

**MINUTES**

**BLEOST MEETING**  
**July 11, 2019**

**Call to Order:**

The meeting was called to order at 9:00 a.m. by Chairman Mallory. The Chairman introduced Sheriff Greg Pollan as the new Board representative of the Sheriff's Association. Sheriff Pollan replaces longtime member, Sheriff Billy McGee.

**Roll Call:**

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

Chief Matt Barnett  
Officer Brad Carter  
Chief Don Gammage  
Sheriff Jim Johnson  
Dr. Steve Mallory  
Constable Glenn McKay  
Sheriff Greg Pollan  
Hon. Ed Snyder  
Captain Lori Travis

Hon. Emiko Hemleben, Board Counsel

**Board members not present were:**

Hon. Kassie Coleman  
Chief Ray Hawkins  
Mayor Gary Rhoads  
Mr. Windy Swetman

**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:**

Director Dean Bearden, NMLETC  
Officer Greg Elder, Shannon P.D.  
Officer Patrick Wallace, Shannon P.D.  
Chief Desiree Kurshner, Shannon P.D.  
Director Clint McMurry, CLETA

Director Jacqueline Mareno, SRPSI  
Director Amy Vanderford, MDCCLETA  
Officer Ceasar Felton, Yazoo County Schools  
Hon. Bob Waller, Attorney

### **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. Chief Gammage 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. 24 Online Courses, 1 hour each; Target Solutions
2. Law Enforcement Command Leadership and Supervisor Course, 43 hours; Columbia Law Enforcement Training Academy
3. Tactical Vehicle Intervention, 8 hours; Columbia Law Enforcement Training Academy
4. Cyber-Bullying and Sexting Investigations with Appropriate Consequences, 7 hours; Live Online Training sponsored by the National Exchange Club
5. Detective Level 1, 40 hours; Global Police Solutions – Harrison Co. L.E. Training Academy
6. Grade Crossing Collision Investigation, 4 hours; Kansas City Southern Lines – Harrison Co. L.E. Training Academy
7. Instructor Development Certification, 40 hours; Harrison Co. L.E. Training Academy
8. Planning and Intervention for Gangs, Hate and Terrorist Groups in Rural Jails and Prisons, 8 hours; Southwest MS CC College Work Force
9. In-Service Training, 6 hours; Twenty Second Circuit Court District
10. E-Crash Training, 6.5 hours, Department of Public Safety
11. Trauma Informed First Responder Training, 3 hours; Community Counseling Service
12. Elder Abuse in Rural Areas, 5 hours; Gulf Coast Center for Non-Violence
13. Juvenile Justice Symposium, 12 hours; Justice Programs - DPS

Sheriff Johnson made a motion to approve the courses for in-service training. Chief Barnett seconded the motion and it passed without opposition.

**Review Proposed Changes to Chapter 9; Consider Final Vote to Adopt:**

The staff proposed changes to clarify the responsibilities of academies when dealing with students needing skill tests/law courses and the Refresher Course. The changes are underlined below. The Board voted with the intent to adopt these changes at the last meeting.

- D. Any officer, certified in this state, whose break in service was due to service in a closely related criminal justice position may restore their certification by completing the hands-on skill tests and law courses portions of the refresher course. Once an officer has been deemed eligible for the skill tests and law courses, the department head will be notified by the Board.
- 1. Applicants must have: completed the basic course as in Chapter-9, Rule 9.2, Subsection-C above, met the current employment guidelines and completed each of the hands-on skill tests and law courses and provide verification of First Aid/CPR certification within one year for full-time status and two years for part-time status of their date of hire. The skill tests must be conducted by a certified instructor or at a Board accredited academy. The law courses must be conducted at a Board accredited academy. Academies and instructors must review the Board's notice that the student is eligible for the skill tests and law courses.
- F. The Board shall establish the acceptable curriculum and training delivery methods for the refresher course.
  - 1. Any Board accredited training academy may present the refresher course curriculum. With prior Board approval, academies may tailor the curriculum delivery to that method best suited for their service area. Training standards shall also include certified instructors, record keeping and testing. Academies must review the Board's notice that the student is eligible for the refresher course.
  - 2. Should agencies decide to integrate refresher course students into existing basic course classes, the refresher student shall be expected to complete the entire module to obtain credit for the refresher curriculum.
  - 3. The academy shall provide the Board staff a preliminary roster, class schedules with planned instructors, and any new instructor applications not later than 10 working days prior to the class start date.
  - 4. The academy shall provide the Board staff an updated entrance roster (if applicable), the student's graded entrance fitness score sheet, and the original completed training packets not later than five working days after the class report date. The candidate's NCIC report, certificate of high school/GED completion and verification of First Aid/CPR certification must be attached. All conflicts or missing information in these packets must be resolved.
  - 5. Within ten (10) working days of the completion of the class, the academy must send a copy of the certificate, and the student's final grades to their department and to the Board. The final roster of students completing the class, written documentation of

any student failure, dismissal, or withdrawal with reason from the academy must be submitted to the Board within ten (10) working days after completion of the class.

6. Any schedule changes must be reported in writing to the Board at the earliest opportunity (fax or e-mail), documented and maintained with the records of that course. A final schedule as amended with changes will be submitted with the final class roster and other end of course documents.

Sheriff Johnson made a motion for final adoption of these changes. Captain Travis seconded the motion and it passed without opposition.

### **Review Mandated Curriculum Changes; Consider Final Vote to Adopt:**

To abide by House Bill 571, the below proposed changes were approved with an intent to adopt.

The staff proposed to add an additional hour to the Homeland Security section and give 1 hour for Homeland Security and 2 hours for Human Trafficking. The proposal would take away 1 hour of administrative time from the curriculum for full-time and part-time basic.

Mr. McKay made a motion for final adoption of these changes. Officer Carter seconded the motion and it passed without opposition.

The staff presented a proposal to approve the goals and objectives for the 2 hour Human Trafficking Course. The goals and objectives are similar to those from other state's Human Trafficking Courses and will be fine tuned by our state's HT Coordinator and the specialist from the AG's office. Chief Gammage made a motion to approve the HT goals and objectives. Mr. Snyder seconded the motion and it was approved without opposition.

### **New Business**

#### **Discuss Grenada P.D. and Jackson Public Schools Request for Part-Time Academy Accreditation:**

Grenada P.D. has made a request to operate a part-time academy. For many years, the Grenada S.O. ran a successful part-time academy and since they discontinued their operation there has been a hardship for agencies in that area to get their part-time officers trained. The P.D. will use some of the same facilities previously used by the S.O.

The Jackson Public Schools Police Department has made a request to operate a part-time academy. There were concerns that another academy in the Jackson area would hurt other academies in the area. The Board has always based their decision to approve academies on a needs basis.

Sheriff Johnson made a motion to allow Grenada P.D. to apply for academy accreditation and to reject Jackson School District's request. Chief Gammage seconded the motion and it passed without opposition. Grenada P.D. will make their presentation at the next Board meeting pending a successful evaluation and inspection by Training Director Michael Nash.

#### **Certification of Officers:**

Director Davis presented 1 F/T Basic class, 26 F/T equivalency candidates, 6 P/T Basic classes, and 5 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 Officer Carter seconded the motion. The motion carried without

opposition.

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

The Director presented to the Board with year end numbers for FY2019. In FY2019, possibly the largest number of cadets graduated from full-time academies than ever before. There were 670 cadets that graduated. There were 161 part-time cadets to graduate. There were 33 full-time self sponsored and 28 part-time self sponsored cadets to graduate. There were 75 Refresher students and 45 skill update student to finish. There were 18 full-time basic classes and 12 part-time basic classes. The Board reimbursed approximately 1.8 million dollars for training.

### **Certification Review Hearing for Officer Ceasar Felton:**

The Board on Law Enforcement Officer Standards and Training's Certification Section determined that Officer Ceasar Felton is not eligible for law enforcement certification. He was hired by the Yazoo County School District as a law enforcement officer. He requested a hearing before the Board.

The Board reviewed a 23 page document from Officer Felton's file. According to the record, he was certified by the Board. While employed as the Chief of Police for the Yazoo City Police Department, he was accused of obtaining thing of value by false pretense and embezzlement. He was indicted by a Yazoo County Grand Jury in 2006 on one count of "Obtaining Thing of Value by False Pretense" and five counts of "Embezzlement". According to the sentencing order, he admitted to criminal conduct by pleading guilty to False Pretense and Embezzlement. He was sentenced to five years in the custody of the MS Department of Corrections. The sentence was suspended. This action was determined to be a breach of the established minimum standards, a violation of the Law Enforcement Code of Ethics or greatly diminish the public trust in the competence and reliability of a law enforcement officer.

The Board heard from Officer Felton and his attorney. They requested that he be allowed to work in law enforcement at the school district and requested for the approval of his certification. Mr. Waller, his attorney, stated that Mr. Felton had rehabilitated himself. He is a minister and has served as a warden. The School District wants him. He pled guilty because he knew that the charges would be dismissed and ultimately expunged.

The Chair entertained a motion. Mr. Snyder made a motion to enter closed session to consider an executive session. Chief Barnett 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 Officer Carter, the vote was unanimous.

Mr. Waller, the attorney for Officer Felton made a request to speak with the Board. Mr. Snyder made a motion to temporarily come out of executive session and enter open session. Sheriff Johnson seconded the motion and it passed without opposition. Mr. Waller stated that a new law went into effect in July, 2019 called the "Fresh Start Act". He suggested that the Board should consider this act before making their decision. The Director stated that his conduct before the

prosecution is what was considered when he was determined not eligible for certification. After Mr. Waller concluded, Mr. Snyder made a motion to go back into executive session. Officer Carter seconded the motion and it passed without opposition.

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. McKay, the vote was unanimous.

The Vice-Chair, Captain Travis announced that Chairman Mallory had to leave the meeting after he participated in the executive session and vote. Officer Felton stated that Mr. Waller had to leave for another meeting.

The Vice-Chair announced that the Board finds by clear and convincing evidence that Ceasar Felton admitted the conduct alleged in the indictment which constitute false pretense and embezzlement both of which are specifically and directly related to the duties and responsibilities of a law enforcement officer. The Board further finds that he additionally violated the Law Enforcement Code of Ethics which states that an officer will be honest in thought and deed in both their personal and official life, they will be exemplary in obeying the laws of the land and the regulations of their department and that his conduct greatly diminished the public trust in his competence and reliability as a law enforcement officer.

The Board voted unanimously to cancel certificate number 2132 in the name of Ceasar L. Felton. This action is effective on Thursday, July 11, 2019.

### **Certification Review Hearing for Officer Gregory Elder:**

The Board on Law Enforcement Officer Standards and Training's (BLEOST) Certification Section determined that Officer Gregory Elder is not eligible for certification. He was hired by the Shannon Police Department. Officer Elder requested this hearing before the Board.

The Board reviewed a 45 page document from Officer Elder's file. These documents concerned his certification and the investigation into his conduct.

The Board on Law Enforcement Officer Standards & Training (BLEOST) has been provided information that Officer Elder 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 14743. While he was employed as a law enforcement officer for the Baldwyn Police Department, he was accused of kicking a violator in the face while the violator was handcuffed on the ground. After an internal investigation, he was terminated from the Baldwyn Police Department. This incident was also investigated by the FBI and no charges were filed. They were provided a video of the incident. The alleged kick was not in view of the camera.

Officer Elder spoke on his behalf and denied the allegations made against him. He explained his actions on the night in question. He stated that the Chief had issues with him and that is why he was terminated. His current chief and another officer spoke of his good character.

The Vice-Chair entertained a motion. Mr. McKay 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 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. Mr. McKay 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. Mr. McKay made a motion to come out of executive session with a second from Chief Gammage, the vote was unanimous.

In Executive Session, after considering the facts presented, the Board voted 4-3 with 1 abstaining to deem Officer Elder eligible for certification, no action will be taken against his certificate. This action is effective on Thursday, July 11, 2019. Sheriff Johnson abstained from the vote, Officer Carter, Sheriff Pollan, and Chief Gammage cast the negative votes.

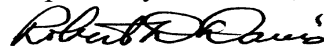
**Next Scheduled Meeting:**

The next meeting was set for September 12, 2019 at 9:00 a.m. at the Public Safety Planning Building.

**Concluding Remarks; Adjournment:**

Sheriff Johnson made a motion to adjourn, it was seconded by Chief Gammage, there was no opposition. The meeting was adjourned at 1:42 p.m.

Respectfully submitted,



Director, Board on Law Enforcement  
Officer Standards and Training