

MINUTES
BLEOST MEETING
September 8, 2016

Call to Order:

The meeting was called to order at 9:04 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
Hon. Michael Guest
Assistant Chief Ray Hawkins
Sheriff Jim Johnson
Dr. Steve Mallory
Sheriff Billy McGee
Constable Glenn McKay
Hon. Ed Snyder
Major Thomas Tuggle

Hon. James Dale, Board Counsel

Board members not present were:

Hon. Leslie Scott
Mayor Gary Rhoads

Staff members present were:

Mrs. Bebea Boney
Mr. Robert Davis
Ms. Geneva Hill
Mrs. Donna Rogers
Mrs. Tonya Whitehead

Speakers/guests present were:

Director Richard Lawrence, Rankin Co. S.O.
Captain Tony Fontaine, Hattiesburg P.D./ LETA
Sheriff Terry Grassaree, Noxubee Co. S.O.
Investigator Eddie Franklin, Noxubee Co. S.O.
Officer Tedrick Liddell, Noxubee Co. S.O.
Dr. Roger Liddell, Superintendent, Noxubee County School District
Hon. Roy Perkins, Attorney
Officer Stefon Richardson, Hattiesburg P.D.
Commander Herman Horton, Jackson P.D.

Introductory Remarks:

The guests introduced themselves and they were welcomed by Mr. Snyder. Mr. Guest and Dr. Mallory were welcomed back to the Board after being reappointed to a new term. The Board now has all 13 positions filled.

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. Dr. Mallory seconded the motion and it carried without opposition.

Old Business

Request for Approval of In-Service Training:

1. Safe with Dignity: Crisis Intervention through De-escalation for Police Encounters with Mentally Ill/Special Needs Populations (SaDi CID), 12 hour program; MS Attorney General's Office.
2. Crisis Intervention Training (CIT), 40 hour program; Pine Belt Mental Healthcare, Jones Co. S.O. and Laurel P.D.
3. Field Training and Evaluation Officer, 40 hour program; Higher Education Engagement, at MSU P.D.
4. Know Gangs, 9 hour program; FTC Prevention Services
5. Human Trafficking Awareness Training for Law Enforcement, 3 hour course; Advocates for Freedom

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

Review and Discuss Policy concerning Lapsed Certification:

In Mississippi, an officer that leaves law enforcement for over 2 years is required to complete a 120 hour refresher course to reactivate their certification if they return to law enforcement. A full-time certified officer must complete the course within 1 year of the date of hire and a part-time certified officer must complete the course within 2 years of the date of hire. If an officer is out of law enforcement, but works in a closely related field as determined by the Board, that officer is required to complete only the hands on portion of the skills test that are required in the refresher course.

Policies of surrounding states concerning returning officers are as follows:

Louisiana - An officer out of law enforcement under 5 years is required to qualify with firearms; over 5 years complete an 80 hour refresher course (more if an academy requires more); an officer never has to repeat the F/T Academy.

Arkansas - An officer out of law enforcement under 3 years has no training requirements; from 3 to 7 years complete a 40 hour refresher course; 7 to 10 years complete a 40 hour refresher course and take a 250 question challenge exam (2 attempts are allowed); over 10 years complete the full basic course.

Alabama - An officer out of law enforcement under 2 years must show proof of yearly in-service training requirements; over 2 years complete a 95 hour refresher course; an officer never has to repeat the F/T Academy unless an officer returns and works over a year without their date of hire being reported to POST.

Tennessee - An officer out of law enforcement under 5 years has no training requirements; 5 to 10 years complete a 3 week refresher; over 10 years complete the full basic course.

Texas has a policy that looks at the years served when making the determination of how much training is required. If an officer has less than 10 years service and is out of service for 10 years, the full basic is required.

The Board discussed this matter at length. In the discussion, it was mentioned that officers may need additional defensive tactics training after a long break in service, and some officers may need additional physical fitness training after a long break in service. It was mentioned that many officers seem to come back to law enforcement after a break in service from 4 to 7 years, and after 7 years should more than our 3 week refresher course be required. It was questioned whether the basic and refresher courses provide all of the up to date topics needed for the training of basic students and especially those returning after long breaks in service.

Mr. Guest made a motion to request our academies to provide their input at the next meeting concerning their opinions on a time after a break in service to require the full academy and what topics should be added or updated in the refresher course. Officer Carter seconded the motion and it passed without opposition.

Chief Barnett had to leave the meeting before new business began.

New Business

Certification Hearing on Officer Tedrick D. Liddell:

The Board on Law Enforcement Officer Standards and Training recalled the law enforcement certification of Officer Tedrick Liddell on January 9, 2014. According to Mississippi Code Ann. § 45-6-11 (3) (c), “ No person shall serve as a law enforcement officer in any full-time, part-time, reserve or auxiliary capacity during a period when that person’s certification has been suspended, cancelled or recalled pursuant to the provisions of this chapter.” Mississippi Code Ann.§ 45-6-11 (10) states that “Any full- or part-time law enforcement officer whose certification has been cancelled pursuant to this chapter may reapply for certification, but not sooner than two (2) years after the date on which the order of the board cancelling such certification becomes final.”

The Noxubee County Sheriff's Department made application requesting his certification. Officer Liddell requested this hearing based on the law that allows him to reapply for certification since it was recalled over two years ago.

Mr. Snyder asked Officer Liddell 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 Liddell stated that he understood and was ready to proceed. The Court Reporter issued the oath to Officer Liddell, Sheriff Grasseree, Dr. Roger Liddell and Director Davis.

Director Davis introduced 6 documents that came from the file of Officer Liddell, and entered them as Exhibits 1 through 6. He began by stating that the Board has been provided information that Officer Liddell did engaged in conduct that would breach the established minimum standards, violate the *Law Enforcement Code of Ethics*, or would greatly diminish the public trust in his competence and reliability as a law enforcement officer. According to the records, he was arrested on or about March 26, 2010 on a felony charge of Receiving Stolen Property (Count 1) and Possession of Stolen Property (Count 2). On August 27, 2010, the Court executed an Order of Sentencing (Non-Adjudication) concerning this case. In the Sentencing order pertaining to Count 1, the Court withheld acceptance of his plea of guilt and Count 2 was retired to the files. The Court ordered him to pay a fine in the amount of \$250.00 and costs of the Court. On October 6, 2011, the Court expunged the records regarding his case.

His file indicates that he was hired as a law enforcement officer by the Brooksville Police Department on March 16, 2010. On the background investigation review form that he signed on April 14, 2010, he answered that he had not been arrested or charged with a crime. His signature was notarized on April 14, 2010. The Order of Expungement stated that he was arrested on or about March 26, 2010.

Officer Liddell was represented by Attorney Roy Perkins. Mr. Perkins made opening statements concerning his client. He then asked Officer Liddell several questions and asked him to explain his actions. The Board also questioned Officer Liddell. Officer Liddell agreed that he entered a guilty plea for Receiving Stolen Property. He stated that a friend left a stolen trailer and two stolen "jet ski" type vehicles on his property. He stated that he made a mistake and asked the Board to give him another chance. Sheriff Grasseree and Dr. Liddell also testified on the character of Officer Liddell. Officer Liddell also stated that he made a mistake when he filled out the application for certification concerning his arrest.

After Officer Liddell and his attorney completed their presentations, Mr. Snyder 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 Sheriff McGee. The vote was unanimous to enter into closed session. In closed session, 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. It received a second from Chief Gammage. The vote was unanimous to enter into 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 Major Tuggle. The vote was unanimous to come out of executive session.

After deliberating in executive session, the Chairman announced the Board's finding, conclusions, and decision, all of which were concurred in by unanimous vote:

1. Mr. Liddell, completed the training academy on March 11, 2010, and Brooksville, MS (in Noxubee County) hired him as a law enforcement officer on March 16, 2010;
2. A Loundes County Grand Jury indicted him for the felony offenses of receiving and possessing stolen property, and he was arrested on or about March 26, 2010, according to a court document;
3. On April 14, 2010, he signed the notarized background investigation form that made the representation he had not been arrested or charged with a crime, which he knew was untrue;
4. On August 27, 2010, he pleaded guilty to the felony receiving charge, thus admitting the factual elements of that charge; however, the circuit court withheld acceptance of his guilty plea subject to specific conditions;
5. As part of the non-adjudication process, the court dismissed the indictment and expunged public court records in October 2011;
6. Noxubee County hired him in February 2012, and in April 2013 he signed another notarized application form that again did not reveal his criminal conduct, arrest, charge, and plea;
7. His criminal history was concealed from this Board when he first applied for certification in April 2010, a misrepresentation that led to the issuance of professional certificate # 21231; in addition, that criminal history was not disclosed in the 2013 Noxubee County application to correct the earlier misrepresentation; and
8. The Board on January 9, 2014 cancelled and recalled certificate # 21231.

The Board concluded that Mr. Liddell's conduct relating to the felony crime - to which he pleaded guilty - and the misrepresentation of criminal history to the Board violates established minimum standards and the Law Enforcement Code of Ethics, diminishes greatly the public trust in his competence and reliability as a law enforcement officer.

Therefore, the Board took the following action:

1. The Board rejects his request that professional certificate # 21231 be reinstated and issued to the Noxubee County Sheriff's Department; moreover, this certificate will not be issued to any law enforcement department or agency; and
2. The Board declines to rescind the previous cancellation and recall of that certificate, and reaffirms the action previously taken by the Board on January 9, 2014.

Certification of Officers

Director Davis presented 3 F/T basic academy classes and 2 P/T basic academy classes for certification pending completion of all requirements. A list of 20 F/T equivalency candidates, and 4 P/T equivalency candidates was presented for certification pending completion of all requirements. Sheriff Johnson 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.

The Board discussed the case of an officer that was charged with failing to keep a record. It was suggested to check with the Attorney General's office for further information.

Director's Report:

Training is continuing at a steady pace, there doesn't seem to be a decline as it is in some other states.

Thirty seven new Constables have been training as required by law. There was a total of sixty three new Constables elected. Those that were academy trained did not need the new Constable training.

The subject of self-sponsoring was discussed and it was suggested that the Board ask the academies to give their views on training self-sponsored cadets and conducting background checks.

IADLEST has a new program that accredits academies, the staff will review this program.

Next Scheduled Meeting:

The next meeting was set for November 10, 2016 at 9:00 a.m. at the Public Safety Planning Building.

Concluding Remarks; Adjournment:

The meeting was adjourned at 12:58 p.m. by the Chairman.

Respectfully submitted,



Director, Board on Law Enforcement
Officer Standards and Training