

ACTION/MINUTES



LOUISIANA STATE POLICE COMMISSION
GENERAL BUSINESS MEETING
THURSDAY, MARCH 12, 2020
10:00 A.M.

John Bel Edwards
Governor

Jason Hannaman
Executive Director

*STATE POLICE COMMISSION, VETERANS MEMORIAL AUDITORIUM, SUITE 1247,
DEPT. OF AGRICULTURE & FORESTRY BLDG., 5825 FLORIDA BLVD., BATON ROUGE, LA 70806*

- I. Call to Order
The State Police Commission convened its monthly general business meeting at 10:12 A.M. on Thursday, March 12, 2020.
- II. Roll Call
Present were Chairman Eulis Simien, Jr., Vice-Chairman Brian Crawford; Commissioners Leonard Knapp, Jr., Jared Caruso-Riecke, and Robert Mire. There was a quorum. Absent were Commissioners Nelson Cantrelle, Jr. and Harold Pierite, Sr. Additionally, Commission Referee Lenore Feeney and Executive Director Jason Hannaman were present.
- III. Moment of Silence
A moment of silence was observed.
- IV. Pledge of Allegiance
Chairman Eulis Simien, Jr. led the Pledge of Allegiance.
- V. Opportunity to Address the Commission by employees or others concerning items on the agenda. (Please submit a speaker request form prior to the meeting being called to order.)
Several requests were received and were deferred, without objection, to be heard during discussions of business items #2, 3, and 4.

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- VI. Business
 1. Consideration of the February 13, 2020 minutes.
On motion duly made by Vice-Chairman Crawford, seconded, and passed; the Commission voted to approve the minutes from the February 13, 2020 meeting.
 2. Request from the Department of Public Safety and Corrections, Office of State Police, for retroactive approval of the layoff avoidance measure taken in Fiscal Year 2016-17 to withhold performance adjustments. (Representative of the Agency to be available to answer any question of the Commission).
Executive Director Hannaman provided background information for the retroactive approval of the layoff avoidance measure taken by DPS/Office of State Police in Fiscal Year 2016-17. For Fiscal Year 2016-17, large budget deficits were projected by the governor's office and legislature which necessitated multiple special sessions. The State Civil Service Commission suspend all classified performance increases for nearly 30,000 unclassified state employees and the governor passed an executive order suspending merit increases/performance

adjustments for approximately 20,000 unclassified employees. A request was not made of the State Police Commission to enact a special rule or approve a layoff avoidance request; however, DPS/OSP withheld the performance increase for the state police service based on their understanding that increases were to not be granted for Fiscal Year 2016-17.

Lt. Colonel Jason Starnes appeared as the agency representative and offered comments in support of the request. He concurred with the summary of the Executive Director and advised that during the fiscal year the department sustained two mid-year budget cuts. His appeared before the Commission with the hope of remedying the technical deficiency of the department not receiving formal approval from the Commission for the implementation of the layoff avoidance measure.

Commissioner Mire expressed concern that the window for restoration of a withheld performance adjustment is 3 years and that this would be the last fiscal year for restoration of an adjustment withheld in Fiscal Year 2016-17.

Commissioner Knapp and Vice-Chairman Crawford inquired about the possible costs associated with the agency implementing the option of restoring the 3% adjustment for those that are still missing the increase. Lt. Col. Starnes provided details regarding the current year implementation and annualizing the cost for future years.

Attorney Brett Conrad appeared and offered comments on behalf of Master Trooper Dean Coates and expressed opposition to the request.

Vice-Chairman Crawford questioned Mr. Conrad regarding an amount or calculation they are seeking to make Mr. Coates "whole." Mr. Conrad did not have a calculation at this time; however, he stated his belief is that it would be significant.

A motion was duly made by Vice-Chairman Crawford, seconded, and passed; the Commission requested that both parties, Office of State Police and representative for Mr. Coates, submit written briefs to the Commission within the next two weeks so that the Commission would have time to review the positions in more detail prior to the next Commission meeting.

3. In the matter of Eric Curlee (Department of Public Safety and Corrections, Office of State Police), Dockets No. 18-239 and 18-243-S.
 - a.) Discussion of proposed settlement agreement and presentation by the parties. Attorney Michelle Giror on behalf of the Office of State Police and Attorney Donovan Livaccari appeared on behalf of Mr. Curlee; both offered comments regarding Docket No. 18-239 and 18-243-S.
 - b.) Executive Session to discuss investigative proceedings regarding allegations of misconduct.
On motion duly made by Chairman Simien, seconded, unanimously passed; the Commission voted to go into Executive Session at 10:41 A.M.

Roll Call Vote:

In Favor: Jared Caruso-Riecke, Vice-Chairman Brian Crawford, Leonard Knapp Jr., Robert Mire, and Chairman Eulis Simien, Jr.

Opposed: None

On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to end Executive Session at 10:58 A.M.

In Favor: Jared Caruso-Riecke, Vice-Chairman Brian Crawford, Leonard Knapp Jr., Robert Mire, and Chairman Eulis Simien, Jr.

Opposed: None

Consideration and vote on whether to accept the proposed settlement agreement.

On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to accept the settlement agreement made by the attorneys for Docket No. 18-243-S.

4. Public Hearing to Consider Proposed Changes to Chapter 11 of the State Police Commission Rules. (Details contained in General Circular No. 203.)

The Commission conducted a public hearing to consider adopting proposed changes to Chapter 11 of the State Police Commission rules as detailed in General Circular No. 203.

a) Public Comments

Lt. Colonel Mike Noel and DPS Attorney Michelle Giroir appeared and offered comments on behalf of the Office of State Police regarding the proposed changes. Attorney Mary Ann White and LSTA president Mark Oxley appeared on behalf of the LSTA to offer comments regarding the proposed changes.

b) Consideration of Proposed Changes

On motion duly made by Chairman Simien, seconded, and unanimously passed; the Commission voted to approve amendments to Rule 11.9(b) as published in General Circular No. 203.

In Favor: All

Opposed: None

On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to recommit to rewording to achieve agreeance with both parties for proposed new Rule 11.9(c).

In Favor: All

Opposed: None

On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to approve amendments to Rules 11.10 (a, b, c, d, f, and g) as published in General Circular No. 203.

In Favor: All

Opposed: None

On motion duly made by Vice-Chairman Crawford, seconded, and unanimously passed; the Commission voted to approve amendments to Rule 11.10(e) as published in General Circular No. 203

In Favor: All

Opposed: None

On motion duly made by Commissioner Riecke, seconded, and passed; the Commission voted to approve adoption of SPC Rule 11.13.1 as published in General Circular No. 203.

In Favor: Jared Caruso-Riecke, Vice-Chairman Brian Crawford, Leonard Knapp Jr.

Opposed: Robert Mire

On motion made by Commissioner Riecke, seconded, and passed; the Commission voted to table Rule 11.19 for a later discussion.

In Favor: Jared Caruso-Riecke, Vice-Chairman Brian Crawford, and Robert Mire

Opposed: Leonard Knapp Jr.

On motion duly made by Commissioner Knapp, seconded, and unanimously passed; the Commission voted to table proposed changes to Rule 11.29.

In Favor: All

Opposed: None

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 Request.

VIII. Director's Report

The attention of the Commission was directed to the Commission's Monthly Expenditure Report that had been provided for its review. There were no questions or comments about the Report.

The State Police Commission's Chairman and Executive Director were introduced to the 14 new members of the House and Governmental Affairs Committee on March 11th. Several members advised support of the SPC's progress with online cadet testing. The House Appropriations Committee's review of the FY20/21 budget request is set for March 23, 2020.

Lastly, the Executive Director updated the Commission on the progress to encourage applicants to embrace online testing; 100 percent of cadet applicants for February registered to take the cadet exam electronically with a total of 53 actually taking the exam.

IX. Adjourn

There being no further business, on a motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to adjourn at 11:49 A.M. on Thursday, March 12, 2020.

Respectfully Submitted,



Jason Hannaman, Executive Director



Eulis Simien, Jr., Chairman