

MINUTES

BLEOST MEETING

May 11, 2017

Call to Order:

The meeting was called to order at 9:08 a.m. by Chairman Barnett.

Roll Call:

Chairman Barnett 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
Dr. Steve Mallory
Constable Glenn McKay

Hon. James Dale, Board Counsel

Board members not present were:

Hon. Michael Guest
Sheriff Billy McGee
Mayor Gary Rhoads
Hon. Ed Snyder
Mr. Windy Swetman
Major Thomas Tuggle

Staff members present were:

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

Speakers/guests present were:

Dr. Julian Allen, SRPSI/USM
Sheriff K.C. Hamp, Tunica Co. S.O.
Director Richard Lawrence, Rankin Co. S.O.
Director Clint McMurry, Columbia LE Training Academy
Officer Dashun Reed, Quitman P.D.

Introductory Remarks:

The guests introduced themselves and they were welcomed by Chairman Barnett. It was announced that Sheriff Jim Johnson's term on the Board expired.

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 with a second from Chief Hawkins. The motion carried without opposition.

Old Business

Request for Approval of In-Service Training:

1. MS Sheriffs' Association 2017 Summer Conference, 11.5 hours.
2. MS Association of Chiefs of Police 2017 Summer Conference, 22.5 hours.
3. Basic SRO Curriculum, MS Department of Education.
4. Center for Violence Prevention Training, 4 hours.
5. Concealed Weapon Refresher/Updates, Rick Ward, 2 hours.
6. Dolan Consulting Group, Violent Crime Investigation, Officer Involved Shooting, Responding to Mental Health Crisis, Surviving Verbal Conflict - Train the Trainer (32 hours), Drones, Biased Based Policing Report, Community Policing, Confronting the Toxic Officer; 6-7 hours.
7. National Alliance on Mental Illness, Public Safety Forum, 6 hours; Conference on Mental Health, 13 hours.

Mr. McKay made a motion to approve the proposed training programs. Dr. Mallory seconded the motion and it carried without opposition.

Discuss Proposed Changes for Chapter 8: Certification Based on Equivalency of Training and Refresher Training:

The Board voted at the last meeting for the staff to develop policy based on the Curriculum Committee's recommendation for Chapter 8. This vote also amended this report to require "Rules of the Road" as one of the courses required dealing with skills updates, and to add an avenue to appeal the requirements for those hired as CEO's. The proposal is as follows:

- 101.01 The certification status of any law enforcement officer shall lapse after a break in service of more than two (2) years. Time of Service will be determined by official Board records (applications, rosters).

1. Officers, certified in this state, who have had basic as in Chapter-08, Section-101, Subsection-101.03 below and meet the employment guidelines with a break in service of more than two (2) years, but less than five (5) years will be eligible to attend the are required to complete the hands-on skill tests and law courses of the refresher course and provide verification of First Aid/CPR certification to restore their certification if they reenter law enforcement service. The skill tests and law courses The refresher course must be completed within one year for full-time status and two years for part-time status of their date of hire.
2. Officers, certified in this state, who have had basic as in Chapter-08, Section-101, Subsection-101.03 below and meet the employment guidelines with a break in service of more than five (5) years, but less than ten (10) years are required to complete the refresher course to restore their certification if they reenter law enforcement service. The refresher course must be completed within one year for full-time status and two years for part-time status of their date of hire.
- ~~2. Officers who leave full time law enforcement service (who have had basic as in Chapter-08, Section-101, Subsection-101.03 below) and return as a part-time officer will be eligible to attend the refresher course, an acceptable refresher curriculum or may elect to complete the part-time training curriculum to restore their certification. Such certification shall meet the requirements of part-time or full-time.~~
- ~~3. Part-time officers who have a break in service of more than two years may complete the refresher curriculum to restore their part-time certification.~~
3. Officers, certified in this state, that meet the employment guidelines with a break in service of more than ten (10) years must complete the current basic training program and provide verification of First Aid/CPR certification. The basic training program must be completed within one year for full-time status and two years for part-time status of their date of hire.
4. Officers, certified in this state, who have had basic as in Chapter-08, Section-101, Subsection-101.03 below and meet the employment guidelines with a break in service of more than ten (10) years that are hired or appointed as the chief law enforcement officer of an agency requires review of equivalency of training by the Board.

101.02 All transfer applicants from another state jurisdiction or federal law enforcement that meet the employment guidelines applying for certification under Equivalency of Training must have completed training and the required on the job training as defined in Chapter-08, Section-101, Subsection-101.03. Applicants who were excluded or "grand- fathered" under the provisions of another state are not eligible for any exclusion in Mississippi. ~~All individuals applying for certification under this chapter from federal jurisdictions must have completed a law enforcement training program as defined in Chapter-08, Section-101, Subsection-101.03.~~ Transfer applicants are required to complete the hands-on skill tests and law courses of the refresher course and provide verification

of First Aid/CPR certification to receive certification. if they reenter law enforcement service. Transfer applicants with a break in service of more than two (2) years, but less than ten (10) years are required to complete the refresher course to receive certification. Transfer applicants with a break in service of more than ten (10) years must complete the current basic training program and provide verification of First Aid/CPR certification to receive certification. The skill tests and law courses, refresher course and the basic training program must be completed within one year for full-time status and two years for part-time status of their date of hire.

1. Transfer applicants from another state jurisdiction or federal law enforcement that meet the employment guidelines and have completed training and the required on the job training as defined in Chapter-08, Section-101, Subsection-101.03 with a break in service of more than ten (10) years that are hired or appointed as the chief law enforcement officer of an agency requires review of equivalency of training by the Board.

101.04 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 portions and law courses of the refresher course.

1. Applicants must have: completed the basic course as in Chapter-08, Section-101, Subsection-101.03 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 to the satisfaction of a certified instructor within one year for full-time status and two years for part-time status of their date of hire.

a. Firearms

~~b. First Aid and CPR,~~

~~c.b. Defensive Driving and~~

~~d.c. Mechanics of Arrest~~

2. Applicants must have served in a full-time capacity in one of the following positions (or other position as approved by the Board):

a. as an instructor in a Board-approved academy, instructor or student in criminal justice (or related subject area) at an institution of higher learning,

b. or as an investigator for a district attorney, or investigator for a state level agency responsible for enforcing criminal statutes,

c. or in a part-time law enforcement status in this state.

101.05 Any officer, certified in this state, whose break in service was due to serving as a law enforcement officer in another state or federal jurisdiction may restore their certification. Eligible officers need ~~only~~ to complete the hands-on skill tests

portions and law courses of the refresher course 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, provided that the break in service is not more than ~~four~~ five years.

1. Applicants must have completed the basic course as in Chapter-08, Section-101, Subsection-101.03 above and met the current employment guidelines.
2. Applicants must have not had a break in service of more than ~~four~~ five years.

101.07 Standards for successful completion of the Refresher Course are:

1. an average academic score of 70%
2. a firearms qualifying score of 75%
3. a defensive driving score of 80%
4. a mechanics of arrest score of 80%
5. a physical fitness entrance score of 50%
6. provide verification of First Aid/CPR certification
57. financial obligations paid in full by self-sponsored cadets

102.02 Any student who does not achieve a score of at least seventy-five percent (75%) on the firearms portion of training will not graduate from the course. The skill areas of defensive driving, and mechanics of arrest require scores of eighty percent (80%) to graduate. An entry physical fitness test will be administered upon reporting for training and will determine whether a student can remain in the program. This test is an eligibility requirement. A passing score of fifty (50%) must be achieved. Those students who fail the examination must leave the academy. They may, however, resubmit their application to attend a future training class. The test is comprised of three components: agility run, push-ups, and a 1 ½ mile run.

The staff was advised to include a proposal that would allow experienced officers an exception to the 10 year break.

Alternative proposal for break in service of more than ten years

3. Officers, certified in this state, that meet the employment guidelines with a break in service of more than ten (10) years must complete the current basic training program and provide verification of First Aid/CPR certification. Officers that have ten (10) years or more of documented full-time law enforcement service are exempt from the basic training program, but must complete the refresher training program to restore their full-time certification. Officers that have ten (10) years or more of documented part-time law enforcement service are exempt from the basic training program, but must

complete the refresher training program to restore their part-time certification. The basic training program must be completed within one year for full-time status and two years for part-time status of their date of hire.

101.02

Transfer applicants with a break in service of more than ten (10) years must complete the current basic training program and provide verification of First Aid/CPR certification to receive certification. Officers that have ten (10) years or more of documented full-time law enforcement service are exempt from the basic training program, but must complete the refresher training program to receive certification. The skill tests and law courses, refresher course and the basic training program must be completed within one year for full-time status and two years for part-time status of their date of hire.

After discussion, Chief Gammage made a motion with the intent to adopt the proposed policy change as written. Dr. Mallory seconded the motion and it passed without opposition. The alternative proposal for break in service over 10 years was not approved.

The Board discussed the proposed “Skills Tests and Law Course of the Refresher Course”. This proposal would be the required training for officers certified in this state that have a break in service of more than 2 years but less than 5 years. This training would be required of all transfer applicants with a break in service of less than 2 years.

Skills Tests and Law Courses of Refresher Course

15. Officer Safety - Mechanics of Arrest, Restraint and Control – Skills Test

21. Firearms Training – Skills Test

25. Emergency Vehicle Driver Training – Skills Test

8. Civil Liability - 2 Hours

10. Mississippi Motor Vehicle Law and Enforcement - 4 Hours

28. Constitutional Law; Search and Seizure; Laws of Arrest - 8 Hours

29. Mississippi Criminal Law - 12 (16) Hours

30. Mississippi Juvenile Law - Dealing with Juveniles - 2 Hours

Dr. Mallory made a motion to adopt the required training. Chief Hawkins seconded the motion and it was approved without opposition. This training will be required if the changes to Chapter 8 are approved.

The proposed refresher course curriculum will be revisited after the Chapter 8 proposal is reviewed by the Chief's and Sheriff's Association. Their input will be welcomed. The proposal at the present time changes the number of hours from 120 to 186.

New Business

Discuss Basic Law Enforcement Officer Training Needs Assessment from MS Association of Chief of Police:

The Executive Board of the Chief's Association directed their training committee to conduct research on what chiefs and sheriffs perceive as areas in which their officers need additional training. A survey instrument was created to gather this information. The results were analyzed and recommendations were reviewed by their Board. These results were sent to the staff to send out to our Board, Committee, and Academy Directors. Verbal Communications was by far the area that received the most complaints. Chief Gammage and Sheriff Hamp stated that their associations would discuss this survey at their meetings and provide more input at our next Board meeting.

Presentation by Director Clint McMurry Requesting Full-Time Accreditation for Columbia Law Enforcement Training Academy:

Director McMurry came before the Board to request that the Columbia Law Enforcement Training Academy be accredited as a full-time academy. He said that his goal was to make law enforcement better and he has agencies in the southwest portion of the state that are asking for a full-time academy to better meet their needs. Director McMurry presented his proposal to the Board. Michael Nash of the staff visited his facility and concluded that the proper requirements are in place to operate a full-time academy.

There were many questions asked by the Board concerning the need for another academy. Dr. Allen of SRPSI was opposed to this request due to the close location to SRPSI.

The Chair entertained a motion. Chief Hawkins stated that he needed more time to consider this proposal. He made a motion to table until the next meeting. Officer Carter stated that he was concerned about the oversight of the academy since it was not sponsored by an agency and does the market need another academy. Officer Carter seconded the motion to table the proposal for further study. The vote was 4 to 2 to table this proposal. Chief Gammage and Chief Barnett voted against the motion to table.

Discuss Board Investigator:

The Board discussed in a previous meeting the need for an investigator to work with the staff to help gather information on the conduct of officers. The staff asked for the consent of the Board to

prepare a draft to present to the Legislature to request the authority to hire a law enforcement officer to serve with the staff. Dr. Mallory made a motion for the approval to request the hiring of an officer. The motion was seconded by Chief Gammage. The motion passed without opposition.

Certification of Officers:

Director Davis presented 2 F/T basic academy classes and 2 P/T basic academy classes for certification pending completion of all requirements. A list of 25 F/T equivalency candidates, and 5 P/T equivalency candidates was presented for certification pending completion of all requirements. Mr. McKay made a motion to approve the academy classes and equivalency candidates for certification subject to meeting all requirements and Dr. Mallory seconded the motion. The motion carried without opposition.

Director's Report:

The Sheriff's, Chief's, and Constables Associations will be meeting in June.

We checked termination records and show that there have been over 13,000 transaction where officers have either left law enforcement or changed agencies in the past 7 years.

There were 5 names added to the Fallen Officer Monument for this year. Agent Lee Tarrt was killed in the Line of Duty on 2/20/16. Four other names from the past have also, after research, been added to the list of fallen officers. Town Marshal B.M. Millstead, Town Marshal William Dunnam, Deputy John Harris and Deputy Clarence Lanier were the historical names added.

Certification Review Hearing for Officer Dashun Reed:

The City of Quitman hired Officer Deshun Reed. The staff determined that he was not eligible for certification based on information received from the Meridian Police Department.

Officer Reed requested this hearing before the Board.

Chief Barnett asked Officer Reed 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 Reed stated that he understood and was ready to proceed. The Court Reporter issued the oath to Officer Reed and Director Davis.

Director Davis stated that the Board on Law Enforcement Officer Standards & Training (BLEOST) has been provided information that Officer Reed 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. According to the record, while he was serving as a Meridian Police Officer, on several occasions he used the Police Department's gas

card for his personal use, and admitted the improper use to Meridian officials. The gas card was to be used to purchase gas in his city patrol car. He resigned his position to avoid termination. A 17 page document was presented to the Board from Officer Reed's file.

Officer Reed stated that he had no excuses for his actions and the mistakes that he made other than he was going through a lot of things at the time. He said that what happened with the gas cards is not who he is. He loves the job. He asked the Board to give him another chance. He told Meridian that he would pay them back, but they never got back with him.

After Officer Reed completed his presentation, Chief Barnett entertained a motion to enter into closed session to consider whether to declare an executive session. Mr. McKay made a motion to enter into closed session and it was seconded by Dr. Mallory. The vote was unanimous to enter into closed session. In closed session, Mr. McKay made a motion to enter into executive session for litigation purposes. It received a second from Dr. Mallory. The vote was unanimous to enter into executive session.

At the conclusion of the executive session, everyone was invited back to the meeting.

The Chairman announced the Board's finding, conclusions, and decision, all of which were concurred by unanimous vote:

After deliberations in executive session, the Board made the finding that Dashun L. Reed 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 unanimously (6-0) to cancel and recall the professional certificate in the name of Dashun L. Reed, numbered 24988.

Certification Review Hearing for Officer Brian Strange:

Officer Strange did not attend the meeting.

Next Scheduled Meeting:

The next meeting was set for July 13, 2017 at 9:00 a.m. at the Public Safety Planning Building .

Concluding Remarks; Adjournment:

The meeting was adjourned at 12:33 p.m. Chief Gammage made a motion to adjourn, it was seconded by Dr. Mallory, no opposition.

Respectfully submitted,



Director, Board on Law Enforcement
Officer Standards and Training

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