

**MINUTES**

**BLEOST MEETING**  
**January 11, 2024**

**Call to Order:**

The meeting was called to order at 9:00 a.m. by Chairman Greg Pollan.

**Roll Call:**

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

Supervisor Anjuan Brown  
Mayor Nancy Chambers  
Hon. Lindsay Cranford  
Chief Michael Hall  
Deputy Charles Harris  
Sheriff Jim Johnson  
Dr. Steve Mallory  
Constable Glenn McKay  
Sheriff Greg Pollan  
Chief John Mark Quaka  
Chief Daniel Sanford

Board Counsel Luke Williamson

**Board members not present were:**

Hon. Kassie Coleman  
Col. Charles Haynes

**Introduction of Guests and Introductory Remarks:**

The guests introduced themselves and were welcomed by the chairman. Colonel Haynes will be the new representative for MHP on the Board. He is at the Capitol attending the presentation of a resolution honoring retired Colonel Randy Ginn.

**Speakers/Guests present were:**

Autery Dunbar, Fire Fighter/Medic - Flowood  
Director Jacqueline Moreno, SRPSI  
Sheriff Todd Stewart, Stone Co.  
Chief Deputy Steve Taylor, Stone Co  
Attorney Darla Palmer  
Officer Keith Whitney, Humphreys Co. S.O.  
Asst. Chief Chris Deback, Biloxi PD  
Officer Jonathan Johnson, Biloxi PD  
Attorney G. Morgan Holder  
Deputy David Tarvin, Stone Co. S.O.

Attorney Elliot Burch  
Lt. Johnathan Esters, Hinds Co. S.O.  
Director Marcus Colley, AG's Office  
Director Eric Wiginton, AG's Office  
Chief Cornelius Parks, Meridian Public School District  
SRO Toby Fitch, Meridian Public School District

**Staff Members Present were:**

Program Supervisor Robert Davis  
Program Specialist Donna Rogers-Perkins  
Program Specialist Risa Turpin  
Accreditation Manager Bob Morgan

**Approval of Minutes:**

A copy of the minutes from the meeting on October 26, 2023, was emailed to each member. Sheriff Johnson made a motion to approve the minutes as presented. Constable McKay seconded the motion. The motion passed without opposition.

**OLD BUSINESS**

**In-Service Training – Request for Approval:**

1. **2<sup>nd</sup> Annual ACE Institute Human Trafficking Symposium; Pontotoc; 7 hours**
2. **The Prepared Public Information Officer Course; Therese Apel; 16 hours**
3. **Basic Dignitary Protection Course; Karl L. de la Guerra; Olive Branch; 80 hours or 40 hours**
4. **MDIAI (MS Division of the International Association of Identification) Annual Conference; Raymond; 24 hours**
5. **U.S. Department of Justice's Project Safe Neighborhoods Initiative; U.S. Attorney's Office for the Southern District of Mississippi; 2 hours**
6. **Strangulation; Gulf Coast Center for Nonviolence; 7.5 hours**

These topics were presented to the Board for approval. Constable McKay made a motion to approve, and Supervisor Brown seconded the motion. The motion passed without opposition.

**NEW BUSINESS**

**Certification of Officers:**

Director Davis presented eight (8) full-time academy classes and four (4) part-time academy classes for certification pending completion of all requirements. The Chair entertained a motion. Chief Quaka made a motion to approve the full-time classes and part-time classes for certification subject to meeting all requirements. Sheriff Johnson seconded the motion. The motion was

adopted without opposition.

Thirty-nine (39) full-time and seven (7) part-time equivalency of training candidates were presented for certification pending completion of all requirements. The Chair entertained a motion. Sheriff Johnson made a motion to approve the equivalency candidates for certification subject to meeting all requirements. Chief Hall seconded the motion. The motion was adopted without opposition.

### **Director's Report:**

The director reported that the office has received 46 applications for the two vacant positions and that interviews will begin soon. Filling these vacancies will be a huge assistance in the daily operation of the office. Bob Morgan has returned on contract to maintain the accreditation program and assist with training a new accreditation employee. The new chief's training will be conducted next week in Ridgeland.

### **Certification Review Hearing for Officer Keith A. Whitney:**

The Board on Law Enforcement Officer Standards and Training (BLEOST) received a "Full-Time Law Enforcement Application for Certification" from the Humphrey's County Sheriff's Department. This agency hired Keith Whitney as a law enforcement officer on 4/1/23. Based on information in his certification file, the Board's staff determined that he is not eligible for certification. Officer Whitney along with his attorney, Darla Palmer, requested this hearing before the Board.

The BLEOST has been provided information that he was discharged from the Indianola Police Department on 6/7/2010. His discharge was due to misconduct. The BLEOST received information that he was arrested for Attempted Sexual penetration with inmate and sexual penetration with inmate. Count 1 was on or about 5/25/10 and Count 2 was on or about 12/11/09. He pled guilty to extortion and was sentenced to three years in the custody of the Mississippi Department of Corrections, he was placed on one year of supervised probation and ordered to pay a fine. His arrest and conviction has been expunged. He falsified BLEOST certification documents when he applied for certification in 2021 and 2023. This conduct or action violates the Law Enforcement Code of Ethics or would greatly diminish the public trust in the competence and reliability of a law enforcement officer. According to the record, he was certified by the BLEOST as a law enforcement officer on March 13, 2003, certificate number 15908.

Mr. Davis presented a 31-page document taken from Officer Whitney's file to back up the allegations (marked as exhibit 1).

Attorney Palmer addressed the Board on behalf of Officer Whitney. Officer Whitney addressed the Board.

After all testimony was concluded, the Chair entertained a motion. Dr. Mallory made a motion to go into closed session to consider whether to declare an executive session, Chief Quaka seconded the motion. The motion passed without opposition. Eleven members were present. Sheriff

Johnson made a motion to enter into executive session to consider the allegations of misconduct and evidence produced during open proceedings, and the possible issuance of an appealable order. Chief Sanford seconded the motion and it passed unanimously.

After executive session was completed, the Chair invited everyone back to the meeting room. Sheriff Johnson made a motion to come out of executive session, seconded by Mayor Chambers. The motion passed unanimously.

The Chair announced that after deliberations in Executive Session, the Board on Law Enforcement Officer Standards & Training finds that:

### **FINDINGS OF FACT**

1. The Board has promulgated policy and procedure whereby: the Board may reject any unqualified applicant for certification by a classification of not eligible for certification, and any conduct or action 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 would be actionable as due cause for reprimand, suspension (under condition), recall or cancellation of a certificate.
2. Clear and convincing evidence was placed before the Board that you, Keith A. Whitney, were not honest in completing official Board documents, that violates the Law Enforcement Code of Ethics and that your actions, by admitting committing extortion in Sunflower County, Mississippi, greatly diminishes the public trust in your competence and reliability as a law enforcement officer.
3. The Board on Law Enforcement Officer Standards and Training issued the professional certificate number 15908 in the name of Keith A. Whitney.

### **CONCLUSIONS OF LAW**

Upon consideration of the testimony presented today, and pursuant to Mississippi Code, Section 45-6-7, the Board on Law Enforcement Officer Standards and Training has promulgated policy for the administration of the Law Enforcement Officers Training Program (LEOTP) allowing the Board the authority to reject any unqualified applicant for certification by a classification of not eligible for certification. Any conduct or action 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 would be actionable as due cause for reprimand, suspension, recall or cancellation of a certificate.

In Executive Session, after considering the facts presented, the Board voted unanimously (11-0) to cancel certificate number 15908 in the name of Keith A. Whitney. This action is effective on January 11, 2024.

### **Certification Review Hearing for Officer Jonathan E. Johnson:**

The Board on Law Enforcement Officer Standards and Training (BLEOST) received a “Full-Time Law Enforcement Application for Certification” from the Biloxi Police Department. This agency hired Officer Johnson as a law enforcement officer on 4/12/23. Based on information in his certification file, the Board’s staff determined that he is not eligible for certification. Officer

Johnson and his attorney requested to be heard by the Board.

The BLEOST has been provided information that he was discharged from the MS Department of Public Safety-Highway Safety Patrol. His discharge was due to his action in exceeding the speed limit that was a contributing factor in the death of an individual. This conduct or action violates the Law Enforcement Code of Ethics or would greatly diminish the public trust in the competence and reliability of a law enforcement officer. According to the record, he was certified by the BLEOST as a law enforcement officer on March 30, 2006, certificate number 16924.

Mr. Davis presented a 26-page document taken from Officer Johnson's file to back up the allegations (marked as exhibit 1).

Attorney Holder addressed the Board on behalf of Officer Johnson. Officer Johnson addressed the Board. Assistant Chief Chris Deback was sworn in to testify on the behalf of Officer Johnson.

After all testimony was concluded, the Chair entertained a motion. Constable McKay made a motion to go into closed session to consider whether to declare an executive session, Dr. Mallory seconded the motion. The motion passed without opposition. Eleven members were present. Chief Sanford made a motion to enter into executive session to consider the allegations of misconduct and evidence produced during open proceedings, and the possible issuance of an appealable order. Dr. Mallory seconded the motion and it passed unanimously.

After executive session was completed, the Chair invited everyone back to the meeting room. Supervisor Brown made a motion to come out of executive session, seconded by Sheriff Johnson. The motion passed unanimously.

The Chair announced that in Executive Session, after considering the facts presented, the Board voted unanimously (11-0) to take no action against the certification of Jonathan E. Johnson. The certificate will be reinstated.

#### **Certification Review Hearing for Officer David W. Tarvin:**

The Board on Law Enforcement Officer Standards and Training (BLEOST) received a "Full-Time Law Enforcement Application for Certification" from the Stone County Sheriff's Office. This agency hired Officer Tarvin as a law enforcement officer on 4/15/23. Based on information in his certification file, the Board's staff has determined that he is not eligible for certification. Officer Tarvin and his attorney requested to be heard by the Board.

The BLEOST has been provided with information that he resigned during an internal investigation from the George County Sheriff's Office. He was being investigated for falsifying his time sheet and unprofessional conduct. During the investigation, he was accused of providing untruthful answers. This conduct or action violates the Law Enforcement Code of Ethics or would greatly diminish the public trust in the competence and reliability of a law enforcement officer. According to the record, he was certified by the BLEOST as a law enforcement officer on March 18, 2016, certificate number 24911.

Mr. Davis presented a 33-page document taken from Officer Johnson's file to back up the

allegations (marked as exhibit 1).

Attorney Burch addressed the Board on behalf of Officer Tarvin. Officer Tarvin addressed the Board.

After all testimony was concluded, the Chair entertained a motion. Chief Quaka made a motion to go into closed session to consider whether to declare an executive session, Constable McKay seconded the motion. The motion passed without opposition. Eleven members were present. Constable McKay made a motion to enter into executive session to consider the allegations of misconduct and evidence produced during open proceedings, and the possible issuance of an appealable order. Chief Sanford seconded the motion and it passed unanimously.

After executive session was completed, the Chair invited everyone back to the meeting room. Supervisor Brown made a motion to come out of executive session, seconded by Chief Hall. The motion passed unanimously.

The Chair announced that in Executive Session, after considering the facts, the Board voted unanimously (11-0) to take no action against the certification of David Tarvin. The certification will be reinstated.

### **Discuss Proposal for Rule Change – Military Discharge Ch. 1-2:**

At the last meeting, Board members questioned the policy concerning military discharge. It was discussed that it didn't seem equitable that a civilian candidate with a misdemeanor record may be eligible for law enforcement certification, but a candidate that received an "other than honorable discharge" due to a misdemeanor or minor infraction in the military would not be eligible for certification. It was determined that this policy should be examined. Military Major Moreno provide the Board with the types of military discharges for discussion. After a lengthy discussion, Sheriff Johnson made a motion with the intent to adopt the below added language to Chapter 1 and 2 of the BLEOST Policy. Chief Quaka seconded the motion. This new language would not automatically disqualify a candidate with an "other than honorable discharge". The candidate would be required to provide the Board with information which specifically states the actions which led to the discharge. The vote to pass this motion was 9 to 2, with Chief Sanford and Mayor Chambers opposing.

### **Chapter 1 Rule 1.1 Definitions**

**12. Employment Standards** - To be qualified for employment as a law enforcement officer, the applicant must meet the following standards and requirements: Be at least twenty-one (21) years of age, a high school graduate (or obtain a General Educational Development (GED) Diploma), and a United States citizen; be of such good physical and mental condition to be capable of performing the duties under conditions inherent to the profession, as verified by a licensed physician; and be of good moral character as evidenced among other things by having neither a conviction, a plea of guilty, a plea of nolo contendere, probation, pre-trial diversion or the payment of any fine for a felony or a misdemeanor involving moral turpitude or in relation to a crime that is directly related to the duties and responsibilities of a law enforcement officer; and have engaged in no conduct or action that would greatly diminish the public trust in the competence and reliability of a law enforcement officer. Former members

of the Armed Forces must have been discharged under honorable conditions. Former members of the Armed Forces discharged under other than honorable conditions may appeal to the Board for consideration, after providing all official discharge documents, and any additional or supporting documentation that may be requested by the Board. Fitness for service as it relates to moral character must be verified by an appropriate background investigation.

**Chapter 2 Applicant Evaluation, Employment and Certification Procedures Rule 2.2 Policy 1. C.**

5. And be of good moral character as evidenced among other things by having neither a conviction, a plea of guilty, a plea of nolo contendere, having been ordered into probation or pre-trial diversion or have been fined in relation to a felony or a misdemeanor involving moral turpitude or to a crime that is directly related to the duties and responsibilities of a law enforcement officer; and not have been engaged in any conduct or action that would greatly diminish the public trust in the competence and reliability of a law enforcement officer. Former members of the Armed Forces must have been discharged under honorable conditions. Former members of the Armed Forces discharged under other than honorable conditions may appeal to the Board for consideration, after providing all official discharge documents, and any additional or supporting documentation that may be requested by the Board. Fitness for service as it relates to moral character must be verified by an appropriate background investigation.


**Next Scheduled Meeting:** A special meeting is scheduled for February 15, 2024.

**Concluding Remarks; Adjournment:**

Chief Sanford suggested that the staff look at changing the background investigation questions on the application. He feels that it would be easier for the applicant to understand if the expungement question was a separate question.

The meeting was adjourned at 12:45 a.m.

Respectfully submitted,



Director, Board on Law Enforcement Officer Standards and Training