

**MINUTES**

**BLEOST MEETING**  
**October 7, 2021**

**Call to Order:**

The meeting was called to order at 9:00 a.m. by Vice-Chairman 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  
Chief Michael Hall  
Sheriff Jim Johnson  
Dr. Steve Mallory  
Constable Glenn McKay

Hon. Candice Rucker, Board Counsel

**Board members not present were:**

Col. Randy Ginn  
Sheriff Greg Pollan  
Mayor Gary Rhoads  
Chief Vance Rice  
Hon. Ed Snyder  
Mr. Windy Swetman

**Introduction of Guests, Introductory Remarks:**

The guests introduced themselves and they were welcomed.

**Speakers/Guests present were:**

Major LeAnn Farr – Olive Branch P.D.  
Deputy Chief William Cox – Olive Branch P.D.  
Attorney Francis Springer  
Lt. Col. Thomas Tuggle – MLEOTA  
Deputy Paul Leslie – DeSoto Co. S.O.  
Deputy Jonathan Hardin – DeSoto Co. S.O  
Deputy Steve Palmer – DeSoto Co. S.O  
Lt. Mike Cowan – DeSoto Co. S.O  
Sheriff Bill Rasco – DeSoto Co. S.O  
Deputy Jordan Walters – DeSoto Co. S.O

**Staff Members Present were:**

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

**Reconvene Hearing on Officer Jordan R. Walters:**

The hearing on Deputy Jordan R. Walters continued with the addition of new evidence that was excluded during the beginning of the hearing, and witnesses were called to testify. The rule was invoked.

At the conclusion of all presentations, the vice-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 Mrs. Coleman. The vote was unanimous. In closed session, the vice-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. When executive session was finished, everyone was called back into the meeting room, the vice-chair announced that all members of the board who were present before deliberations, are present now. The vice-chair entertained a motion to come out of executive session. Mr. McKay made the motion and Mrs. Coleman seconded the motion. The vote was unanimous. The vice-chair announced the finding made in executive session which is contained in the final order.

**BEFORE THE MISSISSIPPI BOARD ON  
LAW ENFORCEMENT OFFICER STANDARDS AND TRAINING**

*In the Matter of:*

**DEPUTY JORDAN R. WALTERS**  
**Certificate Number 25019**

**FINAL ORDER**

This matter concerns the certification of Jordan R. Walters as a law-enforcement officer in the State of Mississippi. Under Mississippi Code Annotated § 45-6-11, the Certification Staff of the Mississippi Board on Law Enforcement Officer Standards and Training determined that Walters was not eligible for law-enforcement certification. Walters requested and was granted a certification-review hearing before the Board. A quorum of the Board was present throughout the hearing and deliberation on this matter.

Robert Davis, Director of the Office of Standards and Training, presented testimony and documents to the Board. Walters, having been served notice of the hearing and being fully informed of his rights to a formal hearing before the Board

(Ex. 4 at 10-12), appeared and was represented by counsel. Walters and his witnesses testified, and Walters presented documents as evidence at the hearing.

The hearing of this matter was first convened on July 22, 2021. At that time, Walters—through counsel—objected to a portion of the evidence that Mr. Davis presented, arguing that it was obtained by Olive Branch Police Department (OBPD) in violation of the Fourth Amendment. (July 22 Tr. 5-6). Acting Chairman Brad Carter excluded the evidence but later recessed the hearing so the Board Attorney could determine whether evidence may be excluded. (July 22 Tr. 72-73). During the recess, the Board Attorney determined that evidence may not be excluded from consideration under the Board’s policies and procedures, which provide: “The Board *shall* consider *all* oral and written material presented at the hearing.” See Rule 4.3(1)(J)(2) (emphases added); *accord Alston v. Miss. Dep’t of Emp. Sec.*, 247 So. 3d 303, 311 (Miss. Ct. App. 2017) (noting that “formal rules of practice, procedure, and evidence are more relaxed in proceedings before administrative agencies than in courts of law”). The Rule being written in the imperative, Acting Chairman Carter formally requested that Mr. Davis schedule a special Board meeting to conclude the hearing. (Oct. 7 Tr. 5-6). The Board then reconvened Walters’s hearing on October 7, 2021, and considered all evidence presented. Again, Walters was provided notice of the hearing and of his rights to be represented by counsel and to present evidence on his behalf—which he exercised.

The Board, having considered all evidence presented, makes these findings of fact and conclusions of law based on clear and convincing evidence and issues this Final Order:

**I. Findings of Fact**

1. Present at the hearing on the date of the vote were:

*Members:*

Officer Brad Carter, Ridgeland Police Department  
District Attorney Kassie Coleman, Lauderdale County  
Chief Don Gammage, Olive Branch Police Department  
Chief Michael Hall, Guntown Police Department  
Sheriff Jim H. Johnson, Lee County  
Dr. Steve Mallory, University of Mississippi  
Constable Glenn McKay

The above-named Members were also present during the first portion of Walters’s hearing on July 22. Chief Gammage recused himself from consideration of this case (July 22 Tr. 7; Oct. 7 Tr. 8-9, 11), and Acting Chairman Carter elected not to participate in the vote, leaving a five-person quorum of the Board to deliberate. See

Bylaws of the Mississippi Board on Law Enforcement Officer Standards and Training, Art. V § 5.

*Board Attorney:*

Hon. Candice L. Rucker, Mississippi Attorney General's Office

*Standards and Training Staff:*

Robert Davis, Director

Bob Morgan, Division Director

Michael Nash, Training Director

Donna Rogers, Certification Officer

2. These exhibits were admitted as evidence at the hearing:

*Exhibits Sponsored by Mr. Davis:*

- Exhibit 1: 33 pages total
  - Walters's Professional Certificate
  - Law Enforcement Termination/Reassignment Report
  - Documents relating to OBPD's internal investigations into Walters's conduct
  - September 13, 2019 letter on Walters's certification
- Exhibit 2: 9 pages total
  - OBPD Employee Disciplinary Report
  - Walters's letters of resignation from OBPD
  - Documents relating to OBPD meetings and attendance
  - Log of relevant correspondence from Walters's cell phone
- Exhibit 3: 145 pages total
  - Downloaded text messages from Walters's cell phone
- Exhibit 4: 12 pages total
  - Walters's Application for Certification
  - Correspondence on Walters's certification, request for hearing, and hearing date set
- Exhibit 5: 13 pages total
  - Police reports reflecting Walters's 2019 charge for simple assault
- Exhibit 6: 1 page total
  - Law Enforcement Code of Ethics
- Exhibit 7: Police Videos
- Exhibit 8: April 29, 2019 Litigation Hold Letter

*Exhibits Sponsored by Walters:*

- Unnumbered Exhibit 9: Walters's Life-Saving Award presented by DeSoto County Sheriff's Department (DCSD)
- Unnumbered Exhibit 10: Walters's Officer of the Year Award presented by OBPD

- Unnumbered Exhibit 11: Letters of reference from (1) Dep. Brian C. Brock; (2) Sgt. Jack Henry; (2) Sgt. Donald Anglin; and (4) Sgt. Keith Walters (Ret.)
- Unnumbered Exhibit 12: Order of Expungement of Criminal Record

3. Mr. Davis testified that Walters first attended law-enforcement training in Indiana and was certified there in 2015. (July 22 Tr. 10). He attended the Mississippi Law Enforcement Refresher Course in April and May 2016 and was certified by the Board on May 5, 2016. (July 22 Tr. 10). That certification allowed him to work for OBPD. (July 22 Tr. 10).

4. Board Staff received a Law Enforcement Termination/Reassignment Report from OBPD in September 2019. (July 22 Tr. 12; Ex. 1 at 2). That Report advised that Walters resigned “prior to, during or at the conclusion of an investigation” on August 13, 2019. (Ex. 1 at 2). OBPD attached information to that Report about two internal-affairs investigations into Walters’s conduct while he was employed by OBPD. (July 22 Tr. 12; Ex. 1 at 3-32).

5. The first of these internal-affairs investigations began in April 2019, when a citizen complained that Walters used excessive force while responding to a car stopped in the roadway. (July 22 Tr. 12). The suspect—who was passed out in the car—claimed that he had a handicapped arm and could not comply with Walters’s commands to remove his hand from his pocket. (July 22 Tr. 12-13). Walters then took the suspect to the ground and handcuffed him. (July 22 Tr. 13). OBPD determined “that unnecessary force was used.” (July 22 Tr. 13; Ex. 1 at 3-10). Walters received a one-day suspension for “exercising too much force on th[at] individual.” (July 22 Tr. 44; Ex. 2 at 1). The Board viewed the video of this incident at Walters’s hearing. (Ex. 7).

6. On April 29, 2019, OBPD received a litigation-hold letter from Olive Branch City Attorney Bryan Dye, advising that litigation “has been threatened, or is reasonably anticipated,” about Walters’s April 2019 use of excessive force. (Ex. 8). The letter required OBPD “to refrain from deleting or destroying any evidence, including electronic data (emails, etc.) and video relating to the subject of the anticipated or pending litigation.” (Ex. 8). It also advised that “[f]ailure to comply with the Litigation Hold may result in claims of evidence spoliation against the City of Olive Branch and its employees, and may further result in the imposition of sanctions by the presiding Court.” (Ex. 8).

7. The second of these internal-affairs investigations began in August 2019, when OBPD learned that Walters had recorded videos from his dash-mounted camera onto his personal cell phone and shared those videos—including video of the April 2019 excessive-force incident—with people outside the department. (July 22 Tr. 14; Oct. 7 Tr. 17). This conduct violates OBPD policy, and Walters was aware of that

policy at the time of the infraction. (Ex. 2 at 4-8). When confronted, Walters admitted that he had police-department video on his personal cell phone and that he had shared those videos with several people outside the department. (July 22 Tr. 14, 27; Oct. 7 Tr. 46).

8. OBPD then asked Walters for his cell phone so the police-department videos could be removed. (July 22 Tr. 15). Major LeAnn Farr testified that OBPD felt bound by the April 2019 Litigation Hold to make a record of the videos Walters had captured and the people to whom they were sent. (Oct. 7 Tr. 19-20, 22). OBPD Deputy Chief William Cox and Major Farr testified that Walters voluntarily surrendered his cell phone, along with the security code to the cell phone. (July 22 Tr. 26; Oct. 7 Tr. 18). Walters testified that he did not voluntarily surrender his cell phone but that it was “physically taken” from him during a meeting with his superiors. (July 22 Tr. 38-39; Oct. 7 Tr. 91). He concedes that he provided the security code to his cell phone but claims that he only did so because he did not feel free to resist. (July 22 Tr. 40).

9. When Walters was asked to surrender his cell phone, OBPD was conducting an administrative investigation. (July 22 Tr. 27-28). At that time, Major Farr testified that the investigation was not criminal and that Walters was not advised of his rights under *Garrity v. New Jersey*, 385 U.S. 493 (1967). (July 22 Tr. 30-31; Oct. 7 Tr. 18). Major Farr testified that the purpose of the meeting was to determine whether the accusations against Walters—*i.e.*, that he had recorded and shared OBPD videos on his personal cell phone—were valid. (Oct. 7 Tr. 18, 46). According to Deputy Chief Cox, Walters was advised at the meeting that it was unclear whether “there would be any subsequent charges filed against him in relation[] to the sharing of th[e] video[s].” (July 22 Tr. 30). Walters contests this account, claiming that Chief Gammage threatened to “arrest [him] right then.” (July 22 Tr. 38).

10. OBPD then found seventeen police-department videos on Walters’s cell phone. (July 22 Tr. 29). Major Farr and her colleagues learned that Walters had videoed and shared the April 2019 excessive-force incident *and* sixteen other incidents occurring while he was in the line of duty. (Oct. 7 Tr. 23-24). In many cases, Walters shared the video within minutes of the incident occurring—while the scene was still being processed and before the suspect involved had been arrested and charged. (Oct. 7 Tr. 24-25). Most suspects involved in these videos were African American men, and Major Farr suspected “veil[ed] racism” against members of the African American community. (Oct. 7 Tr. 25). As a result, she asked the forensic technician to search Walters’s phone for racial slurs (“n-----” and “n-----”). (Oct. 7 Tr. 26).

11. During this search, OBPD uncovered many text messages containing racial slurs, threats of violence against minorities, and “other unprofessional messages.” (July 22 Tr. 15; Ex. 4 at 10). Major Farr testified that OBPD prepared an extraction report of these text messages in accord with the April 2019 Litigation Hold

and in anticipation of civil litigation on the excessive-force incident. (Oct. 7 Tr. 19). During her investigation, she tied Walters's text messages, including racial slurs and threats of violence, to the many OBPD videos that he shared. (Oct. 7 Tr. 27). Major Farr and Deputy Chief Cox specifically testified to these text messages Walters shared about incidents that he worked as an OBPD officer:

- *August 18, 2018 Assault with Weapons Incident*: “Hahaha, he’s a piece of shit. He and his four other brahs chased a rival ‘gang’ member with a loaded pistol. Parents called us and just so happened their car passed right as I was pulling up. He wanted to keep pushing against me . . . well say hello to the hood of my car with your face motherfucker.” (Ex. 1 at 18).
- *September 5, 2018 Motor Vehicle Theft Incident*: “Long story short. We got in a pursuit with a stolen vehicle out of Memphis . . . I was setting up stop sticks on the hwy. LT got on the radio saying he cut his lights off. I turned around to see if I could see him coming. Dropped a handle of my stop sticks. Reached down to get it and as I’m coming up, this fucking n----- goes around my car on the right side and nearly took my head off. I could have reached out and touched his car. If there weren’t other cars on the hwy I would have tried putting rounds in his car hoping to blow his goddamn head off.” (Ex. 1 at 19).
- *September 5, 2018 Motor Vehicle Theft Incident*: “Fucking crazy shit man. I had to go to the pd throw a dip in and take a minute after. After he almost clipped me I got back in my car and I hit 140 trying to catch that fucker. If I did I was gonna put rounds through my windshield dude. It was that close and I would’ve been more than justified. Fucking n----- from Memphis being fucking thugs and stealing cars. Fuck them” (Ex. 1 at 19).

12. Before the second internal-affairs investigation began, Walters had resigned and given two weeks’ notice. (July 22 Tr. 14; Ex. 2 at 2). When he admitted to possessing and sharing police-department videos with people outside the department, he was asked to resign immediately and did immediately resign at that time “in lieu of termination.” (July 22 Tr. 14, 27; Oct. 7 Tr. 19; Ex. 2 at 3). Chief Gammage later submitted a letter to Board Staff, reflecting “that he did believe that there was a violation of Board policies, which helped [Board Staff] make the decision to declare [Walters] ineligible for certification.” (July 22 Tr. 43; Ex. 1 at 33).

13. Walters was hired by DeSoto County Sheriff’s Department about one week after resigning from OBPD. (July 22 Tr. 46). Shortly after beginning his work with DCSD, Walters was arrested and charged with simple assault. (July 22 Tr. 51; Ex. 5). According to the police report, Walters had an altercation with his then-



fiancée's ex-husband at the preschool where her four-year-old child attended. (July 22 Tr. 54). That charge was not prosecuted and was ultimately expunged (Unnamed Ex. 12), but "the Board does consider expungements . . . when it comes to the certification of law enforcement officer[s]" (July 22 Tr. 53).

14. After Walters resigned from OBPD, Board Staff received his Application for Certification from the DCSD. (July 22 Tr. 46; Ex. 4 at 1). As part of his Application, Walters submitted a written statement to explain his suspension from OBPD earlier that year—*i.e.*, for violating arrest procedures by using excessive force against the suspect. (Ex. 4 at 4). Walters further advised that he filed a grievance, and the disciplinary action against him was ultimately upheld. (Ex. 4 at 4). Board Staff declared Walters ineligible for certification based on information received about Walters's conduct while he was employed with OBPD. (July 22 Tr. 9). Board Staff issued a document to DCSD reflecting as much (Ex. 4 at 5-6), and Walters requested a hearing (July 22 Tr. 9; Ex. 4 at 7-9).

15. Mr. Davis also introduced the Law Enforcement Code of Ethics, which reads, in pertinent part:

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in an official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

(Ex. 6).

16. For his part, Walters called five witnesses to testify—including Sheriff Bill Rasco, Lieutenant Paul Leslie, Major Steve Palmer, Deputy Jonathan Hardin, and Chief Gammage. The substance of the first four testimonies was similar: Walters is a person of good character and performs well as a law-enforcement officer; he has excelled in his role as a K-9 handler and at least twice jeopardized his personal safety to save lives; he provides the same level of courtesy to all members of the public; and losing him would harm DCSD, which has trouble finding quality officers. (July 22 Tr.

65, 67; Oct. 7 Tr. 108-09, 114-15, 118, 121-22). Sheriff Rasco, Lieutenant Leslie, and Major Palmer testified that they had not seen the text messages at issue before the Board. (Oct. 7 Tr. 113, 116, 123).

17. Walters also testified on his own behalf. (Oct. 7 Tr. 86). He likewise testified that he enjoys and excels at his work with DCSD, harbors no racial animosity, and treats all members of the public with the same courtesy. (Oct. 7 Tr. 87-88, 98-99, 105).

18. And Walters submitted documentary evidence in support of his case. In no particular order, the Board considered a December 7, 2018 letter from OBPD naming Walters “Officer of the Year” for freeing the driver of a submerged vehicle after a one-car motor-vehicle accident. (Unnamed Ex. 10). The Board considered a “Life-Saving Award” presented to Walters by DCSD for saving the entrapped occupant of a vehicle after it caught fire. (Unnamed Ex. 9). It is undisputed that Walters performed these heroic actions. The Board considered four letters of reference submitted on Walters’s behalf from various law-enforcement officers familiar with his character. (Unnamed Ex. 11). And the Board considered the Order of Expungement relevant to his 2019 simple-assault charge. (Unnamed Ex. 12).

19. At the end of his presentation, Mr. Davis identified four issues concerning Walters’s conduct, all of which occurred during the same year: (1) excessive use of force in violation of OBPD’s policy; (2) copying and sharing police-department videos with people outside the department in violation of OBPD’s policy; (3) simple-assault arrest that was ultimately expunged; and (4) text messages including racial slurs and threats of violence against minorities. (Oct. 7 Tr. 132-35). Mr. Davis advised that these infractions alone may not justify a sanction against Walters’s certificate but encouraged the Board to consider them in tandem. (Oct. 7 Tr. 132-35). Mr. Davis then asked the Board to consider whether Walters should be sanctioned for violating the Law Enforcement Code of Ethics and the public trust and, if so, to determine what that sanction should be. (July 22 Tr. 60; Oct. 7 Tr. 132-35).

## **II. Conclusions of Law**

1. The Board has jurisdiction here under Mississippi Code Annotated §§ 45-6-7 and 45-6-11.

2. Walters received due, proper, and timely notice of his right to request a hearing and the time and place of the hearing set. (July 22 Tr. 4-5). He also received due, proper, and timely notice of his rights to counsel and to present testimony and documentary evidence during the hearing—which he exercised. (July 22 Tr. 4-5).

3. These proceedings were properly convened, and all substantive and procedural requirements under the law have been satisfied. This matter is thus properly before the Board.

4. The Board may certify, regulate, and discipline people who apply for or hold certification as law-enforcement officers. To further that purpose, Section 45-6-7 authorizes the Board to promulgate rules and regulations for the administration of the Law Enforcement Officers Training Program. Rule 4.2 of the Board's policies and procedures provides:

1. The Board may reject any unqualified applicant for certification by a classification of not eligible for certification. Further, the Board reserves the right to reprimand, suspend or cancel and recall any certificate when:

\* \* \*

D. The holder has committed an act of malfeasance or has been dismissed from his employing law enforcement agency;  
E. Or other due cause as determined by the Board.

\* \* \*

2. Any condition, conduct or action that would breach the established minimum standards, 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 conditions), recall or cancellation of a certificate.

5. Put differently, a law-enforcement officer's professional certificate may be canceled following (1) his dismissal from an agency; (2) his violation of the Law Enforcement Code of Ethics; or (3) conduct that would greatly diminish the public trust in the competency and reliability of a law-enforcement officer. Any of these conditions, standing alone or considered together, justifies the cancellation of a law-enforcement officer's professional certificate. *See* Rule 4.2.

6. Based on the evidence produced at the hearing, the Board finds by clear and convincing evidence that Walters's professional certificate should be canceled for those three reasons. *First*, Walters resigned from OBPD "in lieu of termination." (Oct. 7 Tr. 19). Walters committed two separate policy violations while employed by OBPD—each within mere months of the other. OBPD first determined that Walters

used excessive force against a suspect, and Walters later admitted to copying OBPD's dash-cam footage onto his personal cell phone and sharing those videos with people outside the department. (July 22 Tr. 14, 27; Oct. 7 Tr. 46). Once he admitted this second policy infraction, OBPD requested his immediate resignation, which Walters supplied. Both policy violations were substantiated by credible evidence, adduced during two internal-affairs investigations by OBPD. (Ex. 1 at 3-32). The Board finds that both incidents were thoroughly and properly investigated by OBPD, and that neither investigation was tainted by or stemmed from any nefarious intent—including inter-departmental rivalry, as suggested by Walters's attorney at the hearing. (Oct. 7 Tr. 129-30).

7. *Second*, Walters violated the Law Enforcement Code of Ethics in four respects identified by Mr. Davis at the hearing. Walters violated “the regulations of [his] department,” as outlined above. (*See* Ex. 6). That is, he employed “unnecessary force or violence” in the line of duty and revealed OBPD videos to unauthorized personal, thus violating the confidence implicit in his office. (*See* Ex. 6). Walters also sullied his private life by engaging in an altercation with his fiancée's ex-husband, leading to his arrest for simple assault. (*See* Ex. 6; July 22 Tr. 54). And Walters allowed “personal feelings, prejudices, [and] animosities” to drive conversations with others (*see* Ex. 6), as evidenced by the text messages presented for the Board's consideration (Ex. 3). These text messages reveal prejudice against a targeted minority community and the propensity for violence against members of that community.

8. The Board makes no determination on whether these text messages were obtained by OBPD in violation of the Fourth Amendment because its policies and procedures provide that “*all* oral and written material presented at the hearing” should be considered. *See* Rule 4.3(1)(J)(2) (emphases added). The Board thus made no factual findings relevant to the Fourth Amendment analysis—*i.e.*, whether Walters voluntarily surrendered his personal cell phone and the security code to it or whether criminal charges had been threatened against him when his personal cell phone was surrendered. Regardless, the Fourth Amendment's Exclusionary Rule does not generally apply in administrative proceedings like these. *See Immigration and Naturalization Serv. v. Lopez-Mendoza*, 468 U.S. 1031, 1050-51 (1984) (holding that evidence obtained in violation of the Fourth Amendment “need not be suppressed in an INS civil deportation hearing”); *United States v. Janis*, 428 U.S. 433, 447 (1976); *United States v. Calandra*, 414 U.S. 338, 347 (1974).

9. *Third*, Walters's conduct risks greatly diminishing the public trust in the competence and reliability of the law-enforcement profession—also for the four reasons Mr. Davis identified at the hearing. Though one of these reasons alone may be insufficient to justify canceling an officer's professional certificate, the Board finds that four infractions in one year represents an alarming trend in professional misconduct. It makes no difference that Walters has not been formally sanctioned

since his case came to the attention of Board Staff; any logical person facing the potential loss of his professional certificate would behave while his case is under review.

10. The Board does not find Walters's documentary evidence sufficient to overcome Mr. Davis's substantial evidence against him. For example, it is undisputed that Walters twice jeopardized his personal safety to save the lives of others. (Unnamed Exs. 9-10). Though commendable, these occurrences do not negate Walters's policy violations, subsequent arrest, and use of racially motivated and threatening language in text messages. Likewise, letters of recommendation suggest that Walters is now performing well at his job (Unnamed Ex. 11) but provide no proof that the allegations against him are false. And the Order of Expungement on his 2019 arrest for simple assault (Unnamed Ex. 12) does not negate the fact that the altercation and arrest occurred.

11. What's more, the testimony presented on Walters's behalf was provided by witnesses not fully informed. Sheriff Rasco is in the unenviable position of having to hire and retain deputies. His testimony—and the testimonies of other DCSD personnel—was complementary of Walters's character and the benefits that he has brought the department. Though loyalty to their colleague is commendable, none of these witnesses appears willing to objectively consider any facts that would disturb their opinions of a valued employee. The Board finds Sheriff Rasco and his personnel are sincere in their positive comments about Walters, but none of them provided direct evidence to refute the detailed evidence presented by Mr. Davis for the Board's consideration. That is, as with the documentary evidence, none of these testimonies provides a scintilla of proof that Walters did not commit the infractions now levied against him.

12. The Board thus finds that clear and convincing evidence was presented to show that Jordan R. Walters (1) resigned in lieu of dismissal from an agency; (2) violated the Law Enforcement Code of Ethics; and (3) committed conduct that would greatly diminish the public trust in the competency and reliability of a law-enforcement officer.

13. The Board voted 4-1 to cancel certificate number 25019 in the name of Jordan R. Walters for these reasons. (Oct. 7 Tr. 138-39). Constable McKay was the only member to vote against the cancelation.

14. The Board finds and concludes that the following order and discipline is just and appropriate under the circumstances.

### **III. Final Order**

1. Certificate number 25019 in the name of Jordan Walters is canceled effective Thursday, October 7, 2020.

2. This written opinion is the Final Order of the Board and is conclusive evidence of the matters described in it.

3. Under Rule 4.3(L) of the Board's policies and procedures, Walters "may file an appeal to the chancery court of the county in which [he] was employed." Written notice of his intent to appeal is due to the Board within 30 days of the date of this Final Order.

4. This action and order of the Board will be a public record and may be shared with other licensing Boards (in- and out-of-state) and to the public. This action will be spread upon the Minutes of the Board as its official act and deed.

**SO ORDERED**, this 30th day of November, 2021.

At the conclusion of the hearing, Sheriff Johnson made a motion to adjourn, it was seconded by Mrs. Coleman and passed without opposition. The meeting was adjourned at 1:32 p.m.

Respectfully submitted,



Director, Board on Law Enforcement Officer Standards and Training