



MINUTES/ACTIONS
AGENDA

John Bel Edwards
Governor

LOUISIANA STATE POLICE COMMISSION
GENERAL BUSINESS MEETING
THURSDAY, JULY 13, 2017
9:00 A.M.

Jason Hannaman
Executive Director

*STATE POLICE COMMISSION, SUITE 208, SECOND FLOOR, OFFICE OF MANAGEMENT,
FINANCE & OMV BUILDING, 7979 INDEPENDENCE BLVD., BATON ROUGE, LA 70806*

I. Call to Order

THE STATE POLICE COMMISSION CONVENED ITS MONTHLY GENERAL BUSINESS MEETING AT 9:00 A.M. ON THURSDAY, JULY 13, 2017. PRESENT WERE TROOPER CHAIRMAN THOMAS DOSS, VICE-CHAIRMAN MONICA J. MANZELLA, CALVIN BRAXTON, SR., JARED CARUSO-RIECKE, DR. MICHAEL W. NEUSTROM, HAROLD PIERITE, SR., AND EULIS SIMIEN, JR. ADDITIONALLY, COMMISSION REFEREE LENORE FEENEY AND EXECUTIVE DIRECTOR JASON HANNAMAN WERE PRESENT.

II. Pledge of Allegiance

CHAIRMAN DOSS LED THE PLEDGE OF ALLEGIANCE

III. Opportunity to Address the Commission by Employees or Others

- NO PUBLIC COMMENTS
- CHAIRMAN DOSS INTRODUCED NEW COMMISSIONER MICHAEL NEUSTROM; HE IS FROM THE LAFAYETTE AREA AND WILL REPRESENT THE 3RD CONGRESSIONAL DISTRICT.

IV. Business

1. Consideration of the June 8, 2017 minutes.

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION VOTED TO APPROVE THE MINUTES FROM THE JUNE 8, 2017 MEETING.

2. Discussion of proposed rule changes per General Circular 184:

THE COMMISSION CONDUCTED A PUBLIC HEARING TO CONSIDER ADOPTING PROPOSED CHANGES TO CHAPTERS 4, 8, AND 11 OF THE STATE POLICE COMMISSION RULES AS DETAILED IN GENERAL CIRCULAR 184.

a. Chapter 4

- Public Comment – NO COMMENTS
- Consideration of rule adoptions

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED AMENDING STATE POLICE COMMISSION RULES 4.1(d)2 AND 4.1(d)3.

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED ADOPTION OF STATE POLICE COMMISSION RULES 4.1(d)2 AND 4.1(d)3.

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED AMENDING THE PROPOSED NEW STATE POLICE COMMISSION RULE 4.1(d)5. THE AMENDED PROPOSED RULE 4.1(d)5 NOW READS AS FOLLOWS:

Rule 4.1 Classified and Unclassified Positions

(a) ...

(b) ...

(c) ...

(d)

1. ...

2. ...

3. ...

4. ...

5. *Positions added to the unclassified service under this Sub-section shall be submitted for reauthorization in accordance with policy and/or guidelines adopted by the State Police Commission.*

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED THE ADOPTION OF STATE POLICE COMMISSION RULE 4.1(d)5, AS AMENDED ON THE FLOOR.

b. Chapter 8

- Public Comment – NO COMMENTS
- Consideration of rule adoptions

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED AMENDING STATE POLICE COMMISSION RULE 8.10(d)3.

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED ADOPTION OF STATE POLICE COMMISSION RULE 8.10(d)3.

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED AMENDING PROPOSED

CREATION OF STATE POLICE COMMISSION RULES 8.10(d)5, 6, AND 7. THE AMENDED PROPOSED RULES 8.10(d)5, 6, AND 7 NOW READ AS FOLLOWS:

Rule 8.10(d) Detail to Special Duty

1. ...
2. ...
3. ...
4. ...
5. *An appointing authority may end a detail at any time.*
6. *The Director may issue policy standards for use of details to special duty upon approval by the Commission.*
7. *The Commission may, at any time, cancel a detail to special duty and/or withdraw an agency's authority to detail employees for longer than one month.*

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED THE ADOPTION OF STATE POLICE COMMISSION RULES 8.10(d)5, 6, AND 7, AS AMENDED ON THE FLOOR.

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED AMENDING PROPOSED CREATION OF STATE POLICE COMMISSION RULE 8.10(e)4. THE AMENDED PROPOSED RULE 8.10(e)4 NOW READS AS FOLLOWS:

Rule 8.10(e) Temporary Duty Assignment (TDY)

1. ...
2. ...
3. ...
4. *When an appointing authority determines that a temporary duty period lasting beyond one hundred eighty (180) days is in the immediate best interest of public safety, the appointing authority shall submit a request to the Commission for consideration of an extension to the temporary duty period.*

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED THE ADOPTION OF STATE POLICE COMMISSION RULE 8.10(e)4, AS AMENDED ON THE FLOOR.

c. Chapter 11

- Public Comment – NO COMMENTS
- Consideration of rule adoptions

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED AMENDING STATE POLICE COMMISSION RULE 11.29(f).

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION APPROVED ADOPTION OF STATE POLICE COMMISSION RULE 11.29(f).

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION VOTED TO TABLE CONSIDERATION OF THE PROPOSED CREATION OF STATE POLICE COMMISSION RULE 11.29(k) TO THE NEXT REGULAR BUSINESS MEETING TO BE HELD ON AUGUST 10, 2017.

3. Summary status and discussion of analysis of testing results and trooper response to test makeup and scoring.

DIRECTOR HANNAMAN REPORTED APPROXIMATELY 32 REQUESTS FOR REVIEW WERE SUBMITTED AS OF TODAY'S DATE. THE PRIMARY REQUEST IS FOR REVIEW OF THE WRITTEN ESSAY COMPONENT WHICH ACCOUNTS FOR 20 POINTS ON THE PROMOTIONAL EXAM. HE FURTHER ADVISED THAT HE IS DEVELOPING A STANDARDIZED PROCESS AND FORM FOR RECEIVING AND REVIEWING COMPLAINTS AS WELL AS ADDRESSING CONCERNS. HE ADVISED THAT THE LSTA COMPREHENSIVE REPORT HAS NOT YET BEEN RECEIVED BY THE COMMISSION. CHAIRMAN DOSS ADVISED THAT HE UNDERSTANDS THE REPORT IS FORTHCOMING. COMMISSIONER RIECKE ADVISED THAT THESE STEPS SEEM TO BE IN THE RIGHT DIRECTION TO ADDRESS TROOPER CONCERNS.

LT. SHELDON PERKINS ADDRESSED THE COMMISSION WITH A COMPLAINT. HE NOTED THAT THE CAPTAIN'S PROMOTIONAL EXAM APPEARED TO HAVE A TOTAL OF 105 POINTS POSSIBLE BECAUSE OF FIVE ADDITIONAL QUESTIONS (TOTALING 25) IN THE POLICY AND PROCEDURE PORTION; HOWEVER, HIS FINAL GRADING SCORE INDICATED A TOTAL OF ONLY 20 PTS POSSIBLE IN THE POLICY AND PROCEDURE COMPONENT. WHAT HAPPENED TO THE ADDITIONAL 5 POINTS?

DIRECTOR HANNAMAN ADVISED THAT IT WAS HIS UNDERSTANDING UPON SPEAKING WITH DR. WISE THAT THE

POLICY AND PROCEDURE QUESTIONS WERE WEIGHTED AT 0.8 PTS PER QUESTION RATHER THAN 1.0 PT PER QUESTION.

CHAIRMAN DOSS ADVISED THAT THESE QUESTIONS AND COMMENTS NEED TO CONTINUE TO BE REVIEWED BY DR. WISE SO THAT SHE CAN ADVISE IMPROVEMENTS GOING FORWARD.

COMMISSIONER RIECKE ADVISED HIS CONTINUED GOAL TO HAVE TESTING DEVELOPED AND MAINTAINED BY STATE POLICE COMMISSION STAFF RATHER THAN OUTSIDE CONTRACTORS; HOWEVER, HE UNDERSTANDS THAT IT ISN'T FEASIBLE AT THIS TIME DUE TO THE COMMISSION BUDGET. HE DESIRES BETTER EXPLANATION AND COMMUNICATION IN TESTING.

MR. LEON "BUCKY" MILLET COMMENTED/RECOMMENDED THAT THE LSU CONTRACT BE REVIEWED TO SEE IF FUNDS COULD BE USED FOR IN-HOUSE TESTING.

COMMISSIONER SIMIEN ADVISED THAT SPECIFIC PLANNING NEEDS TO TAKE PLACE TO MAKE THIS SPECIFIC ISSUE A PRIORITY AND PRESENT A REQUEST TO THE BUDGET COMMITTEE FOR POSSIBLE FUNDING INCREASES.

THE COMMISSION ADJOURNED FOR A FIVE MINUTE RECESS. CHAIRMAN DOSS CALLED THE MEETING BACK TO ORDER AT 9:58 A.M.

4. In the matter of Burnell Thompson, III (Department of Public Safety and Corrections, Office of State Police), Docket No. 17-230.
 - a. Discussion of proposed settlement agreement and presentations by parties. MICHELLE GIROIR, DPS ATTORNEY, APPEARED ON BEHALF OF THE APPOINTING AUTHORITY; MR. THOMPSON WAS NOT REPRESENTED BY COUNSEL. MS. GIROIR ADVISED THAT THE PARTIES HAVE AGREED TO SETTLE THE MATTER.
 - b. Executive session to discuss litigation in the appeal of Burnell Thompson, III, Docket No. 17-230. ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION VOTED TO GO INTO EXECUTIVE SESSION.
 - c. Consideration and vote on whether to accept proposed settlement agreement.

ON MOTION DULY MADE, SECONDED, AND PASSED; THE COMMISSION VOTED TO TABLE CONSIDERATION OF THE PROPOSED SETTLEMENT TO THE NEXT REGULAR BUSINESS MEETING TO BE HELD ON AUGUST 10, 2017.

ROLL CALL VOTE:

CALVIN BRAXTON, SR. – YES
JARED CARUSO-RIECKE – YES
THOMAS DOSS – YES
MONICA MANZELLA – YES
MICHAEL NEUSTROM – YES
HAROLD PIERITE, SR – YES
EULIS SIMIEN, JR. - NO

IN HIS DISSENT, COMMISSIONER SIMIEN ADVISED THAT HE WOULD BE WILLING TO VOTE AGAINST THE PROPOSED SETTLEMENT.

5. In the matter of Willie W. Palmer, III (Department of Public Safety and Corrections, Office of State Police), Docket No. 17-232.

- a. Discussion of proposed settlement agreement and presentations by parties.
MICHELLE GIROIR, DPS ATTORNEY, APPEARED ON BEHALF OF THE APPOINTING AUTHORITY AND MR. FLOYD FALCON APPEARED ON BEHALF OF MR. PALMER. MS. GIROIR ADVISED THAT TROOPER WILLIE PALMER IS CURRENTLY SUSPENDED FOR 540 HOURS; HOWEVER, THE APPOINTING AUTHORITY HAS AGREED TO A REDUCTION TO 320 HOURS. IF THE SETTLEMENT IS APPROVED, TROOPER PALMER'S SUSPENSION WILL END TODAY AT 1:00 P.M.

IN PROVIDING PUBLIC COMMENT, MR. LEON "BUCKY" MILLET ADVISED THAT HE WAS AWARE OF SITUATIONS UNDER THE PRIOR ADMINISTRATION WHERE A TROOPER WAS PERMITTED TO EARN OVERTIME WHEN HE WAS ON SUSPENSION. IN RESPONSE, MR. GIROIR QUESTIONED THE RELEVANCE OF MR. MILLET'S COMMENT TO THIS CASE AND SHE FURTHER ADVISED THAT THERE ARE SITUATIONAL CIRCUMSTANCES WHERE THE COLONEL MAY NEED THE EMPLOYEE TO WORK; IN THIS CASE MR. PALMER DID NOT WORK OVERTIME.

- b. Executive session to discuss litigation in the appeal of Willie W. Palmer, III, Docket No. 17-232
THE COMMISSIONERS DID NOT GO INTO EXECUTIVE SESSION.

- c. Consideration and vote on whether to accept proposed settlement agreement.

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION VOTED TO APPROVE THE SETTLEMENT AGREEMENT IN THE MATTER OF WILLIE W. PALMER, III.

ROLL CALL VOTE:

CALVIN BRAXTON, SR. – YES
JARED CARUSO-RIECKE – YES
THOMAS DOSS – YES
MONICA MANZELLA – YES
MICHAEL NEUSTROM – YES
HAROLD PIERITE, SR – YES
EULIS SIMIEN, JR. – YES

6. Discussion of response to SPC request that T. Taylor Townsend produce SPC documents that were obtained or generated by him in his role as legal counsel for SPC, and of the report that he should have prepared in connection with the summary disposition of Docket #16-221-I, Investigation of LSTA Political Contributions.

DIRECTOR HANNAMAN GAVE AN UPDATE ON THE MATTER OF T. TAYLOR TOWNSEND. ON WEDNESDAY JULY 12, 2017, THE COMMISSION RECEIVED A BOX FROM MR. TOWNSEND'S OFFICE BUT IT HAS NOT BEEN OPENED AS OF YET. IT IS THE UNDERSTANDING OF THE DIRECTOR THAT MR. TOWNSEND WILL WORK ON DRAFTING A SUMMARY REPORT FOR THE INVESTIGATION OF LSTA POLITICAL CONTRIBUTIONS (DOCKET #16-221-I); HE WILL INFORM THE COMMISSION IF/WHEN THAT REPORT IS RECEIVED.

7. Other Commission Business

COMMISSIONER BRAXTON REQUESTED AN OPPORTUNITY TO ADDRESS THE COMMISSION. HE PROVIDED COMMENT REGARDING A REPORTER'S INQUIRY INTO A PRIOR YEAR DWI EVENT INVOLVING HIS DAUGHTER. HE ADVISED THAT HE MET WITH THE ATTORNEY GENERAL'S OFFICE THE DAY BEFORE ON A MATTER INVOLVING THE PREVIOUS EXECUTIVE DIRECTOR, CATHY DERBONNE. HE ADVISED THAT HE WANTED HIS FELLOW BOARD MEMBERS TO KNOW EVERYTHING ABOUT A RECENT PUBLIC RECORDS REQUEST FOR INFORMATION AND INSTRUCTED DIRECTOR HANNAMAN TO PROVIDE COPIES OF ALL RESPONSIVE DOCUMENTS TO THE BOARD MEMBERS.

COMMISSIONER RIECKE ADVISED HIS DESIRE THAT ALL PUBLIC RECORDS REQUESTS ARE ROUTED TO ALL COMMISSIONERS WHEN THEY ARE RECEIVED; COMMISSIONER DOSS ADDED THAT A COPY OF THE RESPONSES TO PUBLIC RECORDS REQUESTS SHOULD ALSO

BE SENT TO ALL COMMISSIONERS WHEN THEY ARE READY FOR DISTRIBUTION.

COMMISSIONER PIERITE ADVISED THAT HE WOULD LIKE A MEMBER OF THE LSP ADMINISTRATION TO BE PRESENT AT THE NEXT COMMISSION MEETING BECAUSE HE HAS SEVERAL QUESTIONS THAT HE IS LOOKING TO DISCUSS.

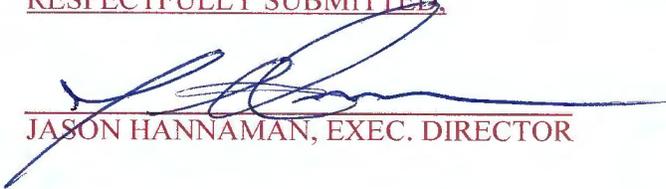
V. Director's Report JASON HANNAMAN, DIRECTOR

- UPDATED THE COMMISSION AS TO THE CONTINUED WORK WITH THE LSP ADMINISTRATION ON TDY TRACKING AND THE DEVELOPMENT OF A NEW TDY TRACKING DOCUMENT.
- A PILOT ON-SITE TESTING SESSION WAS CONDUCTED FOR CADETS IN SPC COMMISSION OFFICES LAST MONTH. THE GOAL IS TO MOVE TO MULTIPLE TEST DAYS RATHER THAN A SINGLE TESTING OPPORTUNITY AT THE END OF THE MONTH AND EVENTUALLY HAVE COMPUTERIZED TESTING FOR CADETS.
- THE SPC BUDGET WAS APPROVED AND SOME MONIES ARE BEING SPREAD TO ADDRESS CRITICAL TECHNOLOGY UPGRADES.
- AN IMMEDIATE CRITICAL NEED IS TO ADDRESS THE CRASH OF THE IN-HOUSE SPC SERVER. THE SPC SERVER IS A 2003 MODEL USING WINDOWS SERVER 2003. THE DAY AFTER A FULL BACKUP WAS SUCCESSFULLY COMPLETED BY DIRECTOR HANNAMAN, THE SERVER CRASHED WHILE ATTEMPTING TO APPLY 111 UPDATES FROM 2013 (THE LAST YEAR UPDATES WERE ISSUED FOR THIS PARTICULAR SERVER SOFTWARE). IT HAD BEEN MONTHS (OR LONGER) SINCE A SUCCESSFUL BACKUP HAD BEEN COMPLETED. THE DATA WAS PRESERVED IN DIRECTOR HANNAMAN'S BACKUP AND NOTHING WAS LOST AS A RESULT OF THE CRITICAL SERVER FAILURE. PROPOSALS ARE CURRENTLY BEING EVALUATED TO REPLACE THE SERVER AND IMPROVE THE TECHNOLOGY WITHIN THE AGENCY AS WELL AS TO ESTABLISH PROCEDURES FOR REGULAR TECHNOLOGY MAINTENANCE.

VI. Adjourn

ON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY PASSED; THE COMMISSION VOTED TO ADJOURN AT 10:58 A.M. ON THURSDAY, JULY 13, 2017.

RESPECTFULLY SUBMITTED


JASON HANNAMAN, EXEC. DIRECTOR


THOMAS "T.J." DOSS, CHAIRMAN