

**Federal Rule 26
Sections (i), (ii) and (iii).
Documents Reviewed
and
Resources Used To Provide Opinion**

DECLARATION OF Dr. Matthew J. Stiehm

I, Dr, Matthew J. Stiehm being of legal age, and under penalties of perjury follows state as,

1. I am a competent adult and have personal knowledge of the following facts, or believe them to be true based on information provided to me. The facts about which I do not have personal knowledge are of the type reasonably relied upon by experts in this field and have probative value to me in rendering my opinions to assist the court.
2. Attached hereto is a true and accurate copy of my expert report in this litigation.
3. The report summarizes my analysis and findings and includes a statement of my opinions. The report also includes data and other information considered by me in forming my opinions and sets out my qualifications (including my resume).
4. My opinions are expressed to a reasonable, or higher, degree of professional certainty.
5. I affirm under the penalties of perjury that the foregoing statements are true and correct.

Dr. Matthew J. Stiehm
Stiehm Solutions LLC

Section One

Qualifications of Dr. Matt Stiehm

1. Dr. Matthew J. Stiehm was born and raised in Minnesota. Dr. Stiehm received an Educational Doctorate from Argosy University, where the focus of his research was campus safety and security. I have a Master's Degree of Criminal Justice from Central Missouri State University, and a Bachelor's of Science from Wayne State College, Nebraska. I have attended and received a CLS designation from the Americans for the Effectiveness of Law Enforcement non-profit organization that focuses on the legal side of use of force issues. I have served as a police officer in three states (CA, MN and NE), and I keep current on law enforcement trends. I review Policeone, Officer.com Law Officer Magazine, FBI Bulletin and other magazines to maintain relevancy in law enforcement trends. I additionally attended regular law enforcement trainings. Dr. Stiehm has also conducted research with the Columbia Heights Police Department (MN) on community policing. Finally I submit proposal to speak on topics relating to use of force, investigations, campus safety and security on a regular basis. There are a series of attached professionally published articles. Most notably I spoke at the IACLEA Conference in Canada on use of force management in a college/university setting.
2. I am currently is a member of ILEETA, an Associate Member of the IACP, Police Executive Research Forum Subscribing Member and former supporting Member of the MN Chiefs Association, and FBI LEEDA. Dr. Stiehm sits as an advisory board member of the Clery Center.
3. Dr. Stiehm has attended the following use of force related programs; SABRE Chemical Aerosol Spray Instructor Course PeaceKeeper Baton Instructor Transition Program, ASP Baton Instructor Program, ASP Handcuffing Instructor Program, Minneapolis Community College Use of Force Instructor I and II, Pressure Point and Control Tactics (PPCT) Instructor Training, R.A.D. Instructor Training Program, Americans for the Effectiveness of Law Enforcement- Lethal and Less Lethal Force, Discipline and Internal Investigations and Managing Use of Force, ALiCE Instructor Training Program,, LOCKUP Use of Force for Managers, LOCKUP LEADS Program, Institute for the Prevention of In custody Deaths Legal, Medical and Scientific Constraints on Human Restraints Symposium, Federal Law Enforcement Training Center Rural Policing Institute Use of Force Instructor Update, PATC Officer Involved Shooting, Lorman Use of Force Seminar, Minnesota Bureau of Criminal Apprehension Transparency to Trust, Upper Midwest Community Policing Institute – Internal Affairs Course, and finally Dr. Stiehm has attended a two day Force Science Course. Dr. Stiehm has attended the ILEETA Conference for three out of the past five years. He has presented to the Park Law Enforcement Association on Use of Force, and has presented at the College and University Police Investigators Conferences on Use of Force. Most recently Dr. Stiehm presented at the International Association of Campus Law Enforcement Administrators on the Implications of Force on a College Campus. As is specifically relates to ECW/ECD/Tasers – Dr. Stiehm has attended numerous hours of training hosted by AELE, Force Science, and Taser International on the weapons platform, and use. To include best practices, and preferred practices. Dr. Stiehm reviews ECD.info on a regular basis and is in contact with officials at Taser International on updates related to the weapons system.
4. Dr. Stiehm has also has worked as an adjunct instructor for the Federal Law Enforcement Training Center out of Glynco, Georgia where he was part of a training team that went to the Nebraska Law Enforcement Training Center in Grand Island to train on the topic of Domestic Violence. Dr. Stiehm has written as a former lead contributor on leadership for <http://www.lawenforcementtoday.com/>. Dr. Stiehm also has written documents in support of training with in Tribal Communities to include a letter to Seymour Jones FLETC. Dr. Stiehm has also written for Policeone.com on a variety of topics relating to use of force. Dr. Stiehm is also writing for Correctionsone.com and had an article published at Law Officer Magazine on use of force. Dr. Stiehm is currently in the process of becoming a subject matter expert to review curriculum for a new IADLEST.
5. Dr. Stiehm was also interviewed at the 2012 ILEETA Conference by Sgt. Betsy Bartner Smith on the topic of Child Abuse Investigation which was made available on November 21st, 2012 on the Policeone Academy page. He also authored a companion piece which was published on Policone.com. Dr. Stiehm is currently an expert contributor for Policeone. He has had an article with IACLEA Journal on Use of Force by Non-Sworn Personnel. Dr. Stiehm also wrote an article dealing with use of force by non-sworn park law enforcement agents which was published on two different websites. He also serves as a Co-Editor and contributor for the Journal of Law Enforcement. Dr. Stiehm had a featured article in the ILEETA Journal on Police Use of Force and Minnesota's looking at best

practices. Additionally he is working on a second article for ILEETA on the topic of Tasers and appropriate application of the weapons system. As well as a variety of articles, and personal research relating to police practices, and use of force. He currently moderates two different professional groups on LinkedIn.com the first is the Minnesota Law Enforcement Network and the second is Law Enforcement Experts. Dr. Stiehm has sent his dissertation which deals with Campus Safety and Security to Secretary of Education Arne Duncan, Minnesota Office of Higher Education Larry Pogemiller, and Wisconsin Governor Scott Walker for review to help make decisions on issues impacting campus safety and security. Dr. Stiehm was interviewed by Policeone.com at the 2013 ILEETA Conference for Campus Security Use of Force, and review of complex child abuse cases using the Jerry Sandusky case as a case study. Dr. Stiehm was interviewed at the 2014 ILEEA Conference on Mentoring, Leadership, Use of Force Reporting, Campus Law Enforcement and Federal Oversight. Dr. Stiehm also was interviewed at the 2015 ILEETA Conference for Policeone on a variety of topics to include police use of force as a result of the high profile incident that have occurred in the past year. Dr. Stiehm in 2015 also taught approximately 50 Officers at the St. Louis County Police Academy in the wake of police accountability issues relating to use of force. Dr. Stiehm is currently in talks with a Minnesota based training provider to provide a one day training in “out” state Minnesota, and has one class calendared for October 2015.

6. Dr. Stiehm has worked as a curriculum expert creating a variety of classes in all types of arenas to include, online, hybrid (blended), traditional classroom, professional development/continuing education and single source presentations. Most notably Dr. Stiehm has presented at the IACLEA International Conference, Montreal (2014), American Correctional Conference, (2009), International Law Enforcement Educators and Trainers Conference (2009, 2011 and 2012), MN IACLEA Conference (2011), and the International Association of Chiefs of Police (2011). He has also presented at local conferences to include the Minnesota Career College Association (2008, 2010, and 2011), and a local conference of the Park Law Enforcement Association sponsored by Three Rivers Park District Police Department.
7. Dr. Stiehm has been in negotiations and conversations with The Police Foundation out of Washington D.C. to conduct some potential research in regard to using apologies to mitigate lawsuits. Dr. Stiehm has provided written reports to the United States District Court of Minneapolis, and Indiana in support of civil actions for police use of force. Dr. Stiehm also provided support to the St. Paul Police Federation in support of an officer’s employment action against the city of St. Paul. Dr. Stiehm is conducting his own research into MN Use of Force policies, and Correctional Officers use of force.
8. Addenda – (1) Dr. Stiehm CV, (2) copies of articles that have been published in various professional police magazines on use of force, (3) materials used in support of this opinion.

Introductory Statements

Not Legal Advice or the Practice of Law - The expert services rendered in this case and this document are not legal advice, and are not to be construed, in any way, as the practice of law. The expert report is developed by a law enforcement or police practices professional for use in official governmental proceeding.

Report Focus – This report is focused solely on issues related to the interaction between Sgt. E. Braathen and Rodney Brossart on June 23rd, 2011.

This Case Specific Limitation - Any actions, statements, writings, this report, information, any testimony, etc. are specifically limited to this case.

Expert Capacity - This report and any subsequent reports, testimony, opinions, etc. are within my capacity under Stiehm Solutions LLC.

Right to Amend - The opinions in this report are living opinions. That is, should additional discovery material be received, and/or additional research be completed, and then reviewed, these opinions may be altered and/or reinforced depending upon what information is obtained, reviewed, considered, and/or studied.

Further Development - The opinions expressed in this report are not necessarily final in nature. Rather, they are listed to comply with current report requests. Each opinion may be further developed through research,

investigation, during deposition, and/or trial testimony.

Specific References - Some of the opinions in this report may list specific references to some of the documents reviewed and/or considered or specific references. These listings are not intended to be all inclusive. I specifically reserve the right to supplement the support for each of the opinions in this report.

Newly Identified Issues - If new issues are opined, identified, and/or developed subsequent to submission of this report, I reserve the right to supplement this report.

Degree of Certainty - All opinions stated in this report are in direct regard to the case captioned, and the underlying incident or events leading to this case, and are expressed to a reasonable, or higher, degree of professional certainty and/or probability.

Credibility Determinations - Credibility determinations are solely and exclusively within the province of the trier of fact.

Case Specific Documents Reviewed and/or Considered

1. Discovery Documents Part One Number of Pages 96 – Starting Bates Number N/A
 - Contents include;
 - Interrogatories
 - Page 8 – has first Bates Number 000001
 - Taser X26E Operating Manual
2. Discovery Documents Part Two Number of Pages 91 – Starting Bates Number 000090
3. Discovery Documents Part Three Number of Pages 71 – Starting Bates Number 00181
4. Discovery Documents Part Four Number of Pages 55 – Starting Bates Number 000251
5. Discovery Documents Binder 1 of 1 – Part 1 Number of Pages 191 – Bates Number 000203 – starts second page
6. Discovery Documents Binder 1 of 2 – Part 2 Number of Pages 118 – Starting Bates Number 000163
 - Description of material documents relating to investigation of Sheriff Janke –
7. Deposition of Sheriff Kelly Janke
8. Deposition of Wesley J. Davidson
9. Deposition of Eric Braathen
10. Report of Sgt. E. Braathen
11. Report of Deputy Olson
12. North Dakota POST Board Administrative Rules – 109-02-02-15 – Continued Education Requirements
13. State of South Dakota POST Board
14. State of Minnesota POST Board Rules – Continuing Education for Law Enforcement
15. State of Wyoming – Continuing Education Standards for Law Enforcement
16. State of Nebraska – Continuing Education Standards for Law Enforcement
17. Recording of interaction with Plaintiff and Sgt. Braathen at scene of incident
18. Selected sections from Criminal Trial Transcript 32-2011-CR-0049 and 32-2011-CR-0071 – provided by Plaintiff's Attorney Mr. T. Lamb
19. North Dakota Cattle Laws http://asci.uvm.edu/equine/law/fence/nd_fnc.htm
20. Valparaiso University Law Review -Spring, 2015
21. North Dakota Code 12.1-05-05 - https://www.lawserver.com/law/state/north-dakota/nd-code/north_dakota_code_12-1_05_07
22. Video from Sgt. Braathen's Police Car

Non Case Specific Documents and Trainings Attended to Assist -Reviewed and/or Considered

1. End Users Course – Chemical Irritant – AERKO Freeze +P - June 2015
2. End Users Course – SPEAR Training June 2015
3. End Users Course – LOCK-UP Training June 2015
4. Attendance at ILEETA 2015 – Sessions of note
 - In-Custody Death Research Update – Chris Lawrence
 - <1 Per Career Considerations for a very rare force incident – Mike Brave
 - Science of Arrest Related Deaths for Law Enforcement Trainers Dr. Kroll

- Applications of Force Science Principles – L. Hahn
- 5. Attendance at SABRE Chemical Aerosol Instructor Class – April 2015
- 6. Attendance at Taser® Use of Force Risk Management and Tech Solutions Seminar August 2014
- 7. Attendance at ASP Handcuffing Instructor Course – June 2014
- 8. Attendance at ASP Baton Instructor Course – June 2014
- 9. [Attendance at the ICIPD Human Restraints – Las Vegas – April 2014](#)
- 10. [Attendance at the Peacekeeper Baton Transition Instructor Program – Chicago – March 2014](#)
- 11. [Attendance at the ILEETA Conference – Chicago – March 2014](#)
- 12. [Attendance at Transparency to Trust – Dealing with the IA Function – MN BCA – Jan 2014](#)
- 13. [Attendance at LOCKUP Use of Force for Executives – St. Paul Police – October 2013](#)
- 14. [Attendance at Force Science Institute 2 Day Training--Madison Police Department-- October 2013](#)
- 15. [Attendance at PATC 3 Day Officer Involved Shooting Investigations Class-- October 2013](#)
- 16. Attendance at a Lorman Police Liability Training Session- May 21, 2013
- 17. [Attendance at LOCUP Use of Force and LEADS – St. Paul PDI –Unknown Date-](#) Summer 2013
- 18. [Attendance at AELE ECW Management-- April 2013](#)
- 19. [Attendance at AELE Lethal and Less Lethal Training Program October 2012](#)
- 20. [Attendance at AELE and Internal Investigations December 2012](#)
- 21. Attendance at 1 of 2 Days of Monadnock Defensive Tactics System and Program – ILEETA 2012
- 22. Attendance Federal Law Enforcement Training Center Instructor – RPI UOF Instructor- January 2012
- 23. Attendance Federal Law Enforcement Training Center-RPI- Officer Safety-December 2011
- 24. Attendance at Upper Midwest Community Policing Institute – Two Day Internal Affairs Course
- 25. Attendance at a PPCT Use of Force Instructor Program – Leech Lake Tribal College
- 26. Attendance at a Use of Force Instructor I and II – Minneapolis Community College
- 27. Attendance at a R.A.D. Program at Iowa State University
- 28. Attendance at the Federal Bureau of Investigations LEEDS Training Seminar
- 29. Attendance at the MN Chiefs CLEO Training Program
- 30. Attendance at the MN Chiefs Leadership Training Program
- 31. Attendance at the Federal Law Enforcement Training Center Domestic Violence Instructor Training Program
- 32. Attendance at the Federal Law Enforcement Training Center Indian Country Domestic Violence Instructor Training Program
- 33. Taught parts of the Federal Law Enforcement Training Center DV Program in Grand Island Nebraska

Articles, Research and Materials Reviewed

- 34. Review of Graham V. Connor (1989) as cited by Greg Meyer Overcoming Reluctance to Use Legitimate Force AELE Lethal and Less Lethal Force Workshop Material October 2012
- 35. Material Submitted in AELE October 2012 written by Judge Emory Plitt describes Objective Reasonableness – material in training packet –supplemental – information
- 36. Materials provided at the AELE Conference Force Management April 2013
- 37. Force Continuums Are They Still Needed-Peters and Brave, PSN January 2006
- 38. Teaching the 4th Amendment- Based Use of Force – J. Marker (2012)
- 39. AELE Monthly Journal 2010 (10) AELE Mo. L. J. 101
- 40. Brave, M, (2014) Policies and Procedures relating to applications of force – LAAW International
- 41. McCauley, and Claus (2007) Police Use of Force : States Inconsistent with Established Constitutional Law
- 42. Ross, D. (2013) Assessing Lethal Force Liability Decisions and Human Factors Research
- 43. Department of Justice (2001) Principles for Promoting Police Integrity
- 44. Paoline, Terrill, and Ingram (2012) Police Use of Force and Officer Injuries: Comparing Conduct Energy Devices...
- 45. 2012 (7) AELE Mo. L. J. 501- Teaching 4th Amendment – Based Use of Force
- 46. IACP Report (2012) – Emerging Use of Force Issues – Balancing Public and Officer Safety
- 47. IACP Magazine Karen Kruger, Chief Counsel: The Police Officer as Expert Witness
- 48. IACP Magazine Karen Kruger, Chief Counsel: The Role and Impact of Police Practices Expert on Litigation
- 49. AELE Monthly Law Journal (2012) – Expert Witnesses in Police Excessive Force Cases – Mo. L. J. 501
- 50. Ross, Murphy, and Hazlett (2012) Analyzing Perceptions and Misperceptions of Police Officers in Lethal Force Virtual Stimulators Scenarios – Law Enforcement Executive Forum
- 51. E. Flosi (2014) Why your use-of- force model may be flawed - Polieone.com
- 52. C. Joyner (2013) Use of Force: How much is enough – Policeone.com

53. Force Science Institute (2014) Researchers want ER docs to focus on more “excessive” force claims – Policeone.com
54. Brave, M. (2013) Brief Outline of Partial Selected CEW Research and Information
55. Vascular Neck Restraint: Reprieve for a Bum Rapped Technique – Force Science – March 2012- <http://www.bluesheepdog.com/2012/03/03/vascular-neck-restraint/>
56. 40 Years of Success with the KCMO PD/NLETC Lateral Vascular Neck Retraint (LVNR®) System - <http://www.nletc.com/files/LVNRBio.pdf>
57. [2013- \(12\) AELE Mo L. J. 101 – Civil Liability Law Section Civil Liability for the use of neck restraints Part I](#)
58. [2014 AELE Mo. L.J. 101 – Civil Liability – Civil Liability for the use of neck restraints](#) – Part II
59. Reasonableness and Reaction Time (2011) – Blair, Pollock, Montague, Nichols, Curnutt and Burns
60. Officer Involved Shooting: Implications for the Officer’s Involved and the Investigators – Craig Geis
61. Force Decisions by Rory Miller
62. In Defense of Self and Others by Urey Patrick and John Hall
63. Brave, M: Brief Outline of Partial Selected CEW Research and Information – LAAW International LLC – 2009-2015
64. Staff Use of Force Against Prisoners – Part I – Legal Standards – 2008 (9) AELE Mo. L.J. 301
65. Staff Use of Force Against Prisoners – Part II – Governmental and Supervisory Liability (2008) (10) AELE Mo. L.J. 301
66. Staff Use of Force Against Prisoners – Part III- use of Chemical weapons (2008) (11) AELE Mo. L.J. 301
67. Legal Implications of Use of Force Continuums in Police Training Michael L. Ciminelli (2014)
68. Electrical Characteristics of Electronic Control Device Under a Physiologic Mode – Dawes, Ho, Kroll –
69. 2011 Electronic Control Weapon Guidelines – Police Executive Research Forum
70. Baseball, Poison and Soup Recipes, The Taser Trio of Popular Myths Dr. M. Kroll
71. Davis, K (2015) Ducks in a row, preparing for the use of deadly force investigation and aftermath, Law Officer Magazine.
72. AELE Alert A periodic training guide complimentary to prosecution and law enforcement agencies: Use of Force Tactics and Non-Lethal Weaponry - <http://www.aele.org/alert-tactics.html>

Websites Reviewed on a Regular Basis

73. Force Science Website
74. Taser International
75. AELE Website
76. CTI Web-site
77. Electronic Control Devices- Legal Resource
78. ILEETA
79. American Society of Criminology
80. Academy of Criminal Justice Sciences
81. Institute for the Prevention of In custody Deaths

Opinions

The opinions listed below are based on the documents and materials listed above; authoritative sources; and my education, research, experience, training, knowledge, skill, and specialized, scientific, and technical knowledge. Each opinion does not specifically include each and every possible issue and/or each and every element of justification, and it is assumed that further narrative explanation may be provided. Each opinion must be read and analyzed as a synergistic accumulation based upon the facts and circumstances found in the above-listed documents, and that other explanations and/or justifications may be found in other parts of this document, or in the documents listed above, or were not explicitly referenced for the sake of brevity and in an attempt to confine opinions to arguably relevant issues.

I have a very broad and depth of training, experience, skill, and education, and possess specialized, scientific, and technical, knowledge, law enforcement force option areas including, use of force, force options, law enforcement practices, and effects of force options

There are limitations that are clear and immediately apparent in the fact patterns of record between Plaintiff Brossarts version of events and Defendant Sgt. Braathen’s version of events. These include the nature, and

characteristics of the communication regarding compliance with orders of arrested and nature of the original contact regarding the estrayed cattle. There are also some fact pattern issues between the applications or deployments of the ECD or Taser weapon system. There are many formal records to included original statements, video recordings and statements made by the former Sheriff Janke that there were 8-10 ECD deployments.

Notwithstanding these actions by Sgt. Braathen that are outside the norm for police work, and run contrary to normal accepted police practices and customs. Specifically the deployment of a Taser weapons system 8-10 times for a misdemeanor crime, occurring adjacent to the "suspects" property. Where the suspect is known by both the accuser and law enforcement.

Introduction

The terminology I use in my report is not meant to invade the purview of the trier of fact for a formal determination on this specific issue related to the application of force. I am not an attorney, and arguments that I am attempting to discuss conclusion or matters of law, or anything relating to legal work would be incorrect. I am providing my opinion on actions of Sgt. Braathen as a police practices professional during the interaction with Rodney Brossart related to this incident.

First and foremost I am an unbiased, neutral professional reviewing this incident to provide clarity for the trier of fact, to understand the actions of Sgt. Eric Braathen against Plaintiff Rodney Brossart Civil Action 3-14-cv-62. I use these terms, and concepts in my trainings to train law enforcement officers at all levels. These opinions are based upon the totality of my specialized knowledge in the field of police practices and related research. I also have taught these concepts to students in collegiate environment using similar terminology and language. This opinion is created, formed, formulated and is derived from my personal police experience, knowledge and training. This expertise has been developed during my involvement in law enforcement at various capacities as a practitioner and my continued experience as a trainer, educator and police practices professional.

Limitations

I am informed that I may be asked to review documents or other additional items of evidence in this matter that have not been presented to me. Should those items appear to hold relevance to the issues at hand, and are delivered after submissions of my initial report, I reserve the right to review the material and make a determination whether the materials impact my professional opinion which is before the court.

Overview of Taser

Material taken directly from - Valparaiso University Law Review – Spring 2015 - Mark Kaylan Beard

Officers can deploy tasers in two modes-drive stun mode and dart stun mode. Each mode provides officers with different advantages and disadvantages. However, the main differences between the modes are how law enforcement officers initiate contact with the suspect and the resulting harm to the suspect.

To illustrate, a taser deployed in dart stun mode fires two dart-like projectiles at the suspect, and upon contact, the projectiles penetrate the suspect's skin. TASER International eliminated the use of gunpowder to propel the darts and now uses compressed nitrogen. The suspect is first given an initial five-second shock, but the officer can send additional shocks throughout the suspect's body with the wires remaining connected to the device, which can cause temporary paralysis. Further, dart stun mode enables the officer to hit a suspect from a distance of over twenty feet.

Comparatively, when an officer uses a taser in drive stun mode, the officer must be within a short enough distance to make contact with the taser to the suspect, as the officer must physically touch the suspect with the taser. When applied, drive stun mode sends shocks to the area of the suspect's body in contact with the taser. The shocks persist as long as the device remains in contact with the suspect.

Incident Introduction

As noted above there are some facts in disputes that need to be addressed by the trier of fact. But for my review it has its foundation in material I reviewed and are presented in official law enforcement written record, depositions and videos. On June 23rd 2011, there was a complaint made of missing/estray cattle, the cattle had ended up on

property of Rodney Brossart. There is no indication in any police report or record that Mr. Brossart or his family transported, moved or otherwise “pushed” the cattle from their original location, to his property. There was a limited investigation into this misdemeanor crime where there are also potential civil penalties on the original owner of the cattle for “hay” that has been eaten, and other potential damages to the curtilage.

The primary responding agency was the Nelson County Sheriffs Agency specifically Sgt. Eric Braathen, who was assisted by the North Dakota Stockman’s Association Inspector Frederickson (a licensed law enforcement officer). The actual application of force lasted less than six minutes, if not closer to three minutes (depending on starting and ending points of Taser/ECD deployments).

The physical location of interaction between Sgt. E. Braathen Inspector Frederickson and Plaintiff Rodney Brossart is in the area of 3300 Block of 109 Northeast which is a public road within four miles of Mr. Brossart homestead, and within a close distant to the location of the cattle that were missing for less than 24 hours. The record reflects that Mr. Brossart was working on some farm implements in the road when he was approached by the two law enforcement officers. This can be clearly seen in the video of Sgt. Braathen patrol vehicle.

The record is clear that has been forth by former Sheriff Janke and Sgt. Braathen that no employee of the Nelson County Sheriffs Office had any extended or protracted complaints of physical assault, violence, or patterns of behavior which would demonstrate that Mr. Brossart was a violent individual. To the contrary evidence was entered into evidence that Mr. Brossart was considered a pleasant man, as well as a man who likes to talk. There was a previous interaction with Sgt. Braathen and Mr. Brossart for another misdemeanor crime at least five years prior to the to this incident. The information about the previous interaction was not listed as a factor in the police report by Sgt. Braathen as something he considered prior to deploying the Taser.

The crime for which Mr. Brossart was being investigated/contacted was for a violation of Failure to comply with estray chapter 36-13-01.

36-13-01 Estrays -- Possession.

Any person may take possession of an animal as an estray when it is on property which he owns or controls, and when he does not know who is the owner of the animal. As soon as practicable he shall make careful examination of the said animal to determine the presence and identity of any brand upon it, the location thereof and any other marks or scars which may identify the same and he shall notify the sheriff of the county wherein the estray was found of such action, who shall record the date and time of notification and all information obtained by him as to brands or other marks and location helpful in determining ownership thereof

There are questions that were never asked, or addressed by the investigating officer (Sgt. Braathe), which would have aided in making a determination of probable cause for the Estray violation. To include questions to clarify knowledge of the cattle’s potential owner, was he the one who “pushed” the cattle from their location to missile silo? If he did move/push the cattle what time did it occur at, and did he notify law enforcement, and/or to have the capacity to notify law enforcement? How long has he (Mr. Brossart) known about the cattle in the silo?

Review of Report of Sgt. Braathen

Sgt. Braathen indicates in his report

“ As it was apparent, Rodney had no intention of cooperating, I told Rodney he was under arrest. Rodney replied by saying ‘the hell I am’, at which point I grabbed Rodney’s arm in an attempt to take him into custody. After grabbing Rodney’s arm, Rodney became very aggressive and pulled it away from me.”

Sgt. Braathen further states and recounts how Mr. Brossart told his son Jacob to go get something from the truck. He provides a description that Jacob “made a dash for the pickup”. At this point in time in the report Sgt. Braathen pulls his ECD (Taser) and provides instruction for Mr. Brossart to get on the ground. Then the report indicates that he (Sgt. Braathen) proceeded to fire his ECD at Mr. Brossart hitting him in the chest. There is a distance of 10’ feet this is referred as to the distance that Mr. Brossart traveled as a result of the weapons deployment. There was a second deployment of the ECD in which Mr. Brossart fell into the ditch about 6’, where it is written as having “mud and water”. There was a third deployment of the Taser followed by a drive stun to the neck. There was then a

change of Taser cartridges. This new cartridge and subsequent darts were deployed into Mr. Brossart by Sgt. Braathen for his (Mr. Brossart's) apparent failure to follow orders to be cuffed. Sgt. Braathen indicated that he was assaulted by Mr. Brossart by him using his personal weapons (feet). To include kicking at his feet, and towards his knees. There was another activation of the ECD (Taser). This was followed by continued kicking by Mr. Brossart so there was another deployment of the ECD, followed with a drive stun to the butt.

Critical Review of Report

The report submitted by Sgt. Braathen does not clearly provide for active descriptive actions of Mr. Brossart. Sgt. Braathen appears to use boiler plate language to describe the interaction and actions of Mr. Brossart in his justification to use force. Sgt. Braathen's report appears to follow more of the mechanics and or logistics of the interaction with Mr. Brossart than providing justification for the application of force. His word counts puts more value on his specific actions, then Mr. Brossart's actions which would have caused the justification for the force.

Based on the written and official record of the Official Report 11-4692, dated 06-25-11 I it is my belief there was at least seven (7) deployments of the ECD (Taser) weapon system. These include five probe/dart "hits" and two drive stuns. The mention of the firearms (rifles) in the truck appear as if a post script. The knowledge of the firearms were not indicated to describe the decision to use the ECD as a weapon systems to handle the interaction with Mr. Brossart.

It should be noted that the report for this incident was written at least two days after the original interaction and Taser deployment.

Critical Review of Stockman Association Report

Inspector Fred Frederickson report does not provide in any clarity the actions of Rodney Brossart as aggressive or hostile. The actions do demonstrate in a written narrative that Mr. Brossart was not polite. But there is no indication in the written record provided as to how he was aggressive, or hostile prior to the deployment of the Taser weapons system. There is mention that at the time of handcuffing that Mr. Brossart was yelling at Sgt. Braathen and apparently resisting, but there is no description provided as what his resistance was, and how he was refusing commands. There was no description of body actions to evade, or prevent cuffing, other than the comments of yelling, there is no specific language used to indicate that he was defying commands.

It should be noted that Inspector Frederickson clearly indicates and capitalizes that he heard Rodney tells his son to get "THAT out of the truck". But there is no descriptive language on what "that" was or is in the truck.

Review of Deputy Olson Report

Based on my review of Deputy Olson's report, there was no additional information about the deployment of the Taser weapon system, or situation in which force was applied. He was not directly at the scene of the time of the incident.

Review of Nelson County Sheriffs Department Policies and Procedures

Less Lethal Weapons – Taser X26 Directive 2.07 Authorized by Sheriff Janke - Effective Date 01/2009

The policy written and adopted by the Nelson County Sheriffs Department clearly has language that is consistent with what appears in *Graham v. Connor*, combined with state statute "officers shall only use that force which is objectively reasonable and necessary, based on the totality of all circumstance, to effectively bring an incident under control while protecting themselves and others from physical harm". The policy clearly demonstrates that the Nelson County Sheriffs Department was aware that there was a data port to record information related to the deployment of the ECD.

There is mention in IV Training/Authorized Use: A. Only officers receiving training and certification from an authorized Taser X26 instructor will be allowed to carry and deploy the weapon system when deemed appropriate.

These officers will be required to attend and successfully complete an initial certification course of instruction and will also be required to successfully re-certify annually on the proper use and deployment of the Taser X26.

There is a specific section on the deployment of the ECD weapons system which covers basic requirements to include (1) civilians in immediate threat, (2) Other involved civilians whose safety may be at risk, (3) law enforcement, and (4) suspect(s). Further in the policy it states that the officers should have alternative plans in place to deal with such situations when the ECD fails.

V. Deployment Considerations Part D:

Officers are authorized to deploy the Taser X26 to gain control when faced with actual or threatened physical resistance. Officers are discouraged from deploying the Taser X26 on subjects where no physical violence or threat of physical violence exists (i.e. non-violent fleeing subject).

Critical Review of Sgt. Braathen and Taser Deployment

The record does not reflect a clear picture of the reasons why Sgt. Braathen deployed the Taser on Rodney Brossart. Sgt. Braathen used words like aggressive and hostile, to describe Mr. Brossart, but those words fall flat without additional actions words to describe the situation and provide more context.

There appears to be a lack of substance in the materials that were provided to demonstrate how the Nelson County Sheriffs Officer deputies were trained. As well as what were the instructor qualifications so to comply with the Nelson County Sheriffs Department Policy.

There is mention of other force options which should be used when possible prior to the application of the Taser. But the record provided Sgt. Braathen did not have a baton, and it is unclear whether he carried any chemical spray or irritant as a subject control device.

There are some other problems with the policy as it does not describe how to collect electronic evidence, nor physical evidence once the weapons system has been deployed. In the deposition of former Sheriff Janke it is assumed that the physical evidence is still in custody of the Nelson County Sheriffs Office. The reports provided by Sgt. Braathen, and former Sheriff Janke do not demonstrate that any evidence was placed into to evidence.

Discharge of Firearms – Deadly Force – Directive 1.07 – Authorized April 13, 2006

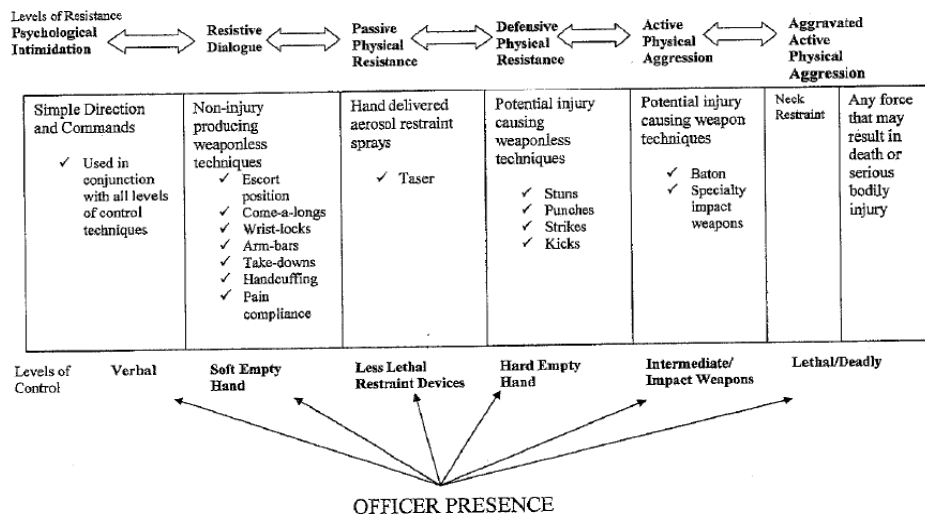
The primary policy statements reads:

It shall be the policy of the Nelson County Sheriffs Department that every officer of the department will in ALL cases, use only the minimum amount of force that is necessary to accomplish an arrest. Officers should exhaust every other reasonable means of apprehension or defense as the circumstances warrant, before resorting to the use of firearms. Only the force necessary to achieve the lawful objectives of this department should be used.

The Nelson County Sheriffs Department has a Use of Control Continuum which provides for a visual depiction of the appropriately application of force, according to the agency.

NELSON COUNTY SHERIFF'S DEPARTMENT USE OF CONTROL CONTINUUM

Control is used "when and only to the extent reasonable and necessary"



Nelson County 000292

There is a national debate by scholars, trainers, executives and lawyers on the nature and use of continuums in use of force policies and procedures.

Review of Deposition of Sgt. Braathen

Sgt. Braathen provided for a detailed review of the incident during his deposition. By statements he made during the deposition it is a common occurrence for cattle to be out in Nelson County. Sgt. Braathen states in his deposition some interesting information that creates some dispute and varied accounts of the interaction with Mr. Braathen. It should be noted that his understanding of case law regarding the application of force appears to be lacking. Specifically his direct understanding of *Graham v. Connor*.

It is also interesting to note that Sgt. Braathen provided a description of his physical condition at the time of interaction with Mr. Brossart was not in the best shape, if not out of shape. However this information was not original related in the report as a factor in deploying the Taser. Sgt. Braathen provides information that he was aware that the crime that he was investigating was that of a misdemeanor.

Sgt. Braathen makes a comment and statement that he heard Mr. Brossart tell his son to go get something, but was unaware at the time of the deployment what "it" was, and did not find out until after the fact that there were two rifles in the cab of the truck, with additionally hand tools in the vehicle.

Sgt. Braathen provides a description that pointing a finger as a hostile act. There is not enough information to determine the veracity of this claim, however in and of itself, as described I would be hard pressed to determine that pointing the finger was a hostile act to justify the application of force. Sgt. Braathen is under the presumption and assumption that Mr. Brossart may have been carrying a concealed weapon on him. This is not demonstrated in the written report, he also stated that everyone has weapons when they approach. The use of the vague comments is not enough to justify force, specifically the Taser deployment.

By my review of his own account of the interaction with Mr. Brossart, I counted seven deployments of the ECD to include at least two five second cycles, coupled with two additional drive stuns to Mr. Brossart. The balance of the deployments is three. This would account for seven deployments of the weapon system. There is no accurate way to account as this accurate, because the data from the Taser was not downloaded.

Review of Deposition of Sheriff Janke

There are two distinct phases of the deposition of former Sheriff K. Janke, I will be focusing my review on materials related to the interactions between the Sheriffs Office, Sgt. Braathen and Rodney Brossart. While the criminal investigation to the Sheriff Janke causes concern, to be blunt, it has no bearing on the actual application of force which is under review. The application of force needs to be viewed on its own merits, and the decisions and actions made by Sgt. Braathen.

The adoption of policies from other agencies is not out of the norm, and something that is done on a regular basis, specifically with smaller and rural agencies. There is some language used in the Sheriff's Office that would limit the application of Taser. Based on my review of former Sheriffs Janke's description of his agencies policy, the use of the Taser would not have been allowed to be used on Mr. Brossart..

There are formal statements about the interactions with the Sheriffs Office and Mr. Brossart and the interactions are described as both pleasant and/or heated there is only one other interaction which resulted in the application of force against Mr. Brossart prior to the one under review before the court. It should be noted that the prior incident was one in which Sgt. Braathen was also present. There is no other indication in the deposition or formal reports/materials reviewed that indicate that anyone else had a violent, aggressive or hostile encounter with Mr. Brossart.

It is clear in the deposition by former Sheriff Janke that he was told by Sgt. Braathen that Mr. Brossart was "tasered" somewhere between 8-10 times. This information is consistent with other mentioning of the Taser deployment except by the formal deposition of Sgt. E. Braathen nearly four years after the incident.

Review of Video

In reviewing the video the application of force is isolated to less than five minutes. The entire interaction with Mr. Brossart that is subject to my review happens in the first seven minutes of the fifty seven minute video. The first two minutes is conversation related to the reason for the stop, and investigation, I find it hard to determine how Mr. Brossart was hostile and violent towards Sgt. Braathen or the Inspector Frederickson. In watching the video prior to the interaction being moved off screen, the officers were in close proximity to Mr. Brossart, and appeared to be communicating with him with no regard for their personal safety. This is demonstrated by standing flat footed, getting closer to Mr. Brossart personal space, no blading the body, and even following Mr. Brossart. As opposed to creating distance, calling Mr. Brossart back to their location.

To me the video's or more appropriately the audio demonstrates a stressed law enforcement officer. Who applied the Taser weapons system to an individual who was asking for the officers authority for conducting the present investigation. Mr. Brossart was also asking for the "proof" that the cows were someone else property or more importantly whose cattle they were.

Mr. Brossart may have had a curt attitude towards Sgt. Braathen but it certainly wasn't demonstrated as violent. The weapons deployment occurs off camera, and the interaction between Sgt. Braathen and Mr. Brossart is not visible, however the audio provides for some indication that Sgt. Braathen had a spike in voice/pitch/tone to indicate that he was under stress, it also demonstrates that Mr. Brossart was angry about his property being stepped on, once this was resolved the tension diminished a bit.

The actions of the Inspector Frederickson on video demonstrate that he did not believe that it was a tense, uncertain situation, as he was just "walking" around with what appeared to be a normal non-hurried walk.

Opinion

Based on my review of the information provided it is my professional opinion that Sgt. Braathen used force that was excessive for the situation. The reasons for that opinion are based on the following 1. Location of crime proximity to homestead 2. Suspect of crime and (known suspect), 3. Level of crime (misdemeanor), and 4. Access to officers and back up.

Sgt. Braathens understanding of the application of force laws calls into question his understanding of when to use force within his duties as a law enforcement professional. This was the first time that he deployed the Taser weapons system. There are some discrepancies as to the number of times the weapons system was deployed. In accounts right after and within close proximity to the event it was stated as being 8-10 times.

Having worked in small departments, and understanding what is reasonable under similar circumstances, it is my belief with a reasonable degree of certainty, that the multiple Taser deployments run contrary to acceptable police practices and thus rise to level of excessive force.

IV The Witness Qualifications

Dr. Matthew J Stiehm was born and raised in Minnesota. He received an Educational Doctorate from Argosy University, where the focus of his research was campus safety and security. He has a Master's Degree of Criminal Justice from Central Missouri State University, with his final paper focused on the investigation of child abuse and finally a Bachelors of Science from Wayne State College, Nebraska. He has attended and received his CLS designation from the Americans for the Effectiveness of Law Enforcement a non-profit organization that focuses on the legal side of force issues. He has served as a police officer in three states (CA, MN and NE). He keeps current on law enforcement trends. In October 2013 he attended an Officer Involved Shooting class, a Force Science Institute Training and Use of Force for Executives and Mid- Managers session hosted by the St. Paul Police Department to keep current on trends relating to use of force. He currently is a member of ILEETA, an Associate Member of the IACP, a Former Supporting Member of the MN Chiefs Association, and Police Executive Research Forum Subscribing Member. Dr. Stiehm sits as an advisory board member of the Clery Center.

Dr. Stiehm has presented to government boards on the topic of accreditation and law enforcement education/training. Matt has attended and received instructor certification; from Pressure Point and Control Tactics, Minneapolis Community College Use of Force Instructor, RAD-Systems, FLETC Use of Force Instructor Program, AELE Lethal and Less Lethal Training Program and AELE Public Safety Discipline and Internal Investigations, PATC Officer Involved Shooting, and a two day Force Science Institute class. Matt also has worked as an adjunct instructor for the Federal Law Enforcement Training Center Glyncro, Georgia. Dr. Stiehm has written as a former lead contributor on leadership at <http://www.lawenforcementtoday.com/>. Dr. Stiehm is a contributor to Policeone.com and Correctionsone.com on a variety of topics to include police use of force.

Dr. Stiehm was also interviewed at the 2012 ILEETA Conference by Sgt. Betsy Bartner Smith on the topic of Child Abuse Investigation which was made available on November 21st, 2012 on the Policeone Academy page. He also authored a companion article which was published on Policeone.com. Dr. Stiehm is currently working on a series of articles for Policeone.com. Finally he has an article with IACLEA Journal on Use of Force by Non-Sworn Personnel, pending publication. Dr. Stiehm also wrote an article dealing with use of force by non-sworn park law enforcement agents which was published on two different websites. He also serves as a Co-Editor and contributor for the Journal of Law Enforcement. Dr. Stiehm is having an article featured in the ILEETA Journal on Police Use of Force and Minnesota's best practices. Additionally he is working on a second article for ILEETA on the topic of Tasers and appropriate application of the weapons system. Dr. Stiehm has sent his dissertation that deals with Campus Safety and Security to Secretary of Education Arne Duncan, Minnesota Office of Higher Education Larry Pogemiller, and Wisconsin Governor Scott Walker for review to help make decisions on issues impacting campus safety and security. Dr. Stiehm was interviewed by Policeone.com at the 2013 ILEETA Conference for Campus Security Use of Force, and review of complex child abuse cases using the Jerry Sandusky case as a case study.

Dr. Stiehm has worked as a curriculum expert creating a variety of classes in all types of arenas to include, online, hybrid (blended), traditional classroom, professional development/continuing education and single source presentations. Most notably Dr. Stiehm has presented at the American Correctional Conference, (2009), International Law Enforcement Educators and Trainers Conference (2009, 2011 and 2012), MN IACLEA Conference (2011), and the International Association of Chiefs of Police (2011). He has also presented at local conferences to include the Minnesota Career College Association (2008, 2010, and 2011), and a local conference of the Park Law Enforcement Association sponsored by Three Rivers Park District Police Department. He has chaired a panel at the 2011 Midwestern Criminal Justice Association. Dr. Stiehm has also been approached to teach at the Women in Minnesota Law Enforcement conference. Dr. Stiehm has been interviewed at the 2014 ILEETA Conference on a variety of topics by Policeone.com.

IV. Publications

1. Stiehm, M. (2011) Professional Development www.bodyguardcareers.com
2. Stiehm, M. (2011) Interview and Interrogation www.bodyguardcareers.com
3. Stiehm, M. (2011) Leadership posted on www.bodyguardcareers.com
4. Stiehm, M. (2011) Retirement posted on www.bodyguardcareers.com
5. Stiehm, M. (2011) Piece of paper. Information posted for www.bodyguardcareers.com
6. Stiehm, M. (2011) Use of Force. Information pending for www.bodyguardcareers.com
7. Stiehm, M. (2011) Leadership. Information posted on www.policecrunch.com
8. Stiehm, M. (2011) Lessons Learned from Randy Pausch posted on www.policecrunch.com
9. Stiehm, M. (2011) Transformation and Servant Leadership posted on www.policecrunch.com
10. Stiehm, M. (2011) Criminal Justice Education posted on www.policecrunch.com
11. Stiehm, M. (2011) Campus Perception of Crime posted on www.policecrunch.com
12. Stiehm, M. (2011) The Past, Present and Future of Law Enforcement posted on www.policecrunch.com
13. Stiehm, M. (2011) Campus Safety II posted on www.policecrunch.com
14. Stiehm, M. (2011) Organizational Assessment posted on www.policecrunch.com
15. Stiehm, M. (2011) Educational Degrees posted on www.policecrunch.com
16. Stiehm, M. (2011) Professional Networking posted on www.policecrunch.com
17. Stiehm, M. (2011) Child Abuse Investigations posted on www.policecrunch.com
18. Stiehm, M. (2012) Below 100 posted on www.lawenforcementtoday.com
19. Stiehm, M. (2012) Below 100 posted on <http://leadership-online.blogspot.com>
20. Stiehm, M. (2012) Careers posted on www.lawenforcementtoday.com
21. Stiehm, M. (2012) Leadership posted on www.lawenforcementtoday.com
22. Stiehm, M. (2012) Branding you pending on www.lawenforcementtoday.com
23. Stiehm, M. (2012) Lessons Learned from Randy Pausch Achieving Childhood Dreams posted on lawenforcemetoday.com
24. Stiehm, M. (2012) Peels Principles pending on www.lawenforcementtoday.com
25. Stiehm, M. (2012) Your Legacy, Past, Present, and Future posted on www.lawenforcementtoday.com
26. Stiehm, M. (2012) Expertise on www.lawenforcementtoday.com
27. Stiehm, M. (2012) Program Evaluation pending on www.lawenforcementtoday.com
28. Stiehm, M. (2012) Law Enforcement-Trust, and Self Governance www.lawenforcementtoday.com
29. Stiehm, M. (2012) Leading and Managing Change- New Approaches on www.lawenforcementtoday.com
30. Stiehm, M. (2012) ILEETA 2012 www.lawenforcementtoday.com
31. Stiehm, M. (2012) Retirement on www.lawenforcementtoday.com
32. Stiehm, M. (2012) Use of Force, ILEETA journal (pending)
33. Stiehm, M. (2012) Organizational Assessment www.lawenforcementtoday.com
34. Stiehm, M. (2012) Child Abuse Investigations pending www.lawenforcementtoday.com
35. Stiehm, M. (2012) A Cup of Coffee www.lawenforcementtoday.com
36. Stiehm, M. (2012) Training, Friends and an Eating Challenge? www.lawenforcementtoday.com
37. Stiehm, M. (2012) Truth, Justice and the American Way www.lawenforcementtoday.com
38. Stiehm, M. (2012) Collaboration www.lawenforcementtoday.com
39. Stiehm, M. (2012) Book Review-Never Eat Alone by K. Ferrazzi-The Journal of Law Enforcement
40. Stiehm, M. (2012) Non-Sworn Park Law Enforcement Officers and Use of Force- The Journal of Law Enforcement
41. Stiehm, M. (2012) Succession Planning in Park Law Enforcement Association-(completed/pending)
42. Stiehm, M. (2012) Crime Perceptions Park Law Enforcement Association (completed/pending)
43. Stiehm, M. (2012) Child Abuse Investigations-The Journal of Law Enforcement
44. [Stiehm, M. \(2012\) Campus Safety and Security Use of Force of Non-Sworn-IACLEA Journal](#)
45. Stiehm, M. (2012) Misdemeanor Child Abuse Investigation-www.policeone.com
46. [Stiehm, M. \(2013\) Strategic Planning for Small and Medium Sized Police Departments \(04-11-13\)](#)
47. Stiehm, M. (2013) For-profit instructors a time for a paradigm shift (completed) - pending publication
48. Stiehm, M. (2013) MN Use of Force Case Review ILEETA Journal – November 2013
49. Stiehm, M. (2013) Continuum Based V. Constitutional Based Force Training-(in progress)
50. Stiehm, M. (2013) Training Excellence- in submitted to ILEETA Journal
51. Stiehm, M. (2013) [Honoring the Law Enforcement Botherhood](#)
52. Stiehm, M. (2013) What Police Can Learn from Doctors by saying I'm Sorry [Part One](#) [Part Two](#)
53. Stiehm, M. (2013) [Federal Oversight and "U"niversities – 3 pages sent to POLICEONE.com](#)
54. Stiehm, M. (2013) Federal Oversight and "U"niversities – 10 pages posted on IACLEA Portal

55. Stiehm, M. (2013) Federal Oversight and “U”niversities – 10 pages submitted to IACP Police Chiefs Magazine
56. Stiehm, M. (2013) Would Tom Swift Approve the Use of the “Taser” Today – Pending Publication ILEETA Journal
57. Stiehm, M. (2013) [What leadership lessons we can learn from Santa Claus](#)
58. Stiehm, M. (2014) [Less with More!](#) — policeone.com
59. Stiehm, M. (2014) Civil Suits and Law Enforcement Profession – submitted Policeone.com
60. Stiehm, M. (2014) [Police Liability in Use of Force for Small and Medium Sized Departments – submitted to policeone.com](#)
61. Stiehm, M. (2014) The Rise of Mediocrity – pending
62. Stiehm, M. (2014) The politics of law enforcement – my story- Pending
63. Stiehm, M. (2014) Creating a competency based law enforcement profession – Pending
64. Stiehm, M. (2014) Use of Force Training – Paradigm Changing – ILEETA Journal – published
65. Stiehm, M. (2014) Fellowship and Patches – submitted to Policeone.com
66. Stiehm, M. (2014) Maslow’s Hierarchy of Needs and Law Enforcement training –Submitted Policeone.
67. Stiehm, M. (2014) Training Assessment – Pending – ILEETA Journal
68. Stiehm, M. (2014) Calling it what it is!- Submitted Policeone
69. Stiehm, M. (2014) Reviewing Apologies – Pending
70. Stiehm, M. (2014) [Documenting Force](#) – Published
71. Stiehm, M. (2014) [How to properly apply “reasonableness” in use of force investigations – published](#)
72. Stiehm, M. (2014) iPads 4 Training – ILEETA Journal
73. Stiehm, M. (2014) Use of Force Policy Development – Minnesota Sheriffs Association Magazine – Pending
74. Stiehm, M. (2014) [What Officer Patricks death means to cops everywhere](#)
75. Stiehm, M. (2014) [Campus Law Enforcement Facing New Challenges – published –](#)
76. Stiehm, M. (2014) [3 Easy Things to Change Perceptions of Force –](#)
77. Stiehm, M. (2014) A summer of hell to personal and professional discovery! – published
78. Stiehm, M. (2015) [How do you define success](#)
79. Stiehm, M. (2015) Reputations – What are they worth – pending publication –Policeone.com
80. Stiehm, M. (2015) Three Things to Ensure the Nobility of our Professional – Pending – Policeone.com
81. Stiehm, M. (2015) So you wanna be an expert! Are you sure? – ILEETA Journal
82. Stiehm, M. (2015) Police Officer to Instructor – Published – ILEETA Journal
83. Stiehm, M. (2015) Warrior Cop – Pending ILEETA Journal
84. Stiehm, M. (2015) Adapt, overcome, and survive –pending
85. Stiehm, M. (2015) Training, Patches and Friends – pending Policeone
86. [Stiehm, M. \(2015\) Applying Graham for Solo Patrol Operations –LawOfficer Magazine](#)
87. [Stiehm, M. \(2015\) Introduction – Correctionsone.com](#)

V. Other Cases

Report Written – *Smith v. Champlin* – CV-02446
 Report Written-*Walker v. Minneapolis* -- CR-12-825
 Report Written- *Johnson v. Schoenhard* -- CR 12 -824
 Report Written – *Elex v. City of Brooklyn Park* CV- 12-3206 ADM/JJK
 Report Written – Theyson v. Kaneko – V-00186-ADM-SEP
 Report Written- Nic J. Lantz and Traci Totzke, v. Town of Fremont and Officer Tony Tribble
 Report Written – Stacie Ann Miller v Officer Paul Fieldseth – 0:13-cv-02446
 Report Written - Officer M. Goran’s Arbitration –CR- 12-3206
 Testified – Officer M. Goran’s Arbitration –CR- 12-3206
 Deposed – Nic J. Lantz and Traci Totzke, v. Town of Fremont and Officer Tony Tribble – CV-002555-WCL-RBC

VI. Compensation

Dr. Stiehm has charged Plaintiff 200.00 dollars an hour with a total billable rate of \$3150.00