

MINUTES
BLEOST MEETING
July 14, 2016

Call to Order:

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

Roll Call:

Chairman Snyder 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
Sheriff Billy McGee
Constable Glenn McKay
Hon. Leslie Scott
Hon. Ed Snyder
Major Thomas Tuggle

Hon. James Dale, Board Counsel

Board members not present were:

Hon. Michael Guest
Dr. Steve Mallory
Mayor Gary Rhoads

Staff members present were:

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

Speakers/guests present were:

Director Richard Lawrence, Rankin Co. S.O.
Director Amy S. Vanderford, MS Delta CC/LETA
Director Clint McMurry, Columbia Law Enforcement Academy
Dep. Chief Joseph Wade, Jackson P.D.
Captain Todd Stewart, Director SRPSI
Captain Tony Fontaine, Hattiesburg P.D./ LETA
Dr. Julian Allen, USM/SRPSI
Officer Fredrick Gordon, Macon P.D.
Mr. Allen Keene

Investigator Connie Keene, 12th Judicial District DA's Office

Introductory Remarks:

Mr. Snyder announced that Chief Gammage, Dr. Mallory, and D.A. Michael Guest had been reappointed to the Board. He introduced Major Thomas Tuggle and Officer Brad Carter as new appointments to the Board. Major Tuggle stated that he was appointed by the Colonel as the representative for the Highway Patrol. He has spent most of his career in training and he also performs administrative duties for the Colonel and Lt. Colonel. Officer Brad Carter stated that he is an attorney and the training officer and accreditation manager for the Ridgeland P.D. Officer Carter will represent the Rank and File position on the Board.

The guests introduced themselves and they were welcomed by Mr. Snyder.

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 as presented without reading. Sheriff McGee seconded the motion and it carried without opposition.

Old Business

Request for Approval of In-Service Training:

1. MS STARS Conference, Office of Highway Safety; 13 Hours.
2. Alzheimer's Disease Initiative for First Responders (Grant), Stennis Institute at MSU.
3. Israeli Combat Shooting, Close Quarters Engagement; Garry Welch; 3 levels, 8 Hours each.
4. Violent Crime Investigation, Pattern Evidence on Body, Dr. Henry C. Lee, 6 Hours.
5. Narcotics Training, 16 Hours; Drug Unit Commander Academy, 40 Hours; "DEA"

Sheriff Johnson made a motion to approve the proposed training programs. Chief Hawkins seconded the motion and it carried without opposition.

New Business

Presentation by Investigator Connie S. Keene, DA's Office 12th Judicial District:

Investigator Keene addressed the Board concerned about a political statement that was placed in her law enforcement file by Sheriff McGee. Her statement and attachment will be placed in her file. While working for the DA's Office her certificate was held by the Forrest County S.O. In December, 2015 the S.O. returned the certificate to the Board and the termination form comment section stated "wrong side of politics". She stated that she had the right to support the sheriff candidate of her choice and because she didn't support Sheriff McGee, this statement was placed

in her file. She believes that her law enforcement file should not contain statements about politics and asked that it be removed. She stated that personal opinions should not be placed in an officer file. The file should be based on their performance.

She was informed that this statement would not affect her certification status and the certificate had recently been requested by the DA's Office and was being issued to that office.

She was advised that an Attorney General's opinion had been requested about the ability to remove documents from files, but this request has not been completed. Sheriff Johnson made a motion to table the request to remove the statement from the file until the Opinion is given. Chief Gammage seconded the motion and it passed without opposition. Investigator Keene thanked the Board for their time.

Review and Discuss Standards for the Successful Completion of Law Enforcement Training:

The staff received a complaint from a former cadet stating that he was self-sponsored and was dismissed from an academy during the final week. He stated that he had a passing score on all requirements stated in the policy manual, but he was dismissed for not passing certain curriculum criteria.

The academy stated that he was dismissed for failure to meet performance standards that are part of the goals and objectives of certain courses. The academy requires each cadet to demonstrate not only in written tests but in hands on scenarios that the cadet has an understanding of the goals and objectives.

The policies dealing with completion of the academy were reviewed to be sure that an academy was following policy when a cadet was dismissed for failing to perform certain tasks that are within the curriculum.

After much discussion, the Board agreed that scored tests should not be the only determining factor in the successful completion of the academy. The Board agreed that if a student could not perform practical demonstrations that are required in the goals and objectives of the curriculum that the instructors have the ability to not pass the student. The policy states in Chapter 6, 101.02 that unacceptable conduct may result in dismissal from the training program and that failure to conduct proper demonstrations would be a violation of this policy.

Review and Discuss Policy concerning Lapse Certification:

The staff frequently hears from former officers that have been out of law enforcement over 20 sometimes 30 years wanting to know what they need to do to get their certification reactivated. The answer is attend a 3 week refresher.

The Board discussed the policy in place concerning this matter. There were many opinions on how much training an officer should receive before his certificate could be reactivated.

The Board suggested that academy directors attend the next meeting to provide their input on this matter. It was also suggested that the Board should consider requiring some type physical requirements for those that have been away from law enforcement that need the refresher.

Certification Hearing on Officer Fredrick Gordon:

The Macon Police Department made application requesting the certification of Officer Gordon.

The Board on Law Enforcement Officer Standards and Training's Certification Section determined that he is not eligible for law enforcement certification.

The Board has been provided information that he 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, he did not disclose to the Board all of his prior arrests when he applied for certification in 1996, therefore the certification was obtained through misrepresentation. In 1984, he was charged in Texas with aggravated assault (using a deadly weapon), a felony, which was reduced to a class A misdemeanor and he pled guilty; in 1987, he was charged in Texas with attempted murder (using a deadly weapon), a felony, which was reduced to aggravated assault, a felony and he pled guilty.

Officer Gordon requested to present his case to the Board to request that his certificate be issued.

Mr. Snyder asked Officer Gordon to confirm that he understood the potential outcome of the hearing and to confirm that he received notice of the procedures for this hearing. Officer Gordon stated that he understood and was ready to proceed. The Court Reporter issued the oath to Officer Gordon and Director Davis.

Director Davis presented information from Officer Gordon's file concerning his charges and failure to notify the Board.

Officer Gordon explained the circumstances of his charges stating that one incidence was with his wife and the other was with a coworker and it was self defense. He stated that his chief sent in the information and that he did not lie to the Board. He admitted that he pushed his wife against the wall and that he did shoot his coworker to get him off of him. He admitted that he did plead guilty to the charges. He said that when he was originally hired he told his board about his history and they hired him. He stated that when a new chief was hired, the new chief found out about his charges and sent in the application telling about these charges. He was not retained by the new board of the town because of theses charges. Officer Gordon completed his presentation to the Board. The Chair entertained a motion to enter into closed session to consider whether to declare an executive session. Mr. McKay made that motion and it received a second from Chief Barnett and passed without opposition.

In closed session, Chief Gammage 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 and it received a second from Mr. McKay. The vote was unanimous to enter executive session.

At the conclusion of the executive session, everyone was invited back to the meeting. The Chair entertained a motion to come out of executive session. Mr. McKay made the motion, it received a second from Chief Gammage. The vote was unanimous to come out of executive session.

After deliberations in executive session, the Board made the finding that Fredrick Gordon did plead guilty to a felony and did commit the offense by shooting John Cook; 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 and that his certificate was obtained through misrepresentation. The Board voted unanimously to cancel and recall his professional certificate numbered 10601, and that action is effective on Thursday, July 14, 2016.

Certification of Officers:

Director Davis presented 1 P/T basic academy class for certification pending completion of all requirements. A list of 8 F/T equivalency candidates, and 2 P/T equivalency candidate was presented for certification pending completion of all requirements. Sheriff McGee made a motion to approve the academy classes and equivalency candidates for certification subject to meeting all requirements and Chief Barnett seconded the motion. The motion carried without opposition.

Director's Report:

There are 167 cadets in training in 3 academies at this time.

Director McMurry's academy completed the first 305 hour pilot part-time class and he advised that there were no problems with the delivery of the curriculum.

The Board discussed issues with officer certification regarding domestic violence charges.

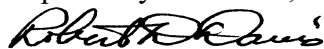
Next Scheduled Meeting:

The next meeting was set for September 8, 2016 at 9:00 a.m. at the Public Safety Planning Building.

Concluding Remarks; Adjournment:

The meeting was adjourned at 12:31 p.m. by the Chairman.

Respectfully submitted,



Director, Board on Law Enforcement
Officer Standards and Training