

MINUTES

BLEOST MEETING
March 14, 2019

Call to Order:

The meeting was called to order at 9:02 a.m. by Chairman Mallory.

Roll Call:

Chairman Mallory called the roll and a quorum was established. Board members present were:

Officer Brad Carter
Chief Don Gammage
Sheriff Jim Johnson
Dr. Steve Mallory
Sheriff Billy McGee
Constable Glenn McKay
Hon. Ed Snyder

Hon. Beebe Garrard - Board Counsel

Board members not present were:

Chief Matt Barnett
Vacant - DA
Chief Ray Hawkins
Mayor Gary Rhoads
Mr. Windy Swetman
Captain Lori Travis

Staff members present were:

Mrs. Mary L. Bailey
Mrs. Bebea Boney
Mr. Robert Davis
Mrs. Lydia Edwards
Ms. Geneva Hill
Mr. Bob Morgan
Mr. Michael Nash
Mrs. Donna Rogers

Speakers/guests present were:

Corporal Jeremy Gordon, Jackson P.D.
Director Richard Lawrence, Rankin Co. S.O.
Mr. Paul Holley, Rankin Co. S.O.
Director Clint McMurry, Columbia LETA
Chief Brandon Ashley, Moss Point P.D.
Officer Eric Maye, Moss Point P.D.
Deputy Darren Sollek, Yazoo Co. S.O.

Mrs. Jessie Sollek
Attorney Michael Boland
Lt. Anthony Fontaine, Hattiesburg P.D.
Sheriff Jacob Sheriff, Yazoo Co. S.O.
Deputy Joseph Head, Yazoo Co. S.O.
Deputy Chief Tina Wallace, Jackson P.D.
Commander Marco Johnson, Jackson P.D.
Deputy Matt Ishee, Wayne County S.O.
Commander Tyrone Buckley, Jackson P.D.
Sheriff Jody Ashley, Wayne Co. S.O.
Deputy Mike Mazingo, Wayne Co. S.O.

Introductory Remarks:

The guests introduced themselves and they were welcomed by Chairman Mallory.

Approval of Minutes:

A copy of the minutes from the previous meeting was emailed to each member. Sheriff Johnson made a motion to approve the minutes as presented. Mr. McKay seconded the motion. The motion carried without opposition.

Old Business

In-Service Training - Request for Approval:

1. NRA School Shield Security Assessor Training; April 1-5; Pass Christian P.D.; 5 Days, 32.5 hours.
2. Controlled F.O.R.C.E.; Defensive Tactics 32-Hour Departmental Instructor Certification; Defensive Tactics 24-Hour Course; Harrison Co. L.E.T.A. and Jackson-Gordon Tactical Systems; April 23-26; July 15-18.
3. Emergency Services Administrative Professionals Association Conference; Biloxi; May 2-3; 8 Hours.
4. Jones Community College; Online Program; Homeland Security; The Criminal Justice System; Gang Enforcement for Patrol Officers; 4 Hours each.
5. The Center for Violence Prevention; Interrogation Techniques for Child Sex Trafficking and Exploitation Investigations; 24 Hours.
6. Mississippi Conference for Addiction Professionals; April 23-26; Hattiesburg; 20 Hours.
7. Facial Recognition Technology and Best Practices; Vigilant Solutions; National Certification; 8 Hours.

Chief Gammage made a motion to approve the 7 courses for in-service training. Mr. McKay seconded the motion and it passed without opposition.

Review Refresher Course Requirements:

The 200 hour Refresher Course is being referred to as the Five Week Refresher. The Board did not specify that the course had to be taught in 5 weeks. For example, MLEOTA is open 4 days a week and they had to extend the training into a sixth week in order to complete the training.

The staff was notified that MLEOTA wants the officers that attend the Refresher to participate in some wellness training in order to be prepared for the courses that require some physical activity. This wellness activity would be in the form of stretching, jogging or walking.

The Board suggested that the academy that requires wellness training in the Refresher Course should have these guidelines in their policies and procedures and the officer should be aware of this requirement before entering that academy.

New Business

Discuss Constable Training Reimbursement:

The Constable's Association has requested that the Board increase the amount of reimbursement for their training conference from \$7500.00 to \$10,000.00 due to the increased cost to sponsor this training. Most Constables are required 8 hours of training each year.

Sheriff Johnson made a motion to increase the payment to \$10,000.00. Mr. Snyder seconded the motion and it passed without opposition.

Certification of Officers:

Director Davis presented a list of 3 F/T Basic classes, 1 Refresher Class, 21 F/T equivalency candidates, 2 P/T Basic classes, and 6 P/T equivalency candidates for certification pending completion of all requirements. Mr. McKay made a motion to approve the classes and equivalency candidates for certification subject to meeting all requirements and Mr. Snyder seconded the motion. The motion carried without opposition.

Director's Report:

Director Davis stated that he received an email from the Governor's appointment secretary that Chief Gammage, Dr. Mallory and Officer Carter were reappointed to the Board and that they were in the process of contacting them. The email also stated that District Attorney Kassie Coleman of Meridian has been appointed to the Board.

If passed, HB 571 will require the Board to add two hours on Human Trafficking training to the basic course.

A gang expert from the Fusion Center called to check the Board's policy on gang or former gang

members or officers with gang tattoos. More research will be conducted on this matter.

Director Davis also discussed officers working in Mississippi, but living out of state, citizenship status, background checks and interim status.

There were 4 officers killed in the line of duty in 2018. The names of Emmett Paul Morris (5/17/2018), W. Zachery Moak (9/29/2018), James Kevin White (9/29/2018), and Leann Simpson (11/24/2018) will be engraved on the Fallen Officer's Monument. Two other names from years passed will also be engraved, Charles Edward Buck (11/29/1878) and Alcus E. Alford (1/28/1951).

Certification Review Hearing for Officer Eric E. Maye:

The Board on Law Enforcement Officer Standards and Training's Certification Section determined that Officer Eric E. Maye is not eligible for law enforcement certification. He was hired by the Moss Point Police Department. He requested a hearing before the Board.

The Board on Law Enforcement Officer Standards & Training (BLEOST) has been provided information that he engaged in conduct or actions 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. According to the record, he was certified by the BLEOST as a law enforcement officer, certificate number 25096. While he was employed as an officer with the Gautier Police Department, an investigation by this police department revealed that he made sixteen (16) unlawful purchases of fuel using the city owned Fuelman card totaling the amount of \$624.23. These purchases were made at nine (9) locations within Gautier, Ocean Springs, D'Iberville and Biloxi. Thirteen (13) of the purchases were made while he was off duty, and two (2) were made within hours after fueling up a patrol unit. All purchases made lawfully for the patrol unit were made using regular unleaded gas, while the sixteen (16) unlawful purchases were made using premium gas. Video footage of three (3) transactions clearly show him purchasing fuel for his personally owned Dodge Charger while using the City of Gautier owned Fuelman card. He was terminated from the Gautier Police Department. He admitted to making the unlawful transactions and paid the amount of \$624.23 to the City of Gautier.

Officer Maye admitted to these accusations and asked the Board to give him another opportunity. Chief Ashley spoke on his behalf, stating that he has been a model employee at Moss Point. He made mistakes and knew he was wrong. He was willing to give him another chance.

The Chair entertained a motion. Sheriff McGee made a motion to enter closed session to consider an executive session. Chief Gammage seconded the motion and it passed without 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. Mr. McKay made a motion to enter executive session with a second from Sheriff Johnson, the vote was unanimous.

After executive session, everyone was called back into the meeting room. Sheriff Johnson made a motion to come out of executive session with a second from Mr. Snyder, the vote was unanimous.

The Chair announced that clear and convincing evidence was placed before the Board to show that Eric Eugene Maye admitted to misuse of Fuelman for personal purchases while employed as a law enforcement officer with the Gautier, MS Police Department.

The Board on Law Enforcement Officer Standards and Training issued professional certificate number 25096 in the name of Eric E. Maye.

In Executive Session, after considering the facts presented, the Board voted unanimously (7-0) to cancel the certificate in the name of Eric E. Maye and made the finding that Eric E. Maye engaged in conduct that: would breach the established minimum standards; violate the Law Enforcement Code of Ethics and would greatly diminish the public trust in the competence and reliability of a law enforcement officer. This action is effective on Thursday, March 14, 2019.

Certification Review Hearing for Officer Darren E. Sollek:

The Board on Law Enforcement Officer Standards and Training's (BLEOST) Certification Section determined that Officer Darren E. Sollek is not eligible for certification. He was hired by the Yazoo County Sheriff's Office. Officer Sollek requested this hearing before the Board.

The Board on Law Enforcement Officer Standards & Training (BLEOST) has been provided information that he engaged in conduct or actions 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. According to the record, he was certified by the BLEOST as a part-time officer, certificate number 12976 and as a law enforcement officer, certificate number 15062. While he was serving as a Flora police officer, he was indicted by a Madison County Grand Jury in June, 2005 for Conspiracy to Commit False Pretense, Mississippi Code Ann. § 97-1-1. The Grand Jury determined that he did willfully, unlawfully and feloniously with the intent to cheat and defraud the Trace Apartments and conspire and agree with two other individuals to obtain by false pretenses \$894.00 from the Trace Apartments. He entered into a Pre-Trial Diversion Program and successfully completed the program, the charge was dismissed and the record expunged.

Officer Sollek stated that he worked part-time for a company and was not involved in any wrong doing. He said that the charges were dropped against the others that were charged in the conspiracy. He stated that upon legal advise he entered the diversion program, but that his charges would have been dismissed like the others, if he had waited.

Attorney Michael Boland stated that Officer Sollek was misled by being told that if he entered the Diversion Program that his certification would not be affected.

The Chair entertained a motion. Mr. Snyder made a motion to enter closed session to consider an executive session. Chief Gammage seconded the motion and it passed without 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. Mr. Snyder made a motion to enter executive session with a second from Mr. McKay, the vote was unanimous.

After executive session, everyone was called back into the meeting room. Mr. Snyder made a motion to come out of executive session with a second from Chief Gammage, the vote was unanimous.

The Chair announced that in Executive Session, after considering the facts presented, the Board voted unanimously to take no action. The certificate in the name of Darren E. Sollek is valid. This action is effective on Thursday, March 14, 2019.

After the vote, the Board did determine that he had a break in service and if he remains in a Reserve/Part-time status, he will have two (2) years from his date of hire to complete the 200-hour Refresher Course.

Certification Review Hearing for Officer Matthew R. Ishee:

The Board on Law Enforcement Officer Standards and Training's Certification Section has determined that Officer Matthew R. Ishee is not eligible for law enforcement certification. He was hired by the Wayne County Sheriff's Office. He requested this hearing before the Board.

The Board on Law Enforcement Officer Standards & Training (BLEOST) has been provided information that he engaged in conduct or actions 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. According to the record, he was certified by the BLEOST as a law enforcement officer, certificate number 12224. While he was employed as a Jones County Sheriff's Department Investigator, he met with a female in the Sheriff's Department's interview room and performed sexually explicit acts knowing that he was being video and audio recorded. The female was interviewed and claimed that she had no knowledge that she was being recorded. This recording was later turned over to the Sheriff's Department and the Department sent the recording in the form of a CD to the BLEOST to consider measures towards his law enforcement certification. This CD and a statement was received by the BLEOST on March 16, 2009. He left employment with the Sheriff's Department in January, 2008, when a new Sheriff came into office.

Officer Ishee stated that this was an embarrassing incident. He admitted that he did participate in the conduct. He stated that he and the female dated for about 4 months after the incident. He said that she watched the video with him. He stated that the sheriff knew that officers had visits from their wives and girlfriends while they worked late at the office. He asked the Board for another chance to work in law enforcement.

Sheriff Ashley and Chief Deputy Mozingo spoke on his behalf as good law enforcement officer.

The Chair entertained a motion. Sheriff Johnson made a motion to enter closed session to consider an executive session. Mr. Snyder seconded the motion and it passed without 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 McGee made a motion to enter executive session with a second from Mr. Snyder, the vote was unanimous.

After executive session, everyone was called back into the meeting room. Chief Gammage made a motion to come out of executive session with a second from Sheriff McGee, the vote was unanimous.

The Chair announced that clear and convincing and undisputed evidence was placed before the Board to show that Matthew R. Ishee admitted to using the video equipment, property of the Jones County Sheriff's Department to record lawful and consensual sexual activity between himself and another in a law enforcement facility while employed as a law enforcement officer with the Jones County Sheriff's Department.

In Executive Session, after considering the facts presented, the Board voted unanimously to issue a reprimand to Matthew R. Ishee and made the finding that Matthew R. Ishee engaged in conduct that: would breach the established minimum standards and violate the Law Enforcement Code of Ethics. This action is effective on Thursday, March 14, 2019.

After the vote, the Board did determine that he had a break in service and will have one (1) year from his date of hire to complete the 200-hour Refresher Course.

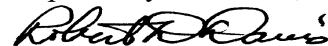
Next Scheduled Meeting:

The next meeting was set for May 9, 2019 at 9:00 a.m. at the Public Safety Planning Building.

Concluding Remarks; Adjournment:

The Chairman adjourned at 1:13 p.m.

Respectfully submitted,



Director, Board on Law Enforcement
Officer Standards and Training