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# Office of the Sheriff

Jesse Jahner, Sheriff

Date: October 29<sup>th</sup>, 2021

Ref: Deputy Jacob Danielson's Office of Professional Standards and Accountability Investigation  
Case #2021-08.

Dear Deputy Jacob Danielson,

Cc: Mr. Mark Friese, Attorney

On August 2<sup>nd</sup>, 2021, I was notified by Fargo Police Department Chief of Police David Zibolski that one of our deputies, Deputy Jacob Danielson, had been arrested by the Fargo Police Department for driving under the influence of alcohol with a minor present. Additionally, I was notified that the minors present were Deputy Danielson's children. I was also informed that Deputy Danielson had struck a vehicle in or near a car wash during the incident. Based on police reports and other information available to our office, it was determined that Deputy Danielson's behavior violated the following department and Cass County Government policies.

## Policy Violations:

**Lexipol: Cass County Sheriff's Office Custody Manual**

**108 – Standards of Conduct**

**108.3.5 (z) – Performance**

Violating any misdemeanor or felony statute.

**108.3.5 (aa) – Performance**

Any other on-duty or off-duty conduct which any employee knows or reasonably should know is unbecoming a member of the Office or which is contrary to good order, efficiency, or morale, or which tends to reflect unfavorably upon the Office or its members.

**108.4 – General Standards**

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and North Dakota constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

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**Cass County Sheriff**  
**Law Enforcement Center**  
1612 23rd Avenue North  
P.O. Box 488  
Fargo, North Dakota 58107-0488  
Phone: 701-241-5800  
Fax: 701-241-5806

**Cass County Sheriff**  
**Courthouse**  
211 9th Street South  
P.O. Box 488  
Fargo, North Dakota 58107-0488  
Phone: 701-241-5800  
Fax: 701-241-5805

**Cass County Jail**  
450 34th Street South  
Fargo, North Dakota 58103  
Phone: 701-271-2900  
Fax: 701-271-2967

**Cass County Employee Handbook:**

**601 – Employee Conduct and Work Rules**

**Unacceptable Conduct**

Inappropriate words, actions, or conduct, inside or outside of the workplace that may reflect poorly upon, or cause harm to, Cass County. This prohibition applies even to words, actions, or conduct that occurs completely on personal time, including Internet social networking sites. However, this is not intended to prohibit you from exercising legal rights, and you will not be disciplined for engaging in protected activity.

Given the nature of the policy violations, I placed Deputy Danielson on paid administrative leave. Additionally, an Internal Investigation was conducted, and the findings were determined to be sustained with recommended discipline. Deputy Danielson's supervisors recommended the following discipline options.

**Recommendation:**

1. Demotion from B32 to B23
2. Probation period of 5 years, in which the following apply:
  - a) No promotions
  - b) No academy selection
3. 10 unpaid workdays (121.7 Hours)
4. Completion of Victim Impact Panel (Provide Proof)
5. Completion of Chemical Dependency (Provide Proof)
6. Addiction Counseling

**Recommendation:**

1. Termination

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1. Demotion from B32 to B23
2. No promotional opportunities for five years
3. Loss of being a Field Training Officer (FTO)
4. Loss of membership with the Security Threat Group (STG)
5. 10 unpaid workdays (121.7 Hours)
6. Follow all recommendations of the court process (Provide Proof)
7. Letter of Reprimand

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Because some of the disciplinary recommendations included either termination or financial loss, a pre-determination hearing was scheduled for October 14<sup>th</sup> at 10:45 a.m. Deputy Danielson appeared along with his Attorney Mark Friese, who is representing him in this administrative process. During that hearing, Deputy Danielson and Mr. Friese discussed reasons why I should not go with the recommendations forwarded by Deputy Danielson's Supervisors. Also, during that hearing, Mr. Friese offered what they (he and Deputy Danielson) thought were suitable and alternative recommendations of discipline. Those recommendations are the following which I have paraphrased.

-Deputy Danielson would be able to maintain his Peace Officer License.

-A 20 calendar day unpaid suspension, withdrawing his peace officer privileges and duties at that same time, resulting in approximately ten workdays.

-Comply with all recommendations resulting from the court.

-Instead of taking away his Peace Officer License or status as a Peace Officer, the department can withhold assignment to him.

In making an employment determination in this matter, I have arrived at the following conclusions and decisions.

-The Cass County Sheriff's Office has had other employees in the past receive DUI's. Their discipline was determined on a case-by-case basis. I am not aware of any other employees receiving a DUI with minors present in the vehicle. That makes this case different from past employee situations. In this case, Deputy Danielson endangered not only other drivers on the roadway but his children.

-The Cass County Sheriff's Office is experiencing a significant shortage of employees. Deputy Danielson was aware of the hardships that our office has experienced in terms of employment and the number of hours employees have had to work to keep the jail operating safely. Knowing this, he still decided to drive while intoxicated. This put other employees in a situation where they had to cover shifts while he was on administrative leave. Many employees covering his shifts have worked long hours because of our

employee shortage. This has caused additional stress to an already tired Cass County Sheriff's Office Staff.

-The Cass County Sheriff's Office values its partnerships with other agencies and our citizens. Unfortunately, deputy Danielson's behavior put another agency and officers in a difficult situation. The Sheriff's Office appreciates the professionalism of the Fargo Police Department and the professionalism of the officers who had to deal with this difficult situation.

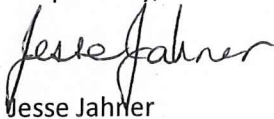
-Trust and accountability are critical components in building partnerships and relationships with our community. To maintain public trust, we expect all of our deputies to maintain a high level of professionalism both on and off-duty. Additionally, when Deputy Danielson was hired with our office we spoke to him about on and off duty behavior. Unfortunately, at a time when trust, professionalism, and accountability are more important than ever, Deputy Danielson's behavior jeopardized that trust.

-The Cass County Sheriff's Office takes responsibility for hiring Deputy Danielson in light of some disciplinary issues he had with the West Fargo Police Department. At the time of hiring Deputy Danielson, the Cass County Sheriff's Office did not have all the documentation of his behavior while employed with them. In addition, Deputy Danielson had worked for the Cass County Sheriff's Office prior to working with the West Fargo Police Department and did not have any disciplinary issues. Given the totality of the circumstances, we hired Deputy Danielson, giving him a second chance at a career in law enforcement.

-Finally, I am most concerned with Deputy Danielson's repeated behavior patterns of policy violations both with the West Fargo Police Department and our agency. We gave Deputy Danielson a second chance by hiring him back. Unfortunately, deputy Danielson has shown a pattern and behavior of violating policy with the West Fargo Police Department and now our office.

After spending several hours working through this investigation and considering all of the recommendations, I am making the decision to terminate Deputy Danielson's employment with Cass County Government and the Cass County Sheriff's Office effective November 1<sup>st</sup>, 2021, at 9:30 a.m. The Cass County Sheriff's Office wishes Deputy Danielson the best going forward.

Respectfully,



Jesse Jahner

Cass County Sheriff