

**MINUTES**

**BLEOST MEETING**  
**January 11, 2018**

**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:

Chief Matt Barnett  
Officer Brad Carter  
Chief Don Gammage  
Assistant Chief Ray Hawkins  
Sheriff Jim Johnson  
Dr. Steve Mallory  
Sheriff Billy McGee  
Constable Glenn McKay  
Hon. Ed Snyder  
Captain Lori Travis

**Board members not present were:**

Hon. Michael Guest  
Mayor Gary Rhoads  
Mr. Windy Swetman

Hon. James Dale, Board Counsel

**Staff members present were:**

Mrs. Bebea Boney  
Mr. Robert Davis  
Ms. Geneva Hill  
Mr. Bob Morgan  
Mr. Michael Nash  
Mrs. Donna Rogers

**Speakers/guests present were:**

Director Dean Bearden, NMLETC  
Officer Harold Clark, Scooba P.D.  
Director Richard Lawrence, Rankin Co. S.O.  
Director Clint McMurry, Columbia L.E. Training Academy  
Director Jacqueline Moreno, SRPSI  
Mrs. Elizabeth Patrick, Columbus Police Department  
Director Michael Street, Meridian Public Safety Academy  
Lt. Col. Thomas Tuggle, MLEOTA

Director Amy Vanderford, MDCCLETA

**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. Mr. McKay made a motion to approve the minutes without reading. Mr. Snyder seconded the motion. The motion carried without opposition.

**Old Business**

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

1. New Chief Training, 1/8/18 – 1/12/18; 40 hours, MS Chiefs Association
2. Training Seminar, 2/6/18; 5.5 hours, 22<sup>nd</sup> District Attorney's Office

Sheriff Johnson made a motion to approve the training. Chief Gammage seconded the motion and it passed without opposition.

The reimbursement for training expenses will remain the same as last year.

**Discuss Changes to Refresher Course - Final Vote to Adopt; Discuss Start Date of Changes; Discuss Reimbursement:**

The Board discussed the 186 hour Refresher Curriculum recommendation from the Curriculum Committee as well as a proposal to increase the hours to 200 hours by adding the 4 hour Human Behavior/Interpersonal Communications course, the 4 hour Law Enforcement and Citizens with Special Needs course, the 4 hour Conflict Management course, and 2 hours of administrative time. It was noted that officers may attend the Refresher Course offered by certain academies or may drop in to full-time and part-time academies and take the courses contained in the Refresher Curriculum. It was also noted that drop in students would be required to attend the full time period allotted for courses in the full or part-time academies. The drop in method would provide more that 200 hours training for these officers. This training would coincide with the final vote to approve the changes to Chapter 8.

Sheriff Johnson made a motion for the final approval to adopt the changes to the Refresher Course. Chief Hawkins seconded the motion and it passed without opposition.

Chief Hawkins made a motion that if the changes to Chapter 8 and the Refresher Course are finalized that the new rules and course would be enforced beginning July 1, 2018. Chief Barnett seconded the motion and it passed without opposition. It was noted that officers

approved to attend the refresher course or to update skills that have not started the training before July 1 will be required to complete the new requirements.

### **Discuss Chapter 8: Alternative to Equivalency:**

At the last meeting, the alternative to equivalency (point system) was discussed. The Board requested that the staff provide the number of officers that have been full-time certified through the point system. It was also requested to get feedback from the Chiefs and Sheriffs Associations.

The steps of the point system was discussed and it was announced that 9 officers in 2015, 4 officers in 2016, and 9 officers in 2017, a total of 22 officers were certified through the point system. After further discussion, Sheriff McGee made a motion to leave the point system intact, as is. Officer Carter seconded the motion. During discussion Chief Gammage stated that the Chief's board met on the subject and were 100 % in favor of discontinuing the point system. Their vote was 15 - 0. Sheriff Johnson stated that the Sheriffs were sent emails concerning the issue and most of them did not respond. For the ones that did respond, there were more against the point system than were for keeping it. Sheriff McGee stated at the conference that there were more Sheriffs that were vocal to leave the point system in place as there were to discontinue the point system, but he felt that most were not familiar with the process. After all the discussion, Officer Carter withdrew his second and Mr. McKay offered a second to the motion. Sheriff McGee and Mr. McKay were the only votes to leave the point system intact. The remainder of the Board voted against this motion and the motion failed.

Chief Gammage made a motion to do away with the points system. Chief Barnett seconded the motion. In the discussion, many ideas were mentioned to change the point system. The motion came up for a vote and 5 members voted to do away (discontinue) the point system. Four members (McKay, Snyder, Carter, McGee) voted against doing away with the point system. On a vote of 5 to 4, the motion with the intent to adopt discontinuing the point system was approved.

The Chair recommended that at the next meeting anyone with a proposal for a new alternative to full-time certification should be heard.

### **New Business**

#### **Review and Discuss Part-time Basic Curriculum:**

The staff advised the Board that only 2 hours were set aside for "Human Behavior/ Interpersonal Communications" in the part-time curriculum. Due to the Chief's assessment, the instructors are receiving training to provide 4 hours of instructions. Mr. McKay made a motion with the intent to adopt to raise this course from 2 hours to 4 hours in the part-time

curriculum. Chief Gammage seconded the motion and it passed without opposition. When final, the total amount of hours in the part-time curriculum will be 307.

The staff mentioned that many of the instructors that attend the mandated training at SRPSI, will need lodging and meals provided. The Academy has offered to house and feed the instructors for \$35.00 per night and \$24.00 for meals per day. Sheriff Johnson made a motion for the Board to reimburse the academy for the instructors choosing to stay and eat at the academy during the training. Chief Hawkins seconded the motion and it passed without opposition.

### **Review Goals and Objectives of Interview Techniques:**

The staff proposed to add course objectives to the “Interviewing Techniques” curriculum in the basic class. Based on Ms. Heather Wagner’s proposal concerning “Forensic Experiential Trauma Interviewing (FETI), an introduction of this course is recommended to be added. Officer Carter made a motion to add these objectives, Mr. Snyder seconded the motion and it passed without opposition.

### **Certification of Officers:**

Director Davis presented a list of 17 F/T equivalency candidates, and 4 P/T equivalency candidates for certification pending completion of all requirements. Chief Gammage made a motion to approve the equivalency candidates for certification subject to meeting all requirements and Mr. McKay seconded the motion. The motion carried without opposition.

### **Director’s Report:**

Mr. Snyder made a motion to amend the agenda by hearing the Director’s Report before holding the certification hearing. Mr. McKay seconded the motion and it was approved without opposition.

A city filed a lawsuit against the State Auditor over a claim that the Auditor made against them for paying their part-time officers more than the law allows. The federal judge agreed with the Auditor. The city has now filed an appeal and included the Board.

A federal wage and hour representative held a class with new chiefs and advised that some academies may be causing agencies to violate the wage and hour law by increasing weekly training hours.

### **Certification Review Hearing on Officer Harold Clark:**

The Scooba Police Department hired Officer Harold Clark. The staff determined that he was not

eligible for certification based on information received from the Mississippi Department of Transportation (MDOT).

Officer Clark requested this hearing before the Board. The Court Reporter issued the oath to Officer Clark and Director Davis.

Chairman Mallory asked Officer Clark to confirm that he received notice of the procedures for this hearing and understood the contents of the notice and that he understood the potential outcome of the hearing. Officer Clark stated that he understood and was ready to proceed.

Director Davis stated that the Board on Law Enforcement Officer Standards & Training (BLEOST) has been provided information that Officer Clark engaged in conduct that would breach the established minimum standards, violate the law enforcement code of ethics and would diminish the public trust in his competence and reliability. Director Davis submitted a 17 page document from Officer Clark's file. According to the record, he was dismissed from the Mississippi Department of Transportation, while serving as a sworn officer on May 2, 2011. He was accused of logging into work for MDOT on March 20, 2011 and leaving his post to work his second job at a local hospital. He later returned to his post and logged off for the day. He failed to sign in and out of the Radio Log book. He told another officer that he had not left his post other than to go to the store. He denied making this statement in an interview with MDOT Human Resources. He asked a coworker to lie for him by saying that she saw him at work on the day in question. He denied contacting this officer and asking her to lie for him.

Officer Clark made a presentation before the Board. He stated that he had taken off from MDOT on the day in question. He worked at the hospital from 8:00 to 4:00 on the day in question. He stated that a co-worker logged him in and out of the system that day at MDOT. He said that he had nothing to do with it. He did not ask him to log him in or out. He stated that his other co-workers lied on him.

Chairman Mallory entertained a motion to enter into closed session to consider whether to declare an executive session. Captain Travis made a motion to enter into closed session and it was seconded by Mr. McKay. The vote was unanimous to enter into closed session. In closed session, Chief Barnett made a motion to declare an executive session to consider the allegations of misconduct made, and evidence produced during the open proceeding, and to consider the possible issuance of an appealable order. It received a second from Mr. McKay. The vote was unanimous to enter into executive session.

At the conclusion of the executive session, everyone was invited back to the meeting. Chief Gammage made a motion to come out of executive session and the motion was seconded by Chief Barnett. The vote was unanimous to exit executive session.

The Chairman announced the Board's finding, conclusions, and decision, all of which were

concurring by unanimous vote:

After deliberations in executive session, the Board made the finding that Harold F. Clark engaged in conduct that: breached the established minimum standards; violated the Law Enforcement Code of Ethics, and greatly diminished the public trust in his competence and reliability as a law enforcement officer. The Board voted 5 to 4 to suspend the professional certificate, numbered 13640, in the name of Harold F. Clark for twenty-four (24) months. The suspension will be held in abeyance with the condition that the Board's Policy not be violated.

**Next Scheduled Meeting:**

The next meeting was set for March 8, 2018 at 9:00 a.m. at the Public Safety Planning Building.

**Concluding Remarks; Adjournment:**

The meeting was adjourned at 12:49 p.m.

Respectfully submitted,



Director, Board on Law Enforcement  
Officer Standards and Training

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