

MINUTES

STATE POLICE COMMISSION

JANUARY 15, 2004

The State Police Commission convened its monthly meeting at 9:15 a.m. on Thursday, January 15, 2004, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Chairman Brooke Duncan, III, Vice-Chairman Marshall Stevenson, and Members Clyde J. Breaux, Joseph S. Cage, Jr., and Robert M. Mills. Members Stephen H. Myers Steve Thompson were absent.

Pursuant to the provisions of State Police Commission Rule 2.1(b), an election to fill the positions of Chairman and Vice-Chairman was held. On motion duly made and seconded, by unanimous vote of the members present, the Commission voted Brooke Duncan to serve as Chairman and Marshall Stevenson to serve as Vice-Chairman.

There were no employees present for the employee opportunity to address the Commission. Newly appointed Colonel Henry Whitehorn addressed the Commission. Congratulations on his appointment and greetings were extended from the Commission Members to Colonel Whitehorn.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the October 16, 2003 meeting.

Pursuant to the provisions of State Police Commission Rule 2.10(a), the Commission held a public hearing to consider revision of State Police Commission Rule 8.11(a). Upon motion duly made and seconded, by unanimous vote of the members present, the

Commission voted to revise Rule 8.11(a), as more fully outlined in General Circular No. 135. Transmittal Sheet No. 37 will be issued reflecting the revision.

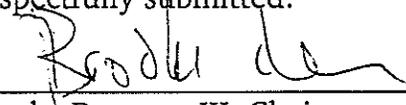
On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to assign the following appeals to William A. Norfolk, Referee:

Appeal of Curtis Buchanan, Docket No. 03-134-T;
Appeal of Jimmy Thaxton, Docket No. 03-133-T;
Appeal of Frederick Chappell, Docket No. 03-135-T; and
Appeal of Ryan J. Eskine, Docket No. 03-136-S.

The public hearing of the appeal of Curtis Buchanan, Docket No. 03-134-T, was called. The Commission received stipulations, exhibits and testimony in the matter until 2:00 p.m., at which time the Commission rescheduled the conclusion of the hearing for Thursday, March 18, 2004.

At the conclusion of the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn at 2:10 p.m.

Respectfully submitted:



Brooke Duncan, III, Chairman

Debra L. Johnson, Director

MINUTES

STATE POLICE COMMISSION

FEBRUARY 19, 2004

The State Police Commission convened its monthly meeting at 9:15 a.m. on Thursday, February 19, 2004, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Chairman Brooke Duncan, III, Vice-Chairman Marshall Stevenson, and Members Clyde J. Breaux, Joseph S. Cage, Jr., Stephen H. Myers and Robert M. Mills. Member Steve Thompson was absent.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the January 15, 2004 meeting.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to assign the following appeals to William A. Norfolk, Referee:

Appeal of Wade Barnes, Docket No. 04-137-T;
Appeal of Tim Hanks, Docket No. 04-138-S; and
Appeal of Richard Fleming, Docket No. 04-139-S.

At the employee opportunity to address the Commission, comments were received from Taylor Moss regarding Rule 7.9(a)2.a.; suggested that the rules be changed to allow officers to take the test at the date of eligibility if within the twelve month period prior to the next promotional examination; or to give the promotional examination more than once a year; provided a letter to the Commission with proposed rule change. Frank Tridico addressed the Commission on behalf of the Superintendent, regarding the Department's support of changing rules to allow employees to test for promotion prior to eligibility date; advised the Commission of the Department of State Civil Service policy regarding walk-in

testing at Saturday testing centers; and recommended a policy change rather than rule change. Charles Dupuy and David Young advised of a retreat in New Orleans in January, at which the Chairman and Vice-Chairman were in attendance, and that these members received comments from the LSTA of certain concerns about testing, which are in agreement with Taylor Moss and the Superintendent. LSTA would like twice a year testing, in April and August, and that the test grade would stay in tact until the content of the test changed; that if the content of the test stays in tact, then there's no need to continue to retest if the employee wishes to maintain the grade that he's achieved; if the content of the test changed, obviously then the employee would be required to retest because the test had changed; will be sending a formal request through the executive director to the State Police Commission asking for consideration of the proposal, as they consider the other proposals set forth today; believes that if we allow twice a year testing and maintenance of grades, the cost for testing would go down, because once people have achieved a grade that they were satisfied with, they would be less likely to test, realizing that cost is a concern for the Commission; David Young advised that here was an opportunity where both labor and management, the Department and the troopers are on the same page on something, and were coming to the Commission to receive guidance and get the issue worked out. The Chairman requested that the parties submit the appropriate request for rule change and that it would be taken under consideration. No further action was taken by the Commission on this issue.

The Commission considered the request for public investigation filed by Mark Wise. On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to assign the request for public investigation to the Director to conduct a preliminary investigation, pursuant to the provisions of Chapter 16 of the State Police

Commission Rules.

The Commission received comments from Tina Boudreaux, Melvin Meche and Frank Tridico regarding the Department's request for individual pay adjustments for Angel Wiley and Sheldon Perkins, pursuant to the provisions of State Police Commission Rule 6.16(c). On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the request. The Commission requested that the Department submit to the Commission a written request for a rule change for future blanket approval, with supporting data, information and analysis for the change, and that a presentation be made at the March 2004 Commission meeting. The Chairman requested that the information be forwarded to the members prior to the meeting.

The public hearing of the appeal of Jimmy Thaxton, Docket No. 03-133-T, was called. The Commission received stipulations, exhibits and testimony in the matter until 4:15 p.m., at which time the Commission rescheduled the conclusion of the hearing for Thursday, March 18, 2004.

At the conclusion of the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn at 4:15 p.m.

Respectfully submitted:



Brooke Duncan, III, Chairman



Debra L. Johnson, Director

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MINUTES

STATE POLICE COMMISSION

MARCH 18, 2004

The State Police Commission convened its monthly meeting at 8:08 a.m. on Thursday, March 18, 2004 in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Chairman Brooke Duncan; Vice-Chairman Marshall Stevenson and Members Clyde J. Breaux, Joseph S. Cage, Jr., Stephen H. Myers and Robert M. Mills. Member Steve Thompson was absent.

On motion duly made and seconded, by unanimous vote of the Members present, the Commission voted to approve the Minutes from the February 19, 2004 meeting.

There were no employees present at the employee opportunity to address the Commission.

The Commission received a presentation from Henry Whitehorn, Frank Tridico, Chris LeDee and Tina Boudreaux regarding a proposed rule change for approvals of details to special duty. The Commission requested that the Department prepare a proposed rule and submit it to the Director for the issuance of a General Circular.

The continuation of the public hearing of the appeal of **Jimmy Thaxton**, (Department of Public Safety and Corrections, Office of State Police), Docket No. 03-133-T, was called. At the conclusion of the Commission taking testimony and receiving exhibits, the Commission took the matter under advisement, with a written decision to be forthcoming.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss the **Thaxton** appeal. At the conclusion of its executive session, the Commission reentered into its public session.

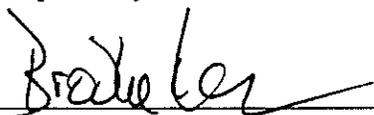
The continuation of the public hearing of the appeal of **Curtis Buchanan**, (Department of Public Safety and Corrections, Office of State Police), Docket No. 03-134-T, was called. At the conclusion of the Commission taking testimony and receiving exhibits, the Commission took this matter under advisement, with a written decision to be forthcoming.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss the **Buchanan** appeal. At the conclusion of the executive session, the Commission reentered into its public session.

The Commission discussed its April 2004 agenda with the Director; and possible changes to the promotional examination process regarding testing prior to qualification. Chairman Duncan, Vice-Chairman Stevenson and Member Robert M. Mills participated in a lunch meeting to further discuss changes to the promotional examination process.

At the conclusion of the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn its meeting at 12:50 p.m.

Respectfully submitted:



Brooke Duncan, Chairman

Debra L. Johnson, Director

MINUTES

STATE POLICE COMMISSION

APRIL 15, 2004

The Thursday, April 15, 2004 meeting of the State Police Commission was canceled. The appeal of Frederick Chappell, (Department of Public Safety and Corrections, Office of State Police), Docket No. 03-135-T was scheduled. Counsel for appellant filed a Motion for Writs, which necessitated the hearing being continued, pending resolution of the writs.



MINUTES

STATE POLICE COMMISSION

MAY 20, 2004

The May 20, 2004 Commission meeting was canceled. The appeal hearing in the matter of **Eskine** is being settled. All other agenda items were moved to the June 17, 2004 Commission meeting.



MINUTES

STATE POLICE COMMISSION

JUNE 17, 2004

The State Police Commission convened its monthly meeting at 9:12 a.m. on Thursday, June 17, 2004 in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Chairman Brooke Duncan; Vice-Chairman Marshall Stevenson and Members Joseph S. Cage, Jr., Stephen H. Myers and Robert M. Mills. Members Clyde J. Breaux and Bridgett Brown were absent.

On motion duly made and seconded, by unanimous vote of the Members present, the Commission voted to approve the Minutes from the March 18, 2004 meeting.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to assign the following appeals to William A. Norfolk, Referee:

- Appeal of Moana K. Moore, Docket No. 04-140-O;
- Appeal of Kenneth D. Bailey, Docket No. 04-142-T; and
- Public investigation of Whittaker, Jett and Vaughan, Docket No. 04-141-PI.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the proposed settlement of the **Appeal of Ryan J. Eskine**. Docket No. 03-136-S. The approval of this settlement constitutes final disposition of the matter.

At the employee opportunity to address the Commission, comments were received from David Young, Executive Director of the Louisiana State Troopers Association; Charles Dupuy, President of the Louisiana State Troopers Association,

regarding the establishment of a critical leave pool. A proposal for the Commission's review will be forthcoming. The Commission also received comments from Charles Dupuy and David Conaway regarding a make-up promotional examination for Conaway. Colonel Whitehorn also spoke in support of the make-up examination. The Commission took this matter under advisement.

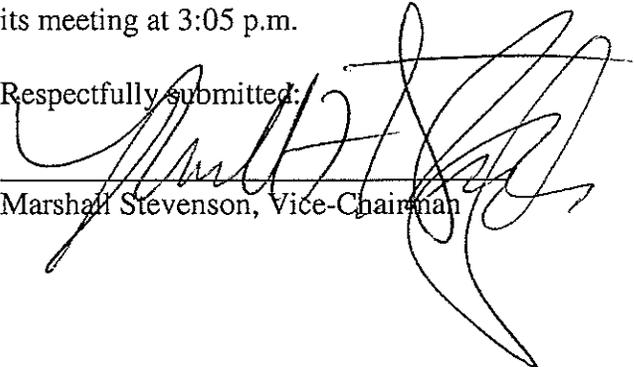
The public hearing of the **Appeal of Wade Barnes**, (Department of Public Safety and Corrections, Office of State Police), Docket No. 03-137-T, was called. At the conclusion of the Commission taking testimony, receiving stipulations and exhibits, the Commission took the matter under advisement, with a written decision to be forthcoming.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss the **Barnes** appeal. At the conclusion of its executive session, the Commission reentered into its public session.

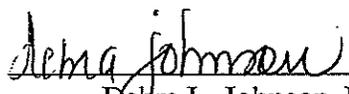
The Commission discussed with Debra Johnson possible changes to the administration of promotional examinations. The Commission assigned Vice-Chairman Stevenson to work with Ms. Johnson toward development of a testing statement and calendar for administration of more frequent promotional examinations. These additional examinations would be conducted only if funds were available. Also discussed was Ms. Johnson administering a 2004 promotional examination to David Conaway. Ms. Johnson advised that she would schedule the examination, via certified mail. The Commission advised that future examination schedules will be communicated via United States mail. No lotus notes, e-mails or fax transmittals will be acceptable when communicating information regarding promotional examinations.

At the conclusion of the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn its meeting at 3:05 p.m.

Respectfully submitted:



Marshall Stevenson, Vice-Chairman



Debra L. Johnson, Director



MINUTES

STATE POLICE COMMISSION

JULY 15, 2004

The State Police Commission convened its monthly meeting at 10:20 a.m. on Thursday, July 15, 2004 in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Vice-Chairman Marshall Stevenson and Members Joseph S. Cage, Jr., Stephen H. Myers, Clyde J. Breaux and Bridgett Brown. Chairman Brooke Duncan, III and Member Robert M. Mills were absent.

On motion duly made and seconded, by unanimous vote of the Members present, the Commission voted to approve the Minutes from the June 17, 2004 meeting.

There were no employees present for the opportunity to address the Commission.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to assign the following appeal to William A. Norfolk, Referee:

- Appeal of Danny Moreau, Docket No. 04-138-S.

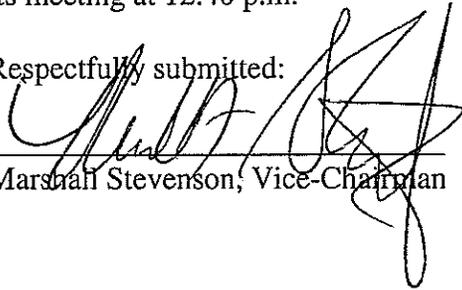
The public hearing of the **Appeals of Tim Hanks and Richard Fleming**, (Department of Public Safety and Corrections, Office of State Police), Docket No. 04-138-S and 04-139-S (consolidated), was called. At the conclusion of the Commission taking testimony, receiving stipulations and exhibits, the Commission took the matter under advisement, with a written decision to be forthcoming.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss the **Barnes** appeal, as

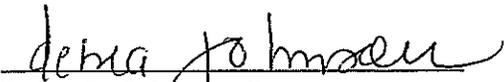
well as the **Hanks and Fleming** appeals. At the conclusion of its executive session, the Commission reentered into its public session.

At the conclusion of the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn its meeting at 12:40 p.m.

Respectfully submitted:



Marshall Stevenson, Vice-Chairman



Debra L. Johnson, Director

MINUTES
STATE POLICE COMMISSION
AUGUST 19, 2004

The State Police Commission convened its monthly meeting at 9:10 a.m. on Thursday, August 19, 2004 in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Chairman Brooke Duncan, III, Vice-Chairman Marshall Stevenson and Members Joseph S. Cage, Jr., Robert M. Mills and Clyde J. Breaux. Member Bridgett Brown arrived at 9:30 a.m. Member Stephen H. Myers was absent.

On motion duly made and seconded, by unanimous vote of the Members present, the Commission voted to enter into an executive session to discuss the **Hanks and Fleming** appeals. At the conclusion of its executive session, the Commission re-entered into its public session.

On motion duly made and seconded, by unanimous vote of the Members present, the Commission voted to approve the Minutes from the July 15, 2004 meeting.

There were no employees present for the opportunity to address the Commission.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to assign the following appeals to William A. Norfolk, Referee:

- Appeal of Jeffrey Argrave, Docket No. 04-144-S; and
- Appeal of Jeffrey Argrave, Docket No. 04-145-S.

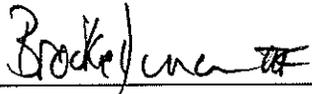
The Commission was advised by Referee William A. Norfolk that the appeal hearing of **Moana K. Moore** was continued.

The public hearing of the **Appeal of Kenneth D. Bailey**, (Department of Public Safety and Corrections, Office of State Police), Docket No. 04-142-T, was called. The Commission received testimony and exhibits until 2:45 p.m., at which time the matter was rescheduled for Thursday, September 16, 2004 at 8:00 a.m.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss the **Hanks and Fleming** appeals. At the conclusion of its executive session, the Commission reentered into its public session.

At the conclusion of the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn its meeting at 3:30 p.m.

Respectfully submitted:



Brook Duncan, III, Chairman

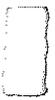
Debra L. Johnson, Director

MINUTES

SEPTEMBER 16, 2004

STATE POLICE COMMISSION

The monthly meeting was canceled due to public safety concerns surrounding hurricane Ivan.



MINUTES

STATE POLICE COMMISSION

OCTOBER 21, 2004

The monthly meeting of the State Police Commission was canceled due to a scheduling conflict with appellant's counsel.



MINUTES

STATE POLICE COMMISSION

NOVEMBER 18, 2004

The November 2004 meeting of the State Police Commission was canceled due to the settlement of the appeal scheduled for hearing.



MINUTES
STATE POLICE COMMISSION
DECEMBER 16, 2004

The State Police Commission convened its monthly meeting at 9:50 a.m. on Thursday, December 16, 2004 in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Chairman Brooke Duncan, III, Vice-Chairman Marshall Stevenson and Members Bridgett Brown and Robert M. Mills. Members Joseph S. Cage, Jr., Clyde J. Breaux and Stephen H. Myers were absent.

There were no employees present for the opportunity to address the Commission.

On motion duly made and seconded, by unanimous vote of the Members present, the Commission voted to approve the Minutes from the August 19, 2004 meeting.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to assign the following appeals to William A. Norfolk, Referee:

- Appeal of John B. Matte, Docket No. 04-146-S;
- Appeal of John B. Peters, Docket No. 04-147-S;
- Appeal of Stephen Baum, Docket No. 04-148-S;
- Appeal of Esteban I. Quispe, Docket No. 04-149-O; and
- Appeal of Dominic Thomas, Docket No. 04-150-P.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the shift differential in the amount of 50 cents (\$.50) per hour for State Police officers assigned to Protective Services, effective that date.

The Commission received a presentation from Colonel Henry Whitehorn, David Young and Charles Dupuy regarding the feasibility of LSU developing and administering State Police examinations. On Motion duly made and seconded, by unanimous vote of the members present, the Commission voted to endorse the State Police discussing with LSU, and other Louisiana universities as appropriate, the development and administration of State Police examinations; that the Commission will provide such information about current testing as needed by LSU; and that the Commission will consider any proposal LSU may make to provide State Police testing.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the proposed settlement of the appeal of Danny Moreau, (Department of Public Safety, Office of State Police), Docket No. 04-143-S.

The public hearing of the **Appeal of Jeffrey A rgrave**, (Department of Public Safety and Corrections, Office of State Police), Docket No. 04-144-S, was called. The Commission received stipulations, testimony and exhibits until 11:05 a.m., at which time the matter was taken under advisement.

The public hearing of the **Appeal of Jeffrey A rgrave**, (Department of Public Safety and Corrections, Office of State Police), Docket No. 04-145-S, was called. The Commission received stipulations, testimony and exhibits until 12:00 p.m., at which time the matter was rescheduled for January 20, 2005 at 8:00 a.m.

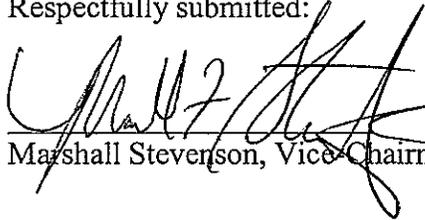
On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss the appeals of **Jeffrey Argrave**, Docket No. 04-144-S, **Esteban Quispe**, Docket No. 04-149-O and **Dominic**

Thomas, Docket No. 04-150-P. At the conclusion of its executive session, the Commission reentered into its public session.

The Commission was advised that the public investigation of **Ron Whittaker, David Jett and Frank Vaughan**, prosecuted by Mark Wise, Docket No. 04-141-PI, was withdrawn from the Commission's docket by respondent Wise.

At the conclusion of the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn its meeting at 12:40 p.m.

Respectfully submitted:


Marshall Stevenson, Vice Chairman

Debra L. Johnson, Director

