

MINUTES

BLEOST MEETING

July 14 , 2022

Call to Order:

The meeting was called to order at 9:02 a.m. by Vice-Chairman Greg Pollan.

Roll Call:

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

Col. Randy Ginn
Chief Michael Hall
Deputy Charles Harris
Sheriff Jim Johnson
Dr. Steve Mallory
Constable Glenn McKay
Sheriff Greg Pollan
Chief John Mark Quaka
Chief Vance Rice

Board Counsel Samuel Goff

Board members not present were:

Hon. Kassie Coleman
Hon. Lindsay Watts Cranford
Mayor Gary Rhoads
Mr. Windy Swetman

Introduction of Guests, Introductory Remarks:

Deputy Charles Harris was introduced to the Board as the new representative of the nonsupervisory rank and file law enforcement officer position. He was appointed by the Governor and works for the Madison County Sheriff's Department. Chief John Mark Quaka was introduced to the Board as the new representative of the municipal Chief of Police position. He was appointed by the Governor and is the Chief of the Tupelo Police Department. Mr. Samuel Goff was introduced to the Board as the Attorney General's selection for Board Counsel. Former Board Counsel, Candace Rucker left the AG's office. The guests introduced themselves and they were welcomed.

Speakers/Guests present were:

Director Dean Bearden - NMLETC
Director Clint McMurry - CLETA
Director Jacqueline Moreno - SRPSI
Lt. Mike Cowan - DeSoto Co. S.O.
Asst. Director Terry Davis - MLEOTA

Chief Joseph M. Daughtry - Natchez P.D.
Captain Marcus D. Colley - DPS
General Counsel Jordan McMichael - DPS

Staff Members Present were:

Program Supervisor Robert Davis
Program Team Leader Bob Morgan
Program Specialist, Michael Nash
Program Specialist, Donna Rogers
Administrative Assistant, Mary Ann Crawford

Approval of Minutes:

A copy of the minutes from the meeting on May 12, 2022, were emailed to each member. Sheriff Johnson made a motion to approve the minutes as presented. Mr. McKay seconded the motion. The motion passed without opposition.

OLD BUSINESS

In-Service Training – Request for Approval:

1. Auto Theft Workshop, MS Bureau of Investigation, 6.5 hours
2. MS Association of School Resource Officers Conference, up to 33 hours
3. Street Crimes Seminar, Pat McCarthy, 21 hours
4. MS Sex Offender Registration and Compliance Symposium, 12 hours
5. Tightening Loose Ends in Administering Justice for Police Professionals, Twenty-Second Circuit District Attorney, 8 hours

These topics were presented to the Board for approval. Chief Rice made a motion to approve, and Chief Hall seconded the motion. The motion passed without opposition.

Discuss Municipal In-Service Training – Request for Approval:

Chief Hall stated that the Chief's Association is requesting that the in-service training requirement be changed to allow 16 hours of online training. The other 8 hours must be in-person training. After a discussion, Sheriff Johnson made a motion to allow that 16 of the training hours could be obtained by online courses with the remaining 8 hours to be in-person training. Dr. Mallory seconded the motion and it passed unanimously.

Review, Discuss Equivalency Test for Approval:

The Board reviewed a sample of the Equivalency Test questions. The staff gathered 264 questions from training experts. These questions have been entered into a database. Officers eligible to take this test for certification will be required to come to the Standards and Training office. The test will be graded by the system as soon as the officer has completed taking it. The system will randomly select 100 questions per test. No test will be the same. There are certain mandatory questions that will be on all tests. The passing score is 70. The test must be taken within 120 days of the Board being notified of the hiring of the eligible officer. The Board must be notified of the hiring within 30 days of the hire date.

The Board discussed the test and at the end of the discussion, Chief Rice made a motion to approve the test as presented and that the applicant may only take the test once. Col. Ginn seconded the motion, and it passed without opposition.

For applicants not passing the test or taking the test within the time period, the Refresher Course will be required for certification.

NEW BUSINESS

Presentation for Approval of Natchez Part-Time Academy:

Training Director Michael Nash reported that the Natchez Police Department made application to operate a Part-Time Academy. He visited their facilities and reviewed their policies and procedures. He reported that they have met the qualifications of the Board to operate a Part-Time Academy. Director Clint McMurry of the Columbia Part-Time Academy has been assisting Natchez with this project. Chief Daughtry of Natchez addressed the Board about their agency hosting this training in that area of the state. The Board asked questions and discussed this proposal. Dr. Mallory made a motion to approve the Natchez Police Department to operate a Part-Time Academy. Chief Rice seconded the motion, and it passed on a vote of 8 – 1, with Col. Ginn casting the opposing vote.

Election of Board Chairman:

Officer Brad Carter's term on the Board expired and he was not reappointed by the Governor. He was serving as the Chairman; therefore, this position is vacant. Officer Carter served the Board well and his service is appreciated.

Vice-Chair Pollan opened the floor for nominations for Chairman. Dr. Mallory nominated Sheriff Pollan, there were no other nominations. Sheriff Pollan was elected Chairman.

Since Sheriff Pollan was serving as Vice-Chair, this position needed to be filled. Sheriff Johnson nominated Dr. Mallory. There were no other nominations. Dr. Mallory was elected Vice-Chairman.

It was noted that Dr. Mallory and Mrs. Coleman were recently reappointed by the Governor to another term.

Certification of Officers:

Director Davis presented two full-time academy classes and three part-time academy classes for certification pending completion of all requirements.

Forty-eight full-time and thirteen 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 full-time classes, the part-time classes, and the equivalency candidates for certification subject to meeting all requirements. Dr. Mallory seconded the motion. The motion was adopted without opposition.

Certification Review Hearing – Officer Jason E. Walker:

The Board on Law Enforcement Officer Standards and Training (BLEOST) received a “Law Enforcement Termination/Reassignment Report” from the Lauderdale County Sheriff’s Department. This report advised the Board that Officer Walker was discharged after he was involved in a motor vehicle crash while driving a department vehicle off duty while under the influence of alcohol. Based on this information, the Board’s staff determined that he was not eligible for certification.

The reported information that Officer Walker was dismissed from his employing law enforcement agency for being charged with DUI and entering a guilty plea in the Justice Court of Lauderdale County would be considered conduct or action that violates the Law Enforcement Code of Ethics or would greatly diminishes the public trust in the competence and reliability of a law enforcement officer. Officer Walker was certified by the BLEOST as a law enforcement officer, certificate number 24410.

Officer Walker works part-time for the Marion Police Department and the Chief at Marion continued his employment. Documents were presented to the Board to decide if sanctions should be taken against Officer Walker’s certification. Thirty-three pages taken from Officer Walker’s file were presented as evidence for the Board to consider.

Officer Walker told the Board that he had no excuses for his actions. He said he was wrong. He was transitioning from the military and had a lot going on. He completed all his classes and everything that the court told him to do. He is seeing a VA counselor trying to get things back on track after serving in the military. He retired after 26 years. He asked the Board to let him continue in law enforcement.

The Board asked him several questions about the incident.

The Chair entertained a motion. Mr. McKay made a motion to enter into closed session to consider entering into executive session. Chief Rice seconded the motion and it pass without opposition. Mr. 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. Col. Ginn seconded the motion, and it passed without opposition.

Everyone was called back into the meeting room.

The Chair announced that in closed session by a unanimous vote, the Board entered into executive session for the following reasons: to consider the allegations of misconduct and evidence produced during open proceedings, and the possible issuance of an appealable order.

The Chair announced that all members of the Board who were present before deliberations are present now. The Chair did invite a motion to come out of executive session. Mr. McKay made the motion; Dr. Mallory seconded the motion, and it passed without opposition.

After deliberations in Executive Session, the Board on Law Enforcement Officer Standards & Training finds that:

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 reserves the right to reprimand, suspend or cancel and recall any certificate when any conduct or action violate the Law Enforcement Code of Ethics or would greatly diminish the public trust in the competence and reliability of a law enforcement officer.
2. Clear and convincing evidence was placed before the Board that you, Jason E. Walker committed actions that violated the Law Enforcement Code of Ethics, and that these actions would greatly diminish the public trust in your competence and reliability as a law enforcement officer, and that you were dismissed by your law enforcement agency for these actions.
3. The Board on Law Enforcement Officer Standards and Training issued the professional certificate number 24410 in the name of Jason E. Walker.

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 violates 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, the Board, on a vote of 6 – 2 suspends your certificate but will hold it in abeyance for two years (which means you will be on probation), with the following requirements on your part to satisfy the probation. You must continue to meet with your VA counselor and provide this Board documentation that you are doing so, you must successfully complete the DUI Refresher Course held at MLEOTA, and during this two-year period, you are not to violate any laws or policies of this Board. You may continue to work during this probation period.

Director's Report:

The staff has been getting calls about the law that provides premium pay (\$1000.00 per certified officer) for law enforcement officers. The Grants Division of DPS will be handling this process. Agencies are being provided with the proper documents to complete in order to participate in this

program. The process should be ready to begin in the next few days.

There were 440 officers completing the full-time basic during the past fiscal year and 169 candidates that did not complete. There were 143 officers completing the part-time basic and 33 that did not complete. There were 103 officers completing the Refresher/Skills Updates. The office received just over 2500 terminations during the year, but about the same number of applications.

The office is happy to have Tonya Tucker back working with us.

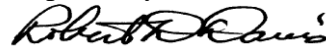
Next Scheduled Meeting:

The next regular meeting is scheduled for September 8, 2022.

Concluding Remarks; Adjournment:

The Chair entertained a motion to adjourn. Dr. Mallory made a motion to adjourn. Sheriff Johnson seconded the motion, and it passed without opposition. The meeting adjourned at 11:25 a.m.

Respectfully submitted,



Director, Board on Law Enforcement Officer Standards and Training