

MINUTES

BLEOST MEETING

July 22, 2021

Call to Order:

The meeting was called to order at 9:00 a.m. by the Vice-Chair, Brad Carter.

Roll Call:

The Vice-Chair called the roll, and a quorum was established. Board members present were:

Officer Brad Carter
Hon. Kassie Coleman
Chief Don Gammage
Col. Randy Ginn
Chief Michael Hall
Sheriff Jim Johnson
Dr. Steve Mallory
Constable Glenn McKay
Sheriff Greg Pollan

Hon. Candice Rucker, Board Counsel

Board members not present were:

Chief Vance Rice
Mayor Gary Rhoads
Hon. Ed Snyder
Mr. Windy Swetman

Introduction of Guests, Introductory Remarks:

Chief Michael Hall with the Guntown Police Department was welcomed by the Board after he received a Governor's appointment to fill the Police Chief vacancy. Col. Ginn and Board Counsel Candice Rucker were also welcomed by the Board. The guests introduced themselves and they were welcomed.

Speakers/Guests present were:

Lt. Paul Leslie, DeSoto County S.O.
Major Luke Shepherd, DeSoto County S.O.
Major Steve Palmer, DeSoto County S.O.
Major V. L. Farr, Olive Branch P.D.
Lt. Jacqueline Moreno, SRPSI
Lt. Mike Cowan, DeSoto County S.O.
Sheriff Bill Rasco, DeSoto County S.O.
Harrison Hatcher, DeSoto County S.O.
Craig Dickson, DeSoto County S.O.

Jordan Walters, DeSoto County S.O.
Francis Springer, Springer Law Firm
Lt. Col. Thomas Tuggle, MLEOTA
Deputy Chief William Cox, Olive Branch P.D.
M/SGT. Ryan Buckley, MLEOTA
Dan Rawlinson, MLEOTA
Gary Seale Jr., MLEOTA
Allen Fry, MLEOTA
Chuck Jenkins, Lafayette County S.O. (by phone)
Phylliss Colson, Northeast CC (by phone)
Lt. Richardson, Hattiesburg P.D. (by phone)
Lt. Tapp, Hattiesburg P.D. (by phone)
Sheriff Randy Atkins, Leake County S.O. (by phone)
Lynn Carey, Meridian CC (by phone)

Staff Members Present were:

Bureau Director Robert Davis
Division Director Bob Morgan
Training Director, Michael Nash
Certification Officer Donna Rogers

Approval of Minutes:

A copy of the minutes from the May 2021 meeting was emailed to each member. Sheriff Johnson made a motion to approve the minutes as presented. Chief Gammage seconded the motion. The motion carried without opposition.

OLD BUSINESS

Discuss Goals and Objectives of Officer Safety, Mechanics of Arrest-Positional Asphyxia:

The staff proposed an addition to the goals and objectives of Officer Safety, Mechanics of Arrest, Restraint and Control. The purpose is to provide officers with the proper instruction for the quick and efficient application of handcuffs, ensuring proper placement and fit of the restraint, and care of the arrested individual, in order to enhance officer safety while reducing the potential for injury. The course will identify positional asphyxia and will train the officer to not leave the suspect on their stomach, to sit them up right.

Training materials will be provided to the academies on this subject from IADLEST.

Sheriff Johnson made a motion to adopt these changes. Dr. Mallory seconded the motion and it passed without opposition.

Review Military Training Evaluation; Attorney General's Opinion Request:

The Board was presented with the form that compares our basic curriculum to military basic police training. There are 46 topics in our basic curriculum. The staff was presented with a request to grant equivalency from an individual that used this form to compare his military training. This applicant identified 21 of the 46 areas of training that he took in his military training class.

After discussion, Chief Gammage made a motion to deny equivalency of training to this individual based on the comparison. Mrs. Coleman seconded the motion and it passed without opposition.

A request has been made for an Attorney General's opinion dealing with the Universal Recognition of Occupational Licenses Act and the Military Family Freedom Act as they apply to the Board. Our policy requires out of state and federally trained officers transferring to Mississippi to attend the Refresher Course before being issued a Mississippi certification. These new acts state that certificates are to be issued without further training.

NEW BUSINESS

Discuss Dismissal from Basic Training:

Two situations have come to light recently concerning cadets in the academy and there is no policy in place to settle these situations.

A sponsored cadet made it through the academy and was a few days away from graduation. The sponsoring agency dismissed the cadet from their agency, not for disciplinary reasons. The agency wanted the academy to dismiss the cadet, but the academy didn't have a reason to dismiss the cadet. The question is should the cadet be removed from the academy since they were no longer sponsored or could the academy director allow the cadet to finish the academy as a self-sponsor.

In another situation, the academy director dismissed a sponsored cadet for disciplinary reasons. The sponsoring agency also dismissed the cadet from their department. The question is should the academy director let the cadet return to the next class if the cadet is not sponsored. Should the director only allow the cadet to return if he is sponsored or could he be allowed to return as a self-sponsor? If the director doesn't allow the cadet to come back unless he is sponsored and the cadet doesn't get sponsored, should the director issue a release.

A survey will be taken of academy directors and this topic will be continued at the next meeting.

Request to Approve Leake County Law Enforcement Training Academy:

Training Director Michael Nash presented the application from the Leake County S.O. to establish a Part-Time Academy. Director Nash advised the Board that this department has complied with all the requirements for academy accreditation. He recommended that this application be approved. He stated that there is a need in this area to provide this service.

Sheriff Pollan made a motion to approve Leake County S.O. to operate a part-time academy. Mrs. Coleman seconded the motion and it passed without opposition.

Certification of Officers:

Director Davis presented 6 F/T Basic classes for certification pending completion of all requirements. The Chair entertained a motion. Sheriff Johnson made a motion to approve the candidates for certification subject to meeting all requirements and Sheriff Pollan seconded the motion. The motion passed without opposition. There are 30 F/T equivalency candidates and 9 P/T equivalency candidates for certification pending completion of all requirements. The Chair entertained a motion. Sheriff Pollan made a motion to approve the equivalency candidates for certification subject to meeting all requirements and Mrs. Coleman seconded the motion. The motion was adopted by unanimous consent.

Certification Hearing for Officer Jordan R. Walters:

Officer Walters requested a hearing before the Board after the Standards and Training Certification Section determined that he was not eligible for law enforcement certification. This was determined after the review of his file which indicated that he violated his department's policy by using unnecessary force in making an arrest and copying police video evidence and sharing this evidence by text or email to other officers and civilians. While conducting an investigation concerning the copying of police video evidence, his department discovered text messages on his cell phone that included racial slurs and other unprofessional messages. He was later, while serving as a law enforcement officer arrested for assault in an unrelated matter. This conduct is considered conduct that would violate the Law Enforcement Code of Ethics or would greatly diminish the public trust in the competence and reliability of a law enforcement officer.

The evidence was presented to the Board during the hearing. Officer Walters was represented by Attorney Francis Springer. Mr. Springer requested to exclude some of the evidence due to his belief that this evidence was improperly obtained. The Chair agreed to exclude the evidence dealing with the material discovered on Officer Walter's cell phone.

The Chair entertained a motion to enter into closed session to consider whether to declare an executive session. Mr. McKay made the motion, and it was seconded by Dr. Mallory, there was no opposition. In closed session, the chair entertained a motion to declare an executive session to consider the allegations of misconduct and evidence produced during open proceedings, and the possible issuance of an appealable order. Sheriff Johnson made the motion, and it was seconded by Mr. McKay. The vote was unanimous.

At the conclusion of the executive session, a motion and second was made to come out of executive session. The vote was unanimous.

The Chair announced that while in Executive Session there were multiple concerns expressed by the Board about the Chair's conduct of this hearing particularly the exclusion of specific testimony and specific evidence that had been brought to the Board's attention by documents that had been properly filed of record with this office. Because of concerns that this information may have been

improperly excluded, the Chair on his motion requests that the Attorney General's office research the matter of whether or not that information was properly excluded from this testimony and whether the Chair has the authority at all to make ruling on admissibility of evidence.

The Chair declared the hearing in recess and based on the Attorney General's advice to reconvene on this matter.

Sheriff Pollan made a motion to recess the hearing. Sheriff Johnson seconded the motion and it passed without opposition.

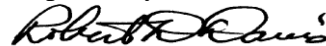
Next Scheduled Meeting:

The next meeting will be announced at a later date.

Concluding Remarks; Adjournment:

The Chair entertained a motion to adjourn. Sheriff Johnson made a motion to adjourn. Sheriff Pollan seconded the motion and it passed without opposition.

Respectfully submitted,



Director, Board on Law Enforcement Officer Standards and Training