



Action/Minutes

John Bel Edwards
Governor

LOUISIANA STATE POLICE COMMISSION
GENERAL BUSINESS MEETING
THURSDAY, AUGUST 9, 2018
7:30 A.M.

Jason Hannaman
Executive Director

*STATE POLICE COMMISSION, CHENNAULT CONFERENCE ROOM.
HAMPTON INN SUITES OF MONROE, 5100 FRONTAGE ROAD, MONROE, LA. 71202*

I. Call to Order

The State Police Commission convened its monthly general business meeting at 7:35A.M. on Thursday, August 9, 2018.

Commissioner Simien led a moment silent reflection prior to the start of the meeting. A special remembrance was asked for Captain Steven Robinson; a member of the department fighting illness.

Chairman Simien welcomed former Calcasieu Parish District Attorney Leonard Knapp to the Commission.

II. Roll Call

Present were Chairman Eulis Simien, Jr., Vice-Chairman Brian Crawford, Commissioners Jared Caruso-Riecke, Jeffrey Foss, Leonard Knapp, and Harold Pierite, Sr.; there was a quorum. Nelson Cantrelle, Jr. was absent. Additionally, Commission Referee Lenore Feeney and Executive Director Jason Hannaman were present.

III. Pledge of Allegiance

Chairman Simien led the Pledge of Allegiance

IV. Opportunity to Address the Commission by employees or others concerning items on the agenda. (Please submit a speaker request from prior to the meeting being called to order.)
No request

V. Business

1. Consideration of the July 2018 minutes

- a. On motion duly made by Vice-Chairman Crawford, seconded, and unanimously passed, the Commission voted to approve the minutes from Wednesday, July 11, 2018.
- b. On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to approve the minutes from Thursday, July 12, 2018.
- c. On motion duly made by Mr. Foss, seconded, and unanimously passed, the Commission voted to approve the minutes from Friday, July 13, 2018.
- d. On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to approve the minutes from Monday, July 16, 2018.

2. In the consolidated matter of Thurman D. Miller, (Department of Public Safety and Corrections, Office of State Police), Docket No. 17-234-R, Derrell Williams (Department of Public Safety and Corrections, Office of State Police), Docket No. 17-235-D, AND Rodney Hyatt (Department of Public Safety and Corrections, Office of State Police), Docket No. 17-236-D. Floyd Falcon representing the appellants and Michele Giroir representing the appellee.

- a. Executive Session to discuss investigative proceedings regarding allegations of misconduct

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to go into Executive Session at 7:40 A.M.

Roll Call Vote:

In Favor: Jared Caruso-Riecke, Vice-Chairman Crawford, Jeffrey Foss, Leonard Knapp, Jr., Harold Pierite, Sr., and Chairman Simien

Opposed: None

Chairman Simien called the meeting back to order at 9:41 A.M.

Roll Call Vote:

In Favor: Jared Caruso-Riecke, Vice-Chairman Crawford, Jeffrey Foss, Leonard Knapp, Jr., Harold Pierite, Sr., and Chairman Simien

Opposed: None

- b. Public discussion of appeal and vote.

In the Consolidated matter of Thurman D. Miller, (Department of Public Safety and Corrections, Office of State Police), Docket No. 17-234R. Derrell Williams (Department of Public Safety and Corrections, Office of State Police), Docket No. 17-235-D, And Rodney Hyatt (Department of Public Safety and Corrections, Office of State Police), Docket No. 17-236-D.

Chairman Simien announced that Commissioners Nelson Cantrell, Jr. and Leonard Knapp, Jr. recused themselves from voting on the consolidated appeal.

The Appeal of Thurman Miller, Docket No. 17-234-R

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion to discuss the appeal of Thurman Miller, Docket No. 17-234R.

Lenore Feeney read into the record the charge that Thurman Miller violated Louisiana State Police Policy and Procedure Order No. 901 - Code of Conduct and Ethics, Section 19 - Department Records.

Following public discussion, on a motion by Chairman Simien and seconded, the Commission voted on whether or not Thurman Miller violated Louisiana State Police Policy and Procedure Code of Conduct Order No. 901 - Section 19:

Roll Call Vote:

No: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

Yes: none

Lenore Feeney read into the record the charge that Thurman Miller violated Louisiana State Police Policy and Procedure Order No. 201-6: Accrual of Time, Overtime, and Compensatory Time – Authorization and Verification.

Following public discussion, on motion duly made by Mr. Riecke and seconded, the Commission voted on whether or not there was a violation by Thurman Miller of Louisiana State Police Policy and Procedure Order No. 201-6:

Roll Call Vote:

No: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

Yes: none

Lenore Feeney read into the record the final charge that Thurman Miller violated Louisiana State Police Policy and Procedure Order No. 221-Expense Reimbursement, Section 2.

On motion duly made by Chairman Simien, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Thurman Miller violated Louisiana State Police Policy and Procedure Order No. 221, Section 2.

Following public discussion, on motion duly made by Mr. Riecke and seconded, the Commission voted on whether or not there a violation by Thurman Miller of Louisiana State Police Policy and Procedure Order No. 221, Section 2:

Roll Call Vote:

No: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

Yes: none

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to rescind the imposed discipline for Thurman Miller.

Roll Call Vote:

In Favor: Jared Caruso-Riecke, Brian Crawford, Harold Pierite, Sr., Jeffrey Foss, and Chairman Simien

Opposed: None

On motion duly made by Mr. Crawford, seconded, and unanimously passed, the Commission voted to issue a resolution requesting that the LSP Administration review the policies for travel and make them clearer and more specific as to what is and what is not appropriate within the guidelines, as well as to administer additional trainings on the travel regulations.

The Appeal of Derrell Williams, Docket No. 17-235-D

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion on the appeal of Derrell Williams, Docket No. 17-235-D.

Lenore Feeney read into the record the charge that Derrell Williams violated Louisiana State Police Policy and Procedure Order No. 221- Expense Reimbursement, Section 2.

Following public discussion, on motion duly made by Chairman Simien and seconded, the Commission voted on whether or not there was a violation by Derrell Williams of Louisiana State Police Policy and Procedure Order No. 221, Section 2:

Roll Call Vote:

No: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien
Yes: none

Lenore Feeney read into the record the charge that Derrell Williams violated Louisiana State Police Policy and Procedure Order No. 901- Code of Conduct and Ethics, Section 8 – Performance of Duty.

Following public discussion, on motion duly made by Mr. Foss and seconded, the Commission voted on whether or not there was a violation by Derrell Williams of Louisiana State Police Policy and Procedure Order No. 901, Section 8:

Roll Call Vote:

No: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien
Yes: none

Lenore Feeney read into the record the charge that Derrell Williams violated Louisiana State Police Policy and Procedure Order No. 901- Code of Conduct and Ethics, Section 19 – Department Records.

On motion duly made by Chairman Simien, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Derrell Williams violated Louisiana State Police Policy and Procedure Order No. 901, Section 19.

Following public discussion, on motion duly made by Mr. Foss and seconded, the Commission voted on whether or not there was a violation by Derrell Williams of Louisiana State Police Policy and Procedure Order No. 901, Section 19:

Roll Call Vote:

No: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

Yes: none

Lenore Feeney read into the record the charge that Derrell Williams violated Louisiana State Police Policy and Procedure Order No. 201- Accrual of Time, Overtime and Compensatory Time – Section 6 – Authorization and Verification.

On motion duly made by Chairman Simien, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Derrell Williams violated Louisiana State Police Policy and Procedure Order No. 201, Section 6.

Following public discussion, on motion duly made by Chairman Simien and seconded, the Commission voted on whether or not there was a violation by Derrell Williams of Louisiana State Police Policy and Procedure Order No. 201, Section 6:

Roll Call Vote:

No: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

Yes: none

Lenore Feeney read into the record the charge that Derrell Williams violated the Department of Public Safety and Corrections, Public Safety Services, Information Technology Section Security Policy – Email & Internet Usage.

On motion duly made by Chairman Simien, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Derrell Williams violated Department of Public Safety and Corrections, Public Safety Services, Information Technology Section Security Policy – Email & Internet Usage.

Following public discussion, on motion duly made by Mr. Riecke and seconded, the Commission voted on whether or not there was a violation by Derrell Williams of Department of Public Safety and Corrections, Public Safety Services, Information Technology Section Security Policy – Email & Internet Usage:

Roll Call Vote:

No: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

Yes: none

Lenore Feeney read into the record the charge that Derrell Williams violated Louisiana State Police Policy and Procedure Order No. 1109.10-MDT, MVR, Internet/Intranet.

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Derrell Williams violated Louisiana State Police Policy and Procedure Order No. 1109.10-MDT, MVR, Internet/Intranet.

Following public discussion, on motion duly made by Chairman Simien and seconded, the Commission voted on whether or not there was a violation by Derrell Williams of Louisiana State Police Policy and Procedure Order No. 1109.10-MDT, MVR, Internet/Intranet:

Roll Call Vote:

Yes: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

No: none

Lenore Feeney read into the record the final charge that Derrell Williams violated the Department of Public Safety and Corrections, Public Safety Services, Louisiana State Police Policy and Procedure Order No. 901 – Code of Conduct and Ethics, Section 4, Conduct Unbecoming an Officer.

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Derrell Williams violated Louisiana State Police Policy and Procedure Order No. 901 – Code of Conduct and Ethics, Section 4, Conduct Unbecoming an Officer.

Following public discussion, on motion duly made by Chairman Simien and seconded, the Commission voted on whether or not there was a violation by Derrell Williams of Louisiana State Police Policy and Procedure Order No. 901 – Code of Conduct and Ethics, Section 4:

Roll Call Vote:

Yes: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

No: none

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion of whether or not the discipline imposed was appropriate or should be modified in any way.

Following public discussion, on motion duly made by Chairman Simien, seconded, and unanimously passed, the Commission voted to rescind the discipline imposed by the department and instead impose a 40-hour suspension:

Roll Call Vote:

In Favor: Jared Caruso-Riecke, Brian Crawford, Harold Pierite, Sr., Jeffrey Foss, and Chairman Simien

Opposed: None

The Appeal of Rodney Hyatt, Docket No. 17-236-D

Lenore Feeny read into the record the charge that Rodney Hyatt violated Louisiana State Police Policy and Procedure Order No. 201- Accrual of Time, Overtime and Compensatory Time – Section 6 -Authorization and Verification.

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Rodney Hyatt violated Louisiana State Police Policy and Procedure Order No. 201- Accrual of Time, Overtime and Compensatory Time – Section 6 - Authorization and Verification.

Following public discussion, on motion duly made by Chairman Simien and seconded, the Commission voted on whether or not there was a violation by Rodney Hyatt of Louisiana State Police Policy and Procedure Order No. 201, Accrual of Time, Overtime and Compensatory Time - Section 6:

Roll Call Vote:

Yes: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

No: none

Lenore Feeny read into the record the charge that Rodney Hyatt violated Louisiana State Police Policy and Procedure Order No. 901 – Code of Conduct and Ethics, Section 8 – Performance of Duty.

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Rodney Hyatt violated Louisiana State Police Policy and Procedure Order No. 901 – Code of Conduct and Ethics, Section 8.

Following public discussion, on motion duly made by Vice-Chairman Crawford and seconded, the Commission voted on whether or not there was a violation by Rodney Hyatt of Louisiana State Police Policy and Procedure Order No. 901 – Code of Conduct and Ethics, Section 8:

Roll Call Vote:

Yes: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

No: none

Lenore Feeney read into the record the charge that Rodney Hyatt violated the Louisiana State Police Policy and Procedure Order No. 901 – Code of Conduct and Ethics, Section 19 – Department Records.

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Rodney Hyatt violated Louisiana State Police Policy and Procedure Order No. 901, Section 19.

Following public discussion, on motion duly made by Mr. Riecke and seconded, the Commission voted on whether or not there was a violation by Rodney Hyatt of Louisiana State Police Policy and Procedure Order No. 901, Section 19:

Roll Call Vote:

Yes: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

No: none

Lenore Feeney read into the record the charge that Rodney Hyatt violated Louisiana State Police Policy and Procedure Order No. 221 – Expense Reimbursement, Section 2.

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Rodney Hyatt violated Louisiana State Police Policy and Procedure Order No. 221, Section 2.

Following public discussion, on motion duly made by Mr. Riecke and seconded, the Commission voted on whether or not there was a violation by Rodney Hyatt of Louisiana State Police Policy and Procedure Order No. 221, Section 2:

Roll Call Vote:

No: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

Yes: none

Lenore Feeney read into the record the final charge that Rodney Hyatt violated Louisiana State Police Policy and Procedure Order No. 901- Code of Conduct and Ethics, Section 11 – Neglect of Duty.

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Rodney Hyatt violated Louisiana State Police Policy and Procedure Order No. 901, Section 11.

Following public discussion, on motion duly made by Mr. Riecke and seconded, the Commission voted on whether or not there was a violation by

Rodney Hyatt of Louisiana State Police Policy and Procedure Order No. 901, Section 11:

Roll Call Vote:

Yes: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, and Chairman Simien

No: none

On motion duly made by Chairman Simien, seconded, and unanimously passed, the Commission voted to enter into public discussion about the discipline that was imposed.

Following public discussion, on motion duly made by Vice-Chairman Crawford and seconded, the Commission voted on whether or not to uphold the current discipline relative to Rodney Hyatt:

Roll Call Vote:

In Favor: Vice-Chairman Crawford and Jeffrey Foss

Opposed: Jared Caruso-Riecke, Harold Pierite, Sr., and Chairman Simien

Lenore Feeney read into the record that the motion Failed.

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion regarding an appropriate penalty for Rodney Hyatt.

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to rescind the discipline imposed by the Appointing Authority and instead impose a 500-hour suspension for Rodney Hyatt:

Roll Call Vote:

In Favor: Jared Caruso-Riecke, Brian Crawford, Harold Pierite, Sr., Jeffrey Foss, and Chairman Simien

Opposed: None

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to discuss the issue of timeliness of the proceedings of the case.

On motion duly made by Chairman Simien, seconded, and unanimously passed, the Commission voted to make it understood, regarding the timeliness of the proceeding, that even if the matter was considered untimely, the Commission rejects any notion that it does not have authority to proceed and it chooses to proceed as it has proceeded in this particular course of action.

The department is to implement the decision once the written decision has been signed by the Commission; additionally, the time for appeal begins once the written decision has been signed.

Recess at 11:00 A.M.; Chairman Simien called the meeting back to order at 11:12 A.M.

SCHEDULED TO BEGIN AT 9:00 A.M.:

3. In the matter of Trooper Joseph Jones (Department of Public Safety and Corrections, Office of State Police), Docket No. 17-237-S. Floyd Falcon representing the appellant and Ron Crouch representing the appellee.
 - a. Public hearing
Mr. Floyd Falcon, legal counsel representing the appellant, and Mr. Ron Crouch, legal counsel representing the Department of Public Safety (DPS), appeared before the Commission to argue motions.

Recess at 12:02 P.M.; Chairman Simien called the meeting back to order at 12:42 P.M.

Recess at 1:49 P.M.; Chairman Simien called the meeting back to order at 2:01 P.M.

Recess at 2:15 P.M.; Chairman Simien suggested that the parties take a 30-minute recess and go over this matter once more. Chairman Simien called the meeting back to order at 2:26 P.M. when the parties did not reach an agreement.

- b. Executive Session to discuss investigative proceedings regarding allegations of misconduct
On motion duly made by Chairman Simien, seconded, and unanimously passed, the Commission voted to go into Executive Session to discuss allegations of misconduct relative to Trooper Joseph Jones at 2:27 P.M.

Roll Call Vote:

In Favor: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Sr., Jeffrey Foss, Leonard Knapp, and Chairman Simien
Opposed: None

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to end Executive Session at 2:52 P.M.

Roll Call Vote:

In Favor: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Sr., Jeffrey Foss, Leonard Knapp, and Chairman Simien
Opposed: None

- c. Public discussion of appeal and vote
Lenore Feeney read into the record the charge that Trooper Joseph Jones violated Louisiana State Police Policy and Procedure No. 901 – Code of Conduct and Ethics, Section 22 – Interference.

Lenore Feeney read into the record the charge that Trooper Joseph Jones violated Louisiana State Police Policy and Procedure No. 901 – Code of Conduct and Ethics, Section 4 – Conduct Unbecoming an Officer.

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to enter into public discussion of the charge that Trooper Joseph Jones violated LSP Policy and Procedure No. 901, Sections 22 & 4.

Following public discussion, on motion duly made by Mr. Knapp and seconded, the Commission voted on whether or not there was a violation by Trooper Joseph Jones of Louisiana State Police Policy and Procedure Order No. 901, Section 22:

Roll Call Vote:

Yes: Vice-Chairman Crawford, Jeffrey Foss, Leonard Knapp, and Chairman Simien

No: Jared Caruso-Riecke and Harold Pierite

On motion duly made by Mr. Riecke and seconded, the Commission voted on whether or not to rescind the 40-hour suspension imposed by the Appointing Authority:

Roll Call Vote:

Yes: Jared Caruso-Riecke, Vice-Chairman Crawford, Harold Pierite, Jeffrey Foss, Leonard Knapp, and Chairman Simien

No: none

On motion duly made by Mr. Riecke and seconded, the Commission voted on whether or not to issue a Letter of Reprimand:

Roll Call Vote:

Yes: Jared Caruso-Riecke and Harold Pierite

No: Vice-Chairman Crawford, Jeffrey Foss, Leonard Knapp, and Chairman Simien

On motion duly made by Mr. Knapp and seconded, the Commission voted on whether or not to impose a 12-hour suspension:

Roll Call Vote:

Yes: Vice-Chairman Crawford, Jeffrey Foss, Leonard Knapp, and Chairman Simien

No: Jared Caruso-Riecke and Harold Pierite

On motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to draft a letter to the Ouachita Parish School Board to convey the concerns of the Commission regarding details learned during the course of this appeal.

4. Other Commission Business
No Commission business at this time.

VI. Director's Report

Monthly Commission expenditures have been included in the binder for review.

VII. Opportunity to Address the Commission by employees or others on matters not on the agenda. (Please submit a speaker request form prior to the meeting being called to order).

No requests at this time.

VIII. Adjourn

There being no further business, on a motion duly made by Mr. Riecke, seconded, and unanimously passed, the Commission voted to adjourn at 3:15 P.M. on Thursday, August 9, 2018.

Respectfully Submitted,



Jason Hannaman, Executive Director



Eulis Simien, Jr., Chairman