the costs for the award if one of their investigators was to receive it.

Chief Lavey had several questions regarding this matter. He inquired as to who would pay for the award of a Fish & Game officer as the statute is currently written, the agency? What happens if the agency is not a member of the Idaho Chiefs of Police Association or Idaho Sheriff’s Association? He then stated that he still feels that the state of Idaho should pay for the awards because it is a state award. Chairman Wasden stated that he has brought forth this question to state officials, but has yet to receive an answer. Chief Lavey further stated that the Idaho Chiefs of Police Association will cover the costs for awards of law enforcement officers if the state does not.

Chief Doan informed the Commission that the Idaho Fire Chiefs Association has agreed to pay for any firefighter or EMS recipient even if they are not a member of the Association.

Chairman Wasden informed the Commission that he and Mr. Snook would like another opportunity to approach state officials to raise the issue of having the state pay for the awards. He suggested that the Commission leave the language in Idaho Code section 67-8805 as it is currently written.

Chief Doan stated his concern with having to wait another year before the statute can be revised. He would like to see the revisions to section 67-8803 concerning the ceremony logistics brought forward in this year's legislative session. Chief Doan stated that he felt Option 3 would be difficult to maintain. He prefers Option 2 because it provides other agencies the ability to help sponsor the costs for recipients who are not members of either association.

Chief Doan moved to revise the proposed legislation with the language in Option 2 and then to proceed with its introduction in the legislature. Chief Lavey voted no on this motion. He explained that he doesn't want to proceed if the language in section 67-8805 will need to be changed because it is more difficult to change it once it has become law.

Chairman Wasden recommended that the Commission move forward with the proposed legislation without including any of the payment options.

Chief Lavey made a motion to approve of the revisions to the legislation as presented, but to leave the payment of the award language as it is currently written in section 67-8805, with the caveat that it be addressed in a timely manner. Commissioner Denny seconded the motion. Chairman Wasden called for discussion. Commissioner Taylor stated that the term "Idaho Law Enforcement, Firefighter and EMS" should be shortened throughout the statute. Commissioner Denny stated that the term is shortened in section 67-8801 to "medal of honor" and is referred to as such thereafter. Ms. White informed the Commission that the third sentence of proposed section 67-8805 should be revised and shortened to reflect the actual inscription on the reverse side of the medal, "For Honorable and Meritorious Conduct." Chief Lavey revised his motion to include the update to the language on the reverse side of the medal. Commissioner Denny seconded the motion. Chairman Wasden called for discussion. Hearing no more discussion, Chairman Wasden called for the vote. The motion passed unanimously.

Item 5 – Consideration of the Nominees.

Item 5A and Item 5B – Nominations of Jason Beck, Firefighter/EMT with the McCall Fire Protection District and Jonathan Metz, Firefighter/Paramedic with the McCall Fire Protection District. Fire Chief Garrett de Jong was in attendance to provide a narrative of the incident and to be available for questions. Chairman Wasden asked Chief de Jong to relay the incident to the Commission. Ms. White then played the Youtube videos of the

news coverage from the time of the incident. The Chair then opened up the floor for the Commission members to ask Chief de Jong questions. The Commission members discussed their understanding of the incident and the nominations at length to determine if they meet the qualifications. Chairman Wasden asked if there was any further discussion. Hearing no comments, he called for a motion. Sheriff May moved to award the Idaho Medal of Honor to both Jason Beck and Jonathan Metz. Commissioner Denny seconded the motion. Chairman Wasden called for discussion. Hearing none, he called for the vote. The motion passed unanimously.

Chief Doan informed the Commission that the Fire Chiefs Association will pay for the costs of the awards for these recipients.

Item 5C – Item 5F – Nominations of Brett Dammon, Detective for the Lewiston Police Department, Jacob Gunter, Officer for the Lewiston Police Department, Nick Krakalia, Officer for the Lewiston Police Department and Eric Olson, Officer for the Lewiston Police Department. Ms. White tried to reach the recommending official Lieutenant Jeff Klone by phone, but was unsuccessful.

The Commission determined to skip to the next nominee, Corporal Eric Duke, agenda Item 5G. They will try to reach Lieutenant Klone again after reviewing Corporal Duke's nomination application.

Item 5G – Nomination of Eric Duke, Corporal for the Nampa Police Department. Chief Joseph Huff and Captain Brad Daniels were in attendance to provide a summary of the incident and to be available for questions. Chairman Wasden asked Chief Huff to describe the incident to the Commission. To maintain transparency, Commissioner Taylor informed the Commission that he was involved in the investigation of this incident. The Commission determined that Commissioner Taylor's involvement as a prosecutor in this incident posed no conflict. Ms White then played the body-camera footage submitted with the application. The Chair then opened up the floor for the Commission members to ask Chief Huff and Captain Daniels questions. The Commission members discussed their understanding of the incident and the nomination at length to determine if the qualifications were met. Chairman Wasden asked if there was any further discussion. Hearing no comments, he called for a motion. Chief Doan moved to award the Idaho Medal of Honor to Eric Duke. Commissioner Taylor seconded the motion. Chairman Wasden called for discussion. Hearing none, he called for the vote. The motion passed unanimously.

Item 5C – Item 5F (Continued) – Nominations of Brett Dammon, Detective for the Lewiston Police Department, Jacob Gunter, Officer for the Lewiston Police Department, Nick Krakalia, Officer for the Lewiston Police Department and Eric Olson, Officer for the Lewiston Police Department. Lieutenant Klone was contacted via phone and asked to provide a narrative of the incident and to be available to answer questions. Chairman Wasden asked Lieutenant Klone to describe the incident to the Commission. The Commission members discussed their understanding of the incident and the nominations at length to determine if the qualifications were met. Chief Lavey asked Lieutenant Klone to outline each officers' individual involvement. To assist the Commissioners, Chairman

Wasden re-read Item 3 – Qualifications, the rules for awarding the Idaho Law Enforcement, Firefighter and EMS Medal of Honor. The Commission members further discussed each nomination. Chairman Wasden asked if there was any further discussion. Hearing no comments, he called for a motion. Commissioner Taylor moved to not award the Idaho Medal of Honor to Brett Dammon, but to send him a letter of commendation. Chairman Wasden called for discussion. Hearing none, he called for the vote. The motion passed unanimously.

Commissioner Taylor moved to not award the Idaho Medal of Honor to Jacob Gunter, but to send him a letter of commendation. Chairman Wasden called for discussion. Hearing none, he called for the vote. The motion passed unanimously.

Commissioner Taylor moved to not award the Idaho Medal of Honor to Nick Krakalia, but to send him a letter of commendation. Chairman Wasden called for discussion. Hearing none, he called for the vote. The motion passed unanimously.

Commissioner Taylor moved to award the Idaho Medal of Honor to Eric Olson. Chairman Wasden called for discussion. Hearing none, he called for the vote. The motion passed unanimously.

Chairman Wasden then restated the Idaho Medal of Honor recipients for 2020 as: Jason Beck, Jonathan Metz, Eric Duke and Eric Olson.

Item 6 – Per statute, the Idaho Medal of Honor Ceremony for law enforcement officers must be held during *National Law Enforcement Recognition Week*, which is June 7-13, 2020. It was moved by Chief Lavey and seconded by Commissioner Johnson that the Commission hold the Idaho Medal of Honor Law Enforcement Ceremony on June 10th, in the Lincoln Auditorium of the Capitol Building. Chairman Wasden called for discussion. Hearing none, he called for the vote. The motion passed unanimously.

Per statute, the Idaho Medal of Honor Ceremony for firefighters and EMS must be held during the annual *Idaho Fallen Firefighter Memorial Ceremony*. Chief Doan moved to award firefighters Jason Beck and Jonathan Metz during the Idaho Fallen Firefighter's Memorial Ceremony, which is scheduled on August 28, 2020. Chief Lavey seconded the motion. Chairman Wasden called for discussion. Hearing none, he called for the vote. The motion passed unanimously.

Item 6 – Chairman Wasden called for a motion to adjourn. Commissioner Denny moved to adjourn. Commissioner Taylor seconded the motion. Chairman Wasden called for the vote. The motion passed unanimously.

The Commission meeting adjourned at 12:21 p.m.